

# Agenda

## County of Inyo Board of Supervisors

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

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

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

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

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

### January 26, 2016

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

#### **CLOSED SESSION**

2. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** – discussion with legal counsel regarding potential initiation of litigation (two cases.)
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, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
4. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
5. **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, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

#### **OPEN SESSION**

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

6. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**
7. **PUBLIC COMMENT**
8. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

**CONSENT AGENDA** (Approval recommended by the County Administrator)

**COUNTY ADMINISTRATOR**

9. **Recycling and Waste Management** – Request Board award the bid for and authorize the purchase of a Brush Bandit 90XP Brush Chipper from Cal-Line Equipment, Inc., in an amount not to exceed \$23,357.89, and authorize the County Administrator or his designee to sign all documents relative to the purchase of this equipment.
10. **Information Services** – Request Board A) approve the purchase of Inyo County Centerline data from GeoComm in an amount not to exceed \$7,500; and B) approve the purchase of Geographic Information System server replacements from Dell, Inc., in an amount not to exceed \$12,000, contingent upon the completion of an appropriation request.
11. **Information Services** – Request Board, pursuant to the technology refresh initiative, authorize the purchase of 68 desktop computers and 51 laptop computers and associated peripherals from Dell in an amount not to exceed \$47,100.

**PROBATION**

12. Request approval of Amendment Two to the Lease Agreement between the County of Inyo and Satellite Tracking of People, LLC (STOP) for providing electronic monitoring supplies and services by increasing the amount of the Contract by \$5,000 to an amount not to exceed \$25,000; and authorize the Chairperson to sign.

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

13. **PLANNING** – Request Board review the Forest Service's most recent proposals regarding Wilderness, Species of Conservation Concern, and Wild and Scenic River Eligibility; and consider the draft correspondence in regards thereto, and authorize the Chairperson to sign.
14. **BOARD OF SUPERVISORS – Supervisor Jeff Griffiths** – Request Board review the grant application designating the Eastern Sierra Council of Governments as the governing board for the Inyo-Mono Broadband Consortium, and consider approval of the letter of support and authorize the Chairperson to sign. (*Grant application to be provided during the discussion.*)
15. **COUNTY ADMINISTRATOR – Recycling and Waste Management** - Request Board find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Equipment Operator I position exists in the Solid Waste Budget as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to fill the position from an existing list that the County has recruited for and has an existing eligibility list that was approved and created for that position; and C) approve the hiring of one Equipment Operator I, at Range 58 (\$3,310 - \$4,027).
16. **PLANNING** - Request Board find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Associate Planner position exists in the Planning Department Budget, as certified by the Planning Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however an external recruitment is more appropriate; and C) approve the hiring of one Associate Planner at Range 74 (\$4,731 - \$5,750).
17. **PUBLIC WORKS** – Request Board award and approve the Contract for the Tecopa Heights Water Vending Machine Project to the low bidder, Spiess Construction Company, Inc., in the amount of \$133,761; authorize the Chairperson to sign; and authorize the Public Works Director to sign all other Contract documents, including Change Orders to the extent permitted by Public Contract code Section 20142 and other applicable law.
18. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors meetings of A) January 5, 2016 and B) January 12, 2016.

19. **CHILD SUPPORT SERVICES** – Request Board A) conduct a workshop to receive a presentation regarding the Eastern Sierra Child Support Program and the proposed Tribal TANF 2016-2019 plan regarding the cooperation by families receiving TANF assistance to cooperate with Child Support Services programs; and B) provide direction to staff, if any.)

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

- 11:30 a.m. 20. **PLANNING** – Request Board

A) conduct a **public hearing** on the following actions for a 17-acre site at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the Community of Charleston View: General Plan Amendment No. 2015-01/Magnificat Ventures changing the General Plan designation from Resort Recreational (REC) to Retail Commercial (RC) to best match the requested zoning and current use on the property; a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2015-01/Magnificat Ventures and Amending the Zoning Map of the County of Inyo by Rezoning a 17-acre Parcel Located at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the Community of Charleston View From Open space with Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2);" to best match the current uses on the property;

B) approve a resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying that the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings with Respect to and Approving Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01 Magnificat Ventures; and

C) waive the first reading of the Ordinance and schedule the enactment for 11:30 a.m., Tuesday, February 2, 2016 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

- 1:30 p.m. 21. **BOARD OF SUPERVISORS – Supervisors Jeff Griffiths and Matt Kingsley** – Request Board discuss and consider of letter(s) regarding the California Minerals, Off-Road Recreation, and Conservation Act (Representative Paul Cook) and California Desert Conservation and Recreation Act (Senator Feinstein).

**CORRESPONDENCE – ACTION** (To be considered at the Board's convenience)

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

22. **PUBLIC COMMENT**

**BOARD MEMBERS AND STAFF REPORTS**

**CORRESPONDENCE - INFORMATIONAL**

23. **TREASURER** – Treasury Status Report for the Quarter Ending December 31, 2015.
24. **PUBLIC WORKS** – Agenda for the February 1, 2016 Northern Inyo Airport Advisory Committee Meeting.
25. **PUBLIC WORKS** – Agenda for the January 27, 2016 Southern Inyo Airport Advisory Committee Meeting.



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

For Clerk's Use Only:  
**AGENDA NUMBER**

99

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

**FROM:            Recycling and Waste Management**

**FOR THE BOARD MEETING OF:    January 26, 2016**

**SUBJECT:        Approve the purchase of a brush chipper for use in Recycling and Waste Management Program.**

**DEPARTMENTAL RECOMMENDATION:**

That your Board: (a) award the chipper bid to Cal-Line Equipment, Inc. of Santa Fe Springs, California; (b) approve the purchase of a Brush Bandit 90XP Brush Chipper in the amount of \$23,357.89 to Cal-Line Equipment, Inc. of Santa Fe Springs, California; and (c) authorize the County Administrator or designee to sign all documents relevant to the purchase of the brush chipper.

**SUMMARY DISCUSSION:**

Inyo County Recycling and Waste Management (RWM) will be utilizing a grant through the Great Basin Unified Air Pollution Control District's (GBUAPCD) Environmental Public Benefits Fund to cover \$20,000 of the total \$23,357.89 to purchase a new brush chipper. The brush chipper will be used to divert green waste from the landfills in Independence and Lone Pine. The wood chips can be used as cover on the landfill and on roadways for dust control.

The solicitation for bids was advertised in the Inyo Register three (3) times in November 2015.

Three (3) companies responded with bids, and are summarized as follows:

<b>Company Name, Location</b>	<b>Bid Price Including Tax &amp; Freight</b>
Cal-Line Equipment, Inc., Santa Fe Springs, CA	\$23,357.89
RDO Equipment Co., Fowler, CA	\$23,711.63
Salsco Inc., Cheshire, CT	\$29,707.20

**ALTERNATIVES:**

Your Board could choose not to award the bid for the purchase for a brush chipper; however, this is not recommended since the majority of the cost of this brush chipper will be covered by a grant from the GBUAPCD.

**OTHER AGENCY INVOLVEMENT:**

County Counsel's Office and the Auditor's Office.

**FINANCING:**

Funding for the purchase of the a brush chipper includes Great Basin Unified Air Pollution Control District Environmental Public Benefits Fund Grant funding in the amount of \$20,000, the remaining \$3,357.89 is available within the Board Approved Fiscal Year 2015-2016 Recycling and Waste Management Budget Unit 045700, Object Code 5650.

<b>APPROVALS</b>	
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>1/13/16</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>1/14/2015</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.)  Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:** Richard J. Bauer Date: 1/20/16  
(Not to be signed until all approvals are received)  
(The Original plus 20 copies of this document are required)



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

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

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

**FROM:** County Administrator – Information Services

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** 2014 Homeland Security Grant Geographic Information Systems related purchases

**DEPARTMENTAL RECOMMENDATION:**

Request you Board A) Approve the purchase of Inyo County Centerline data from GeoComm in an amount not to exceed \$7,500; B) Approve the purchase Geographic Information System server replacements from Dell Inc. in an amount not to exceed \$12,000 contingent on the completion of an appropriation request.

**SUMMARY DISCUSSION:**

In June of 2014 the Inyo County Board of Supervisors approved the submittal of a 2014 Homeland Security Grant Program application. The application was ultimately approved resulting in the award of approximately \$94,000 to the County. Among the approved uses of grant funding is enhancement of the County Geographical Information System (GIS).

Three GIS items were identified for enhancement: Centerline data, a new backup/test GIS Server and a new primary GIS Server. The centerline data will improve the accuracy of the GIS dataset and is primarily used for 9-1-1 response. The new GIS servers will provide additional storage space for additional GIS related data, more processing power and system redundancy.

The Dell servers are to be purchased under WSCA (Western States Contracting Alliance) through Dell's contract: WN03AGW in compliance with section E.III.B.5 of the Inyo County Purchasing and Contracting Policy and Procedures Manual.

The centerline data is Sole Sourced from GeoComm per section E.III.3.E of the Inyo County Purchasing and Contracting Policy and Procedures Manual.

**ALTERNATIVES:**

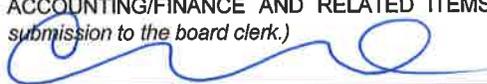
Your Board could choose to not approve the purchase of the centerline data or the server or both. Your Board could direct that alternate enchantments be researched and recommended. The alternatives are not recommended because staff has already researched potential enhancements and judged these as top priority and the grant administrator has approved these acquisitions.

**OTHER AGENCY INVOLVEMENT:**

This request potentially affects many County departments and partner agencies including: Sheriff's Office, Public Works, Water Department, Planning, County of Mono and City of Bishop.

**FINANCING:**

The requested for the purchases is to be funded through the 2014 Homeland Security grant FY 2015-16 budget [623714-5650] (Equipment) for the servers and [623714-5177] for the centerline data. Funding is contingent on the completion of an appropriation request within budget [623714].

<b>APPROVALS</b>	
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: <u>yes</u> Date <u>1/13/2016</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:**  Date: 1/13/2016  
(Not to be signed until all approvals are received)



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

For Clerk's Use  
Only:  
AGENDA NUMBER

118

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

FROM: County Administrator – Information Services

FOR THE BOARD MEETING OF: **January 26, 2016**

SUBJECT: Authorization to purchase desktop and laptop computers from Dell in an amount not to exceed \$47,100

**DEPARTMENTAL RECOMMENDATION:**

Pursuant to the technology refresh initiative; request your Board authorize the purchase of 68 desktop computers and 51 laptop computers and associated peripherals from Dell in an amount not to exceed \$47,100.

**SUMMARY DISCUSSION:**

The adopted 2013-14 budget included the establishment of a technology refresh practice that anticipates annual replacement of approximately 25% of the technology implemented at the County. This practice helps normalize the operating costs associated with necessary technology upgrades and maintenance.

For FY2015-16, 23 desktop computers and 30 laptop computers were identified for refreshment. Lenovo, Hewlett-Packard, and Dell equipment was evaluated. Information Services technical staff determined that the equipment from Dell was the clear price-performance winner.

The computers are to be purchased under WSCA (Western States Contracting Alliance) through Dell's contract: WN03AGW in compliance with section E.III.B.5 of the Inyo County Purchasing and Contracting Policy and Procedures Manual.

**ALTERNATIVES:**

Your Board could choose to deny the request, modify the quantities requested and/or direct staff to determine alternate solutions. Denial of the request would be contrary to the initiative proposed as part of the 2013-14 budget adoption and is not recommended. The quantities recommended are based on the 25% replacement concept and modifications of those quantities are not recommended. Comprehensive analysis of the technology recommended was conducted; Information Services believes that further analysis would not result in a significantly different recommendation.

**OTHER AGENCY INVOLVEMENT:**

The technology refresh initiative affects all General Fund departments, though not equally each year, as well as some Non-General Fund departments choosing to participate.

**FINANCING:**

Funding for the purchase of the computers is available in the Board approved FY 2015-16 Computer Upgrade budget 011808, Object Code 5232 (Office and Other Equipment <\$5000).

**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 1/13/2016
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:**

(Not to be signed until all approvals are received)



Date: 1/13/2016



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

For Clerk's Use Only: <b>AGENDA NUMBER</b>  12
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- Consent     Departmental     Correspondence Action     Public Hearing  
 Scheduled Time for     Closed Session     Informational

**FROM:** Probation Department

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Amendment Two (2) to STOP Lease Agreement

**DEPARTMENTAL RECOMMENDATION:** Request Board approve Amendment Two to the Lease Agreement between Inyo County Probation and Satellite Tracking of People LLC (STOP) of Houston, Texas for providing electronic monitoring supplies and services by increasing the "not to exceed" amount from \$20,000 to \$25,000 and authorize the Chairperson to sign Amendment Two contingent upon the future adoption of future budgets.

**CAO RECOMMENDATION:**

**SUMMARY DISCUSSION:**

**History:** In Fiscal Year 2012/2013, your Board approved the local Community Corrections Partnership (CCP) Plan in accordance with the Public Safety and Realignment Act of 2011, along with designating the Probation Department as the Supervising Entity for post-release community supervision of new state prison parolees. In addition, in accordance with Assembly Bill 109: Criminal Justice Alignment [Public Safety and Realignment Act of 2011 (AB109)], which shifted incarceration of inmates convicted of offenses deemed non-serious, non-violent and non-sexual offenders to County jails and supervision of those offenders to the Probation Department, a CCP Executive Committee was designated, chaired by the Chief Probation Officer, to make recommendations to the Board of Supervisors on how to spend AB109 monies.

Specifically, AB109 legislation required each county to develop its own implementation plan on how best to utilize sanctions and evidence-based practices to improve services and reduce recidivism. Within the approved CCP Plan, several treatment and alternative sentence programs were outlined, one of which is the electronic monitoring/remote alcohol monitoring program, which implements alternative sentence to the traditional local jail term for violations of probation or lower level offenders. This program, in collaboration with the Inyo County Sheriff's Department, utilizes **GPS technology** to both track an offender's whereabouts and design specific "exclusion zones," or areas that offender is prohibited from entering, such as bars, school zones or areas in which victims reside to minimize the potential for contact and re-offense. **Radio Frequency (RF) monitoring** utilizes radio frequencies generated by both an ankle bracelet type unit and a base unit that is placed in the offenders' residence creating virtual confinement of the offender to their home. And, **remote alcohol monitoring** utilizes a transdermal alcohol detection system within a unit that is attached to the offenders' leg.

Implementation of an electronic monitoring/remote alcohol monitoring program has many significant benefits to the supervision of local offenders and has application at all levels of the local criminal justice system. For the Inyo County Jail, the program is utilized at a pre-trial level, whereby the courts have the option of placing low to moderate risk offenders on electronic

monitoring or remote alcohol monitoring to alleviate overcrowding by offenders who historically utilize significant jail bed space while awaiting trial or settlement of their cases. Additionally, low to moderate risk offenders, both misdemeanor and felony level, who historically utilized significant jail beds while serving sentences between 30 and 90 days are placed on electronic monitoring as an alternative, with the additional benefit that they are in certain cases required to participate in treatment at the same time. Fiscally, existing SB 678 dollars were utilized to implement the electronic monitoring program in 2012 at a cost of less than \$10,000.

After obtaining and reviewing electronic monitoring proposals from STOP, BI Incorporated and Pro Tech Monitoring, Inc., the Probation Department entered into an Agreement with STOP on April 1, 2012 in the amount not to exceed \$10,000. In November 2013, your Board approve Amendment One to the Lease Agreement which increased the not to exceed amount to \$20,000.

As mentioned in the CCP Plan, electronic monitoring program is used for both Adult and Juvenile Offenders and Inyo County would have the option to charge offenders for this service, thereby permitting the recuperation of some of the cost for the program. Monitoring is provided through the STOP website of all activity of the Offender. In the Adult Division, Offenders pay for the cost to have electronic monitoring based on a sliding scale. Monies collected from the Adult Offenders pay for almost all of the costs for said program and the remaining expenses are covered with AB109 Criminal Realignment monies. In the Juvenile Division, the cost for a Juvenile to participate in the electronic monitoring program is funded entirely through the Youth Offender Block Grant (YOBG). However, in certain Juvenile cases, a Juvenile may be charged \$1.00 a day. Adult Offenders make up the majority of participants in this program. Although the Probation Department and Sheriff's Department are currently able to absorb the impact of the new electronic monitoring caseload with existing staff, as the realignment population grew and use of electronic monitoring increased, the Probation Department has had to specifically assign an Adult Deputy Probation Officer to handle electronic monitoring participants. As a result, this has increased responsibilities on to the other Adult Deputy Probation Officers.

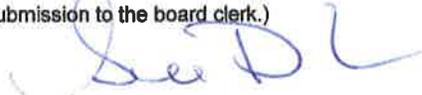
We continue to see that this program is very effective as it allows an Offender to continue to work and participate in treatment programs, while paying for their electronic monitoring device costs and removes them from the Jail facility. The participant level continues to increase, on average, the cost per month is approximately \$1,700 total paid to STOP for their equipment and services. Invoices are paid monthly out of the corresponding budget, monies are collected weekly from the Offender, and quarterly AB109 monies and/or YOBG monies reimburse the corresponding budget. Due to the increase in participants and therefore an increase in monthly cost, it is anticipated that we will reach over the \$20,000 not to exceed amount by the end of the fiscal year.

Probation respectfully requests that your Board approve Amendment Two to the Lease Agreement by increasing the "not to exceed" amount from \$20,000 to \$25,000 and authorize the Chairperson to sign Amendment Two.

**ALTERNATIVES:** Your Board could choose to not approve increasing the Agreement amount; however, this is not recommended as the electronic monitoring program has benefitted the County, the Public, and the Sheriff's Jail Facility.

**OTHER AGENCY INVOLVEMENT:** N/A

**FINANCING:** Monies have been budgeted within the Probation Budget 023000 and Juvenile Institutions Budget 023100, within the Professional Services Expenditure Object Code 5265.

<b><u>APPROVALS</u></b>	
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>1/13/16</u>
AUDITOR/CONTROLLER: 	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>1/13/16</u>
PERSONNEL DIRECTOR: 	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: <u>✓</u> Date <u>1/13/16</u>

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



Date: 1/14/16

**AMENDMENT NUMBER TWO (2) TO  
AGREEMENT BETWEEN THE COUNTY OF INYO AND  
SATELLITE TRACKING OF PEOPLE, LLC  
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and SATELLITE TRACKING OF PEOPLE, LLC, of HOUSTON, TEXAS (hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Independent Contractor Services dated APRIL 1, 2012, on County of Inyo Standard Contract No. N/A, for the term from APRIL 1, 2012 to UNTIL TERMINATED.

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:

Amend the Satellite Tracking of People, LLC Lease Agreement with the County of Inyo Probation Department for electronic monitor supplies and services as follows:

Payment: (Page 1 of Lease Agreement) Limit Upon Amount Payable Under Agreement: The total sum of all payments made by the Lessee in any one year for services performed under this Agreement shall not exceed Twenty-five Thousand (\$25,000) Dollars.

The effective date of this Amendment to the Agreement is January , 2016.

All the other terms and conditions of the Agreement are unchanged and remain the same.

ORIGINAL

AMENDMENT NUMBER TWO (2) TO  
AGREEMENT BETWEEN THE COUNTY OF INYO AND  
SATELLITE TRACKING OF PEOPLE, LLC  
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

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

COUNTY OF INYO

By: \_\_\_\_\_

Dated: \_\_\_\_\_

CONTRACTOR

By:  \_\_\_\_\_  
Signature

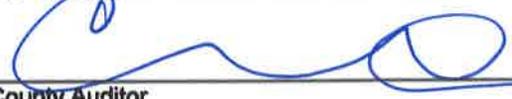
Greg Utterbank  
Type or Print

Dated: January 11, 2016

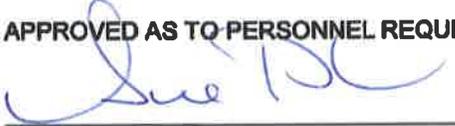
APPROVED AS TO FORM AND LEGALITY:

  
County Counsel

APPROVED AS TO ACCOUNTING FORM:

  
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

  
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**

13

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

**FROM:** Planning Department

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Inyo National Forest Plan Revision

**RECOMMENDATION:** Review the Forest Service's most recent proposals regarding Wilderness, Species of Conservation Concern, and Wild and Scenic River Eligibility and draft correspondence in regards thereto, and authorize the Chair to sign.

**SUMMARY DISCUSSION:** In December, the Forest Service shared updated documents regarding Wilderness, Wild and Scenic Rivers, and Species of Conservation Concern.<sup>1</sup> Input is requested by February 1. The Board reviewed the documents and draft correspondence in regards thereto on January 19, took public comment, and directed staff to research Wild and Scenic Rivers and update the draft correspondence based on the discussion for its reconsideration on January 26. Exhibit 1 includes the updated draft correspondence. Exhibit 2 includes correspondence submitted regarding these issues.<sup>2</sup> Exhibit 3 includes the Agenda Request Form from January 19.

**Wild and Scenic Rivers**

The Wild and Scenic River Act and interagency guidelines describe classifications for eligible rivers as:

- **Wild rivers:** Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.
- **Scenic rivers:** Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
- **Recreational rivers:** Those rivers, or sections of rivers, that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

It is anticipated that the Forest Plan will prescribe Forest-wide management for inventoried rivers, and if designated or desired in the future, a management plan would be developed. In either case, the primary goal would be to maintain or enhance the rivers' wild and scenic classification.

<sup>1</sup> Refer to <http://inyoplanning.org/InyoNationalForest.htm> for more information about the County's participation in the Plan Update/Revision, and the following Forest Service website for more information about the Plan Update, including documents related to Wilderness, Wild and Scenic Rivers, and Species of Conservation Concern currently being reviewed:

<http://www.fs.usda.gov/detail/r5/landmanagement/planning/?cid=stelprdb5444003>.

<sup>2</sup> Note that annotated maps were submitted regarding Wilderness and are available for viewing upon request.

**ALTERNATIVES:** The Board may consider the following alternatives: (1) do not provide input – this is not recommended due to the importance of these issues or (2) direct changes to the correspondence.

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

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

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

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



Date: 1-26-16

Exhibits:

1. Draft Correspondence
2. Public Correspondence
3. January 19, 2016 Agenda Request Form

January ~~26~~19, 2016

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

**Re: Inyo National Forest Plan Update/Revision – Species of Conservation Concern, Wild and Scenic Rivers, and Wilderness Being Considered**

Dear Supervisor Armenta:

On behalf of the Inyo County Board of Supervisors, thank you for continuing to provide avenues for public input regarding the Update/Revision to the Inyo National Forest Plan. We appreciate the opportunity for the public to participate in development of the Plan, particularly the Species of Conservation Concern (SCC), Wild and Scenic Rivers, and Wilderness.

As we have expressed repeatedly throughout development of the Planning Rule and the Update/Revision process, we are very concerned about the scope of the proposed SCC. We believe that the vast scale of the SCC being considered will result in significant socioeconomic impacts to Inyo County by further restricting access to the Forest; increasing permitting burdens for the County, volunteer organizations, non-profits, and private enterprise, and; complicating future Forest actions. As we have indicated previously, we urge considering the SCC to be considered in the Plan in light of all the scientific information available and in balance with other important Plan objectives. The SCC should include common names, and we support appropriate measures to protect species to work to avoid future listings.

As we indicated in our October 20, 2015 correspondence, we believe that the Forest Service's previous approach to identifying potential areas for additional Wilderness logical and technically sound, and we are deeply disappointed that the Forest Service is revisiting this issue. The maps currently under public review are difficult to read, include numerous inaccuracies, and are misleading; we therefore request that the maps be corrected and that additional public review be provided at this time. With regards to the current draft proposal, the polygons being considered accommodate important mineral, agricultural, and recreational resources. We suggest that appropriate buffers to roads within the Polygons -(e.g., Soldier Canyon Road, the road connecting Soldier Canyon Road with Highway 168, etc.) be identified as these areas have been significantly disturbed by past human activities, and do not exhibit Wilderness characteristics.

In regards to Wild and Scenic Rivers, we are very concerned about potential recreation, access, agricultural, public service, and infrastructure impacts. We therefore request that protection and enhancement of these and other important human resources be emphasized within the Forest Plan and any other future planning efforts for the rivers and streams being considered.

Thank you for your attention to these matters. Please contact Kevin Carunchio, County Administrative Officer, at (760) 878-0292 or kcarunchio@inyocounty.us if you would like to discuss further.

**Matt Kingsley**, Jeff Griffiths, Chair  
Inyo County Board of Supervisors

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



January 7, 2016

Forest Plan Revision Team  
1839 South Newcomb Street  
Porterville, CA 93257  
Email: [r5planrevision@fs.fed.us](mailto:r5planrevision@fs.fed.us)

Re: Wild and Scenic Rivers and Wilderness Evaluation

Dear Planning Team:

Please accept this letter as the official comments of the BlueRibbon Coalition (BRC) on the Wild and Scenic Rivers and Wilderness Evaluation Process for the Inyo, Sequoia and Sierra National Forests.

BRC is a national recreation group that champions responsible recreation and encourages individual environmental stewardship. With members in all 50 states, BRC is focused on building enthusiast involvement with organizational efforts through membership, outreach, education and collaboration among recreationists. BRC has members who recreate throughout the Adopter Forests, including access by all forms of motorized vehicles, horses, mountain bikes and hiking. This access includes uses within formally designated Wilderness, within "multiple use" public lands, and within recommended wilderness and/or inventoried roadless areas via nonmotorized/nonmechanized means of transport, as well as existing and previously recognized motorized/mechanized transport that would be considered "nonconforming" uses in designated Wilderness. These members have enjoyed all such means of access in the past and have concrete, future plans to continue such access in the future.

#### **WILD AND SCENIC RIVERS EVALUATION**

BRC understands the National Wild and Scenic Rivers System was created by Congress in 1968 to preserve certain rivers with outstanding natural, cultural and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Wild and Scenic Rivers Act establishing the system is notable for safeguarding the special character of these rivers, while recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.

BRC also understands the Forest Service 2012 Planning Rule specifically requires that during plan development or revision, river eligibility must be identified unless an inventory has been completed and no changed circumstances or new information warrant further review. The rule also requires the Forest Service to manage those eligible and suitable rivers to protect the values that support their

inclusion in the National Wild and Scenic River System until Congress makes a final determination on their designation

BRC commends the agency for their effort to identify motorized recreation in the screening process in regards to recommending a wild vs. scenic vs. recreation classification for a river course or segment. BRC urges the agency to further refine the classification process based on input from local user groups and individuals as it relates to motorized recreation on roads and trails within the river's sphere of influence.

However, BRC is concerned about the apparent management direction in some Regions and Forests to use a "Wild" or "Scenic" designation to ban or severely restrict both OHV and OSV recreation within, or adjacent to, the river corridor. In fact, OSV recreation does not appear to be included in the screening process for any of the rivers in the project area(s). We urge the agency to rectify this oversight.

We also request full transparency in the WSRA evaluation process, including discussion of segments deemed ineligible. BRC has participated in processes where certain segments were thrust to the forefront of the designation process only at the eleventh hour, such as through an effort to resolve objections. This approach has, in our opinion, violated notice and disclosure requirements of WSRA, NEPA, and other law.

#### **WILDERNESS EVALUATION**

BRC understands the 2012 Planning Rule requires the U.S. Forest Service to identify and evaluate lands that may be suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for wilderness designation. The Forest Service does not designate wilderness, only Congress can make this final determination.

BRC commends the agency for their effort to identify motorized OHV/OSV recreation in the screening process in regards to recommending an area for Wilderness designation by Congress. BRC urges the agency to further refine the recommendation process based on input from local user groups and individuals as it relates to motorized recreation on roads and trails within, or adjacent to, the area(s).

BRC agrees that only Congress can designate Wilderness. However, BRC is concerned that agency direction in some Regions and Forests to manage recommended Wilderness area as defacto Wilderness areas where both OHV and OSV recreation is banned or severely restricted.

BRC's Sept. 29, 2014 comment letter cautioned the agency from using the new "quiet" recreation definition. BRC believes this new recreation definition can illegally bias the recommendation process against OHV, OSV, and other allegedly "non-quiet" forms of recreation such as hunting.

For example, Polygon 1012 (pages 5-7), states the polygon is surrounded by an extensive road and motorized trail system. This combined with some of the existing uses along the exterior portion of the polygon would make management of this area as wilderness difficult. The eastern portion of the polygon has motorized trails that would conflict with managing for wilderness character. There is also one motorized trail in the southwest portion of the polygon. There is priority sage grouse habitat that has active restoration.

The document also states the eastern portion of the polygon has motorized trails that run north to south, and limits the opportunity for solitude in this area. There are areas within the polygon that are quiet places free from motorized noise. Yet, there is no discussion on how a Wilderness designation or recommended Wilderness designation might impact a high quality motorized OHV/OSV experience.

For example on page 2 (Polygon 944), it states the topography is highly variable, but generally includes broad, open sandy canyons with minimal vegetation cover, which provides little screening. A motorized trail bisects the area, and the Benton Crossing Road (paved road which receives moderate use) is located along the southern and eastern boundary. There is a power line along the northern boundary that may be visible from the area. The potential for encounters with other users is low and mostly concentrated on the motorized trail and roads around perimeter. There is limited opportunity for solitude due to the proximity of the road and motorized trail system. The area is largely undeveloped and there is likely opportunity for primitive- type recreation activities, such as cross-country hiking and general forest exploration.

It appears the planning effort is focused on helping Forest visitors find opportunities for solitude, primitive and unconfined recreation in wilderness, Wilderness, and recommended Wilderness areas.

BRC believes this creates an illegal bias against legal OHV and OSV recreation. The agency should describe what recreation activities are allowed in big "W" Wilderness vs. small wilderness and recommended Wilderness areas. BRC strongly encourages the Early Adopter Forests and Region 5 to avoid entanglement in small "w" or RWA surrogates for Wilderness management. We believe that Region 1 strayed too far over this line, and have advanced such views in Idaho State Snowmobile Ass'n/BlueRibbon vs. U.S. Forest Service, Case No. 3:12-cv-447-BLW (D.Idaho), as well as recently-filed litigation challenging the Kootenai and Idaho Panhandle Revised Forest Plans.

Again, BRC recommends the agency devote a paragraph and similar narrative for OHV and OSV recreation that describes a high quality motorized experience, which is independent of and/or specifically distinguishes between motorized recreation opportunity and any impacts on wilderness character as distinct evaluation components.

BRC is concerned that the online notice reflects a tendency toward this presumptive restriction of motorized/mechanized use and/or a related presumption in favor of Wilderness management for recommended wilderness. We agree, as depicted in the notice, that FSM 1923.03 provides applicable guidance for RWA management. However, rather than simply citing this guidance, the notice states that existing uses, and "all plan components applicable to a recommended area must protect and maintain the social and ecological characteristics that provide the basis for wilderness recommendation." See, FAQ at p. 3 (at [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd486869.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd486869.pdf)). In contrast, FSM 1923.03 states that "[a]ctivities currently permitted may continue, pending [Wilderness] designation, if the activities do not compromise wilderness values of the roadless area." See, Declaration of Faye Krueger (Doc. No. 48-3) in Case No. 3:12-cv-447-BLW (D. Idaho) (quoting FSM 1923.03). Our point is that "not compromising" is a different standard than "must protect" and the Adopter Forests' choice of the latter raises our serious concern that this process will unfortunately advance our premise, outlined in the above-cited litigation, that agency leadership is formally or informally directing line officers to err on the side of imposing Wilderness management standards in RWA. Put differently, the "must protect" modification of the actual section 1923.03 guidance puts the burden on proving "non-impacts" on proponents of existing use, in contrast to the correct interpretation that uses may continue absent a showing they "compromise" wilderness characteristics.

Given the large number of historic OHV routes closed in Subpart B and the potential for further restrictions in Subpart C, BRC urges the agency to refrain from recommending to Congress for Wilderness designation any areas that contain meaningful motorized OHV/OSV recreational opportunities. We anticipate that BRC member feedback and submissions will refine or clarify these specific boundaries or route prescriptions within specific areas.

BRC appreciates this opportunity to be involved in the public planning process on behalf of its members who enjoy recreation in the project areas. Please contact me if you have questions or wish to discuss any aspect of these comments.

Best regards,

*Don*

Don Amador  
Western Representative  
BlueRibbon Coalition, Inc.  
555 Honey Lane  
Oakley, CA 94561  
Office: 925.625.6287  
Email: [brdon@sharetrails.org](mailto:brdon@sharetrails.org)  
Web: [www.sharetrails.org](http://www.sharetrails.org)

## Joshua Hart

---

**From:** Mike Johnston <es4wdclub@gmail.com>  
**Sent:** Monday, January 18, 2016 7:39 AM  
**To:** Jeff Griffiths; Mark Tillemans; Richard Pucci; Matt Kingsley; Dan Totheroh  
**Cc:** Kevin Carunchio; Joshua Hart  
**Subject:** Tues. Board Meeting- Potential Recommended Wilderness  
**Attachments:** Wilderness Alternatives.pdf; Comments about the ten Potential Recommended Wilderness Areas.docx

Item 21 of your Agenda this Tuesday includes draft correspondence on the potential for 121,396 acres of additional Wilderness area. The proposed correspondence needs to be more explicit. The County is a "Cooperating Agency" with regards to this additional Potential Wilderness and should speak up.

The Forest Service initially proposed six areas (approx. 72,000 acres) as Potential Wilderness and Inyo County wrote a letter supporting the process used. After getting feedback on the initial six, the Forest Service has now come back with four alternatives:

A) Make no changes at all- add no Wilderness

B) Add four Wilderness Areas (37,029 acres). These four were included in the original six. Two of the original six were removed probably because they may not qualify for Wilderness status. All four are in Inyo County

C) Add ten Wilderness areas (121,396 acres). This alternative expand the area in two of the original six and adds four new areas. Nine are in Inyo County and one is in Mono County.

D) Add no Wilderness but make some other changes. I have been unable to find out exactly what the other changes are but I understand they may be beneficial to additional uses of Public Lands.

For additional information see the attached Forest Service "Overview of Designated Wilderness, Recommended Wilderness, and Potential Recommended Wilderness by Alternative for the Inyo National Forest".

***It is my viewpoint that the Inyo County should take a position as to which Alternatives are acceptable, or unacceptable, or how they should be altered.***

Inyo County currently has 22 Wilderness areas and much of the County Public Land is already designated Wilderness. The remaining Public Land, although not Wilderness, has numerous other restrictions that are designed to prevent harm to our valuable resources. The current definition of "Wilderness" has been stretched far beyond the original 1964 definition. It is easy today to argue either for, or against, the Wilderness designation on our Public Lands.

The Inyo County administration, and citizens, should try to maintain influence on how our remaining non-Wilderness Public Lands are to be utilized. The Wilderness designation strips us of our ability to help determine how Public Lands are to be used.

I have also attached reasons why the specific areas should not be considered as Potential Wilderness.

Thank you,

--

Mike Johnston  
(760) 937-6663  
www.easternsierra4wdclub.com

## Overview of Designated Wilderness, Recommended Wilderness, and Potential Recommended Wilderness by Alternative for the Inyo National Forest

**Note:** Potential recommended wilderness consists of areas that were inventoried and evaluated as part of the wilderness evaluation and are now being considered for inclusion as recommended wilderness in one or more alternatives of the environmental analysis process. A final decision on which areas will be included in the draft environmental impact statement analysis has not yet been made.

Measurement	Alternative A	Alternative B	Alternative C	Alternative D
Acres of existing designated wilderness	967,039	967,039	967,039	967,039
Existing recommended wilderness	0	0	0	0
Acres (and number of polygons) <sup>1</sup> considered for the inventory	Not Applicable	791,590 (565)	791,590 (565)	791,590 (565)
Acres (and number of polygons) included in the final inventory and evaluation <sup>2</sup>	Not Applicable	602,239 (121)	602,239 (121)	602,239 (121)
Potential recommended wilderness acres (and number of specific potential recommended wilderness areas)	Not Applicable	37,029 (4)	121,366 (11)	0
Acres of total combined designated wilderness, existing recommended wilderness and potential recommended wilderness	967,039	1,004,068	1,068,435	967,039
Total combined designated wilderness, existing recommended wilderness and potential recommended wilderness as percentage of total forest acres <sup>3</sup>	49%	51%	55%	49%
Percent increase in total combined designated wilderness, existing recommended wilderness and potential recommended wilderness over current management (Alt A)	Not Applicable	2%	6%	0%
Total percent increase of combined designated wilderness, existing recommended wilderness and potential recommended wilderness resulting from potential recommended wilderness	Not Applicable	4%	13%	0%

<sup>1</sup> The number of polygons includes whole polygons that are completely within the Inyo National Forest administrative boundary as well as partial polygons that are located on the national forest boundary with portions in two national forests.

<sup>2</sup> The acres listed here are derived from the evaluation dataset. The final inventory dataset and the evaluation dataset are the same for those polygons that were included in the inventory and evaluation except for some small corrections that were made in the evaluation dataset as small errors were identified after the final inventory had been completed. For this reason there are some small discrepancies between the polygon acreage totals shown here and those as calculated in the final inventory dataset.

<sup>3</sup> Total national forest acres for the Inyo are 1,983,952.

## **Comments about the ten Potential Recommended Wilderness Areas:**

Although the "Overview.." document indicates there are 11 areas, that appears to be a misprint and we can only find 10. Below are some other misprints, problems and errors:

The map supplied by the Forest Service is very vague, hard to read and does not clearly show the borders or roads. All legal roads should be excluded from recommended Wilderness areas. The Inyo County roads generally get a 200 foot setback. Other roads generally get a 75 foot setback but they should also be given a 200 foot setback .

The area called Harkless Flat contains Soldier Canyon and is about four miles away from the actual Harkless Flat.

The area called Soldier Canyon does not include Soldier Canyon but has Crooked Road Canyon and Deadman Canyon.

The two areas referred to as Pilot Mountain should be called Piper Mountain and are additions to the Piper Mountain Wilderness area.

Further information can be found at the following links:

[http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd486856.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd486856.pdf)

<http://www.fs.usda.gov/detail/r5/landmanagement/planning/?cid=STELPRD3803608>

Below are quotes taken from the information above that is supplied by the Forest Service. Based on this information it would appear that the areas should not be designated "Wilderness":

### **Polygon 1246- Pilot Mtn #1, Harkless Flat and Soldier Canyon**

Pg 63

There are numerous roads and motorized trails within this polygon along the edge, as well as through the middle of the polygon. Off highway vehicle recreation, dispersed camping, mineral exploration and sightseeing are popular activities throughout this area, primarily during the spring and fall months.

Several of the canyons along the western escarpment of the mountains are scenic destinations for day hikers, though some also have motorized trails and off highway vehicle recreationists. While opportunities for primitive recreation do exist, travel in the lower elevation desert environment is challenging due to the lack of surface water and steep topography

Pg64

There may be opportunity for primitive and unconfined recreation, although surface water is limited and terrain makes travel difficult. There is limited opportunity to reshape to polygon to make it more suitable or manageable for wilderness characteristics due to the proximity to roads and motorized trails. There are general tribal concerns regarding tribal access and use.

### **Polygon 1281- White Mtn. East and West**

Pg. 71

There was historic mining and associated timber harvest in the area. There may have been grazing in the past as well. Only about 20 percent of the area has been surveyed for cultural resources.

This polygon has several motorized trails within it.

Pg. 72

There are legacy grazing and mining impacts

However, it is likely to hear regular noise from vehicles on White Mountain Road (paved forest road that is a National Forest Scenic Byway), as well as Wyman Canyon Road.

The area contains sage grouse habitat, which may require active management. There are general tribal concerns regarding tribal access and use. There is one private land inholding, access is unknown

There was historic mining and associated timber harvest that occurred in the area. No developments were noted except possibly one historic structure. It is unknown if there are grazing improvements in the area.

### **Polygon 1391- South Sierra East-**

Pg.96

There are also motorized trails present within the polygon

Pg. 97

There are recreation developments in the eastern portion of the polygon

There is dispersed camping and a dirt parking area at the trailhead. There are range improvements within the polygon. There is drift fence at the Olancha Pass Trailhead area, Wildrose Trail, and Pacific Crest Trail north of Kennedy Meadows campground. The Los Angeles Department of Water and Power has infrastructure in Haiwee Canyon. Very little of the area has been surveyed. Fewer than 10 properties are known, including remains of a historic corral, historic ditch, historic refuse scatters, and numerous prehistoric artifacts scatters and milling stations.

Pg. 99

In South Sierra East, there is livestock grazing that occurs in the area. There are developments related to grazing improvements, Los Angeles Department of Water and Power infrastructure (Haiwee Canyon area), and recreation developments that may be in the area.

### **Polygon 1236- Inyo Mountain Wilderness Addition**

Pg 58

Mining was extensive in this area. There may have been small areas of historic harvest related to mining. There are also active grazing allotments in the area. There are remnants of historic mining in many areas, including some that are substantially noticeable. Mine prospects, mine tailings, mining road and mining adits are found throughout the area.

Pg. 59

There are numerous roads and motorized trails within this polygon along the edge, as well as through the middle of the polygon. Off highway vehicle recreation, dispersed camping, mineral exploration and sightseeing are popular activities throughout this area, primarily during the spring and fall months. There is lower use in the summer due to heat. The opportunity for solitude is very limited in the areas in proximity to the road and motorized trail system. There are few quiet places free from motorized noise within the polygon, away from roads and motorized trails and mostly in the canyons.

Pg.60

The opportunity for solitude is degraded due to the proximity to motorized recreation (roads and motorized trails). There may be opportunity for primitive and unconfined recreation. There is limited opportunity to reshape to polygon to make it suitable or manageable for wilderness characteristics. The highest potential opportunity is where the polygon adjoins the Inyo Mountains Wilderness, however much of that area is bounded by roads or motorized trails which would make reshaping impractical. There are general tribal concerns regarding tribal access and use.

### **Polygon 1242- Pilot Mountain Wilderness Addition**

Pg. 60

h. Most of the polygon is within a mapped wildfire restoration zone (60 percent) and a wildfire maintenance zone (40 percent)

Pg.61

there has been some historic mining and timber harvest.

there has been some historic mining and timber harvest.

## **Polygon 1258- Deep Springs North**

Pg. 66

Historic mining and grazing has occurred in the area in the past. There are remnants of historic mines associated with the Wilkerson Mining Complex and Mexican Mine (cabins, adits, tailings). The roughly 25 documented cultural properties include remains of the Wilkerson Mining Complex, the Mexican Mine (cabins, adits, tailings), a stone cabin, hunting blind and rock structure, as well as numerous prehistoric rock ring and artifact scatters. Approximately 20 percent of the area has been surveyed for cultural resources.

Pg. 67

The western half of the polygon is in proximity to paved forest highway (White Mountain Road, which is a National Forest Scenic Byway), Highway 168, and roads and motorized trails, which limit the opportunity for solitude in these areas. The northern boundary follows Wyman Canyon Road, which is a lightly traveled system road, but is a main route that connects to Silver Canyon Road on the west side of the White Mountains, and traverses to the east side of the White Mountains to Deep Springs Valley

Pg.68

Very little of the area is surveyed. Three documented properties include a historic can dump, a prehistoric lithic scatter and the Gunter Creek Mining Site. The Gunter Creek Mine area contains several structures, including roads, trash, pipe, lumber, adits, shafts and platforms. Public comments indicate there are single track trails used by mountain bikers and motorcycle riders in the area.

Pg. 69

There is likely regular noise from vehicles on road and motorized trail network to the west that could be heard along the western perimeter of the area. There is regular noise that would be heard from vehicles near White Mountain Road in the northeast corner. T

## Joshua Hart

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**From:** Pat Gunsolley  
**Sent:** Wednesday, January 20, 2016 3:52 PM  
**To:** Joshua Hart  
**Subject:** FW: Inyo National Forest Wilderness Addition comments  
**Attachments:** INF Wilderness comments.pdf; ATT00001.htm

### *Pat Gunsolley*

Assistant Clerk of the Board  
P. O. Drawer N  
224 N. Edwards  
Independence, CA 93526  
(760) 878-0373

---

**From:** Kevin Carunchio  
**Sent:** Tuesday, January 19, 2016 1:07 PM  
**To:** Pat Gunsolley  
**Subject:** Fwd: Inyo National Forest Wilderness Addition comments

Begin forwarded message:

**From:** Pat & Donna Woods <[northwoods395@gmail.com](mailto:northwoods395@gmail.com)>  
**Date:** January 18, 2016 at 8:01:59 PM PST  
**To:** Dan Totheroh <[dtotheroh@inyocounty.us](mailto:dtotheroh@inyocounty.us)>, Jeff Griffiths <[jgriffiths@inyocounty.us](mailto:jgriffiths@inyocounty.us)>, K Carunchio <[kcarunchio@inyocounty.us](mailto:kcarunchio@inyocounty.us)>, "Mark Tillimans" <[mtillemans@inyocounty.us](mailto:mtillemans@inyocounty.us)>, Matt Kingsley <[mkingsley@inyocounty.us](mailto:mkingsley@inyocounty.us)>, Rick Pucci <[supervisor.pucci@gmail.com](mailto:supervisor.pucci@gmail.com)>  
**Subject:** Inyo National Forest Wilderness Addition comments

Your agenda this Tuesday (01/19/2016) includes draft correspondence regarding the potential for additional Wilderness areas within Inyo National Forest.

The Forest Service initially proposed six areas as Potential Wilderness and now they have increased that to 10 areas. The Forest Service has offered four alternatives:

A) Make no changes at all. (add no new wilderness)

B) Add four Wilderness Areas (37,029 acres). These four were included in the original six. All four are in Inyo County

C) Add ten Wilderness areas (121,396 acres). This alternative adds four new areas. Nine are in Inyo County and one is in Mono County.

D) Add no Wilderness but make some other changes. I have been unable to find out exactly what these changes are.

The draft Inyo County letter recommends very little change to the INF Draft wilderness recommendations. This stance basically supports the addition of up to 121,396 acres of new wilderness that would affect the way the public is allowed to use public land in Inyo County.... In my opinion, this is a mistake. 49% of INF is already designated as wilderness...we don't need anymore.

***I feel that Inyo County should take a position as to which alternatives are acceptable, or unacceptable, and/or how they should be altered to safeguard Public Land access and use in our county.***

The Inyo County administration, and citizens, should try to maintain influence on how our remaining non-Wilderness Public Lands are to be utilized. The Wilderness designation strips us of our ability to help determine how Public Lands are to be used.

I have attached a document I wrote, with reasons and concerns supporting why the specific areas should not be considered as potential wilderness.

I would attend the meeting in the morning... but I have jury duty.

Thank you for your time,  
Pat Woods

## Comments regarding Inyo National Forest (INF) proposed "Draft results of the Wilderness Evaluation"

### Background:

From 1990 to 2007 I was employed as a California Department of Fish and Game Warden, and assigned to patrol Inyo and Mono counties for resource violations. A good portion of my patrol district was within the Inyo National Forest. I was also cross deputized by USFWS and given limited law enforcement authority in adjoining states, including Nevada.

During that time I covered countless miles by vehicle, foot and horse while patrolling the INF. I contacted thousands of hunters, anglers, campers, hikers, OHV and other dispersed recreation users on the Inyo National Forest.

I have concerns about the areas (polygons) that INF has proposed, because they do not meet the definition of wilderness as outlined by the 1964 Wilderness Act, and I believe that their adoption would further limit the lawful activities of countless people. These people are good folks, the ones that I contacted while I working, who came here to recreate on public land. Their particular activity of choice could be eliminated or severely altered by new wilderness adoption.

### Comments and Concerns:

- The map INF supplied to the public does not have the scale, resolution or detail to clearly or accurately display the roads and borders defining the wilderness polygons under consideration. It is difficult for the public to address concerns if the polygon cannot be accurately defined and understood.  
[http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd486866.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd486866.pdf)
- The polygon INF called Soldier Canyon does not include Soldier Canyon but contains Crooked Road Canyon and Deadman Canyon.
- The name "Pilot Mountain Wilderness Addition (1)" and "Pilot Mountain Wilderness Addition (2)" given to a polygons within 1246 and 1242 are inaccurate. There is not a "**Pilot**" Mountain or Pilot Mtn. Wilderness to add on to, although there is an adjacent "**Piper**" Mountain and established Piper Mountain Wilderness.
- The name "Harkless Flat" given to a polygon within 1246 - **North side of Death Valley Road** is inaccurate. Harkless Flat is about 6.75 miles to the South East and on the **South** side of Death Valley road. Soldier Canyon is in this polygon.

## **POLYGON COMMENTS**

The following polygon comments have, in part, been extracted from the INF "Draft Wilderness Evaluation". Based on this information, that the Inyo National Forest provided, it appears that most of these areas should not qualify for adoption as wilderness.

### **Polygon 1236 - Including "Inyo Mountain wilderness addition"**

*Mining was extensive in this area. There are remnants of historic mining in many areas, including some that are substantial. Mine prospects, mine tailings, mining road and mining adits are found throughout the area. There are mining site and ruins west of Andrews Mountain. Old mining shacks are found at the narrows and at the end of 09S13. Undocumented mining features and structures are known in the vicinity of Harkless Flat.*

*Livestock grazing occurs in the area. There is fencing and other range improvements. The narrows of Marble canyon is a unique geologic feature that should be accessible to all.*

### **Polygon 1248 - (North side of Death Valley Road) Including "Pilot Mountain Wilderness addition (1), Harkless Flat and Soldier Canyon".**

*The northern boundary is Highway 168 and the southern boundary is Eureka Valley Road, a paved road to Death Valley National Park. There are numerous roads and motorized trails within this polygon along the edge, as well as through the middle of the polygon. Off highway vehicle recreation, dispersed camping, mineral exploration and sightseeing are popular activities throughout this area, primarily during the spring and fall months.*

*The opportunity for solitude is very limited in the areas in proximity to the road and motorized trail system. There are some quiet places free from motorized noise within the polygon, away from roads and motorized trails and mostly in the canyons. The potential for encounters ranges from very low to medium. Most of the use is around roads and motorized trails. There may be opportunities for primitive and unconfined recreation, although there are large areas with no surface water and extremely difficult terrain to travel through.*

*Some historic clearing/harvesting for mining is evident. There are large numbers of prehistoric sites.*

*Hwy 395 and the town of Big Pine are clearly visible from many areas within the Harkless Flat polygon. Travel Management road 9S105 parallels Soldier Canyon for several miles.*

### **Polygon 1281- White Mtn. East and West**

*There was historic mining and associated timber harvest that occurred in the area. No developments were noted except possibly one historic structure. There may have been grazing in the past as well. There are legacy grazing and mining impacts. It is unknown if there are grazing improvements in the area.*

*This polygon has several motorized trails within it.*

*Only about 20 percent of the area has been surveyed for cultural resources. There are general tribal concerns regarding tribal access and use.*

January 19, 2016

Supervisor Matt Kingsley, Chairperson  
Inyo County Board of Supervisors  
Independence, CA

Re: Inyo National Forest Plan

Dear Supervisor Kingsley:

I moved to Bishop for good six years ago, but had been enjoying coming here for over 30 years. I met a lot of good folks over those years. Some of them are passed away now. They enjoyed the outdoors, like me, and so we were on the same page. But a lot of the old-timers warned me that I should enjoy it while I could because there were forces that were on the prod to close out the places we most enjoyed. Now again I hear their words ringing true. Again these forces are requesting to close more – and for no good reason.

It is as though I am reliving one of those old B-western movies from elder times, where the townspeople, ranchers and miners were pitted against the forces of evil in trying to take away everything they had worked so hard to keep. Funny thing, some of these movies were made in the same valley we live in.

I recognize that the County Supervisors have done much in what they believe is in the best interest of the people and county. But now a huge mistake may be about to be made in supporting this wilderness issue of 123,000 acres. What is the need of this? How much more do "they" need? No more, in my opinion. Currently, about half of the Inyo National Forest is wilderness – where will it end?

This year I will be a first-time grandfather. Hopefully I will still be able to show my grandson these beautiful places as I was shown and remember them. If these places are added to the lock-up, I may have to tell him "Sorry son, we can't go there anymore." When he asks me why, what will I tell him? What will anyone tell their friends? Don't bother coming here, you can see the forest, but you can't go to it.

Please reconsider and not vote to support this blunder you would be making if you vote in favor of the Inyo National Forest Plan.

Respectfully submitted,

Mike Nolan

Mike Nolan  
2637 Sunset Road  
Bishop, CA 93514

## Joshua Hart

---

**From:** Mike Johnston <es4wdclub@gmail.com>  
**Sent:** Tuesday, January 19, 2016 6:13 PM  
**To:** Schweizer, Debra A -FS  
**Cc:** Hornick, Marty -FS; Armenta, Ed -FS; Murphy, Leeann B -FS; Jeff Griffiths; Fran Hunt; Joshua Hart; Jora Fogg  
**Subject:** Re: Current Potential Recommended Wilderness

We had a good meeting with the Supervisors. Both pro and con representatives were there to make a point although we were all somewhat chasing our tails due to the ambiguity in the details of the newer areas. The new map does not show much detail and cherry stemming is not obvious

Sorry about the previous confusion, I meant Alternative D, not 5. I think we would all be interested in more information if it is available.

Thanks and have a safe trip. Maybe Leeann can help us in your absence. You left town and we got some good rain and snow!

On Tue, Jan 19, 2016 at 5:25 AM, Schweizer, Debra A -FS <[debraaschweizer@fs.fed.us](mailto:debraaschweizer@fs.fed.us)> wrote:  
Hello Mike. I am traveling to Sacramento today and cannot make this. I am ccing Ed and Leeann. As a point of clarification, there are not 5 alternatives, unless you mean some 5th alternative as proposed by the county.

I'd be happy to come talk to the board about the plan at another time.

Deb

Sent from my iPhone

On Jan 18, 2016, at 12:54 PM, Mike Johnston <[es4wdclub@gmail.com](mailto:es4wdclub@gmail.com)> wrote:

The Inyo County Supervisors will be composing their response at the Board meeting this Tues. (tomorrow). It might be helpful if somebody from the INF could be there to possibly answer questions that might arise.

Such as, what is Alternate five?

--

Mike Johnston

[www.easternsierra4wdclub.com](http://www.easternsierra4wdclub.com)

--

Mike Johnston  
(760) 937-6663  
[www.easternsierra4wdclub.com](http://www.easternsierra4wdclub.com)

## Joshua Hart

---

**From:** mike johnston <mikzemail@gmail.com>  
**Sent:** Tuesday, January 19, 2016 7:16 PM  
**To:** Matt Kingsley  
**Cc:** Jeff Griffiths; Rick Pucci; Mark Tillemans; Dan Tothoroh; Joshua Hart  
**Subject:** Good question-

You asked me if I would approve of any of the Wilderness areas proposed. I hesitated and responded "No". That answer bothers me.

There are places for Wilderness and I am also a member of the Friends of the Inyo. I agree with their motto- Preservation, Exploration and Stewardship. I looked again at the four areas in Alternate B. The Forest Service has already excluded the other areas and for once I agree with them.

The South Sierra East Addition is a large area and I am not very familiar with it. When I searched it with google maps it appeared that there are many roads throughout the lower elevations. The polygon references a considerable number of man made features (see my 1/18/16 email). For those reasons I say "no", it does not qualify.

I have considerable experience driving around and into the other three areas on the legal roads, and other roads before they were closed. They are beautiful areas, and will remain beautiful with the current level of restrictions.

The White Mountain West does not have significant man made features that I am aware of. It possibly *could* qualify for Wilderness.

The White Mountain East has some roads but not a lot. This one is possibly *questionable*.

Pilot Mountain #1 (previously called Deep Springs South) has numerous roads and should not be included.

Although most of the roads mentioned above are now closed, they are still obvious man made features in these areas. The roads generally terminate at a mine or a failed digging area. Many of the polygons reference the noise from the roads that surround or are cherry stemmed. Shouldn't noise pollution be something that would prevent an area from being considered Wilderness? In these remote, quiet areas, noise from a motorcycle or quad can carry for approx. a half mile. Maybe the Wilderness set back should be a half mile from any roads. Instead the set back is 75 feet, unless it is a County Road and then it is 200 feet. The set backs should be greatly expanded.

Again, I encourage the Supervisors to stand up and be counted. Furthermore, I hate to see us give up any "say" in the future of these Public Lands and just hand it over to Congress. We need to work on taking care of the Wilderness we have already established.

Thanks again for listening.

--  
Mike Johnston

(760) 937-6663

## Joshua Hart

---

**From:** Mike Johnston <es4wdclub@gmail.com>  
**Sent:** Wednesday, January 20, 2016 4:42 PM  
**To:** Joshua Hart; Jeff Griffiths; Dan Tothoroh; Matt Kingsley; Mark Tillemans; Richard Pucci; Kevin Carunchio  
**Subject:** Fwd: Current Potential Recommended Wilderness

I spoke with the Inyo Forest Planner , Leeann Murphy, today and she said there is no plan at this time to extend the public input deadline of 2/1/16. She did forward to me the links below which help explain the four Alternatives much more thoroughly. She explained that the input we give now will be used to formulate the Draft Forest Plan, Monitoring Plan and Environmental Impact Statement. Those drafts will possibly be out the end of April. A better map may be available later this week or early next week. I don't think we should underestimate the value of meaningful input.

----- Forwarded message -----

**From:** **Murphy, Leeann B -FS** <lbmurphy@fs.fed.us>  
**Date:** Wed, Jan 20, 2016 at 3:29 PM  
**Subject:** RE: Current Potential Recommended Wilderness  
**To:** Mike Johnston <es4wdclub@gmail.com>  
**Cc:** "Schweizer, Debra A -FS" <debraaschweizer@fs.fed.us>, "Murphy, Leeann B -FS" <lbmurphy@fs.fed.us>

Hi Mike,

Great talking to you today. Here is a link to the document that outlines the four alternatives. It was released to the public back in November, 2014 when we identified issues from the scoping process on our proposed action. These give some detail as to what they would conceptually be back at that time. For the most part they are very similar to how we will describe them in the Draft Environmental Impact Statement.

[http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprd3824672.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3824672.pdf)

For more information on our past public involvement you can go to this page:

<http://www.fs.usda.gov/detail/r5/landmanagement/planning/?cid=STELPRD3842322>

I will let you know as soon as the proposed recommended wilderness maps are available.

Leeann



**Leeann Murphy**  
**Resource and Planning Staff Officer**  
**Forest Service**

**Inyo National Forest, Supervisor's Office**

**p: 760-873-2404**

**f: 760-873-2458**

**c: 760-920-2573**

**[lburphy@fs.fed.us](mailto:lburphy@fs.fed.us)**

351 Pacu Lane, Suite 200

Bishop, CA 93514

[www.fs.fed.us](http://www.fs.fed.us)



**Caring for the land and serving people**

**From:** Mike Johnston [<mailto:es4wdclub@gmail.com>]

**Sent:** Tuesday, January 19, 2016 6:13 PM

**To:** Schweizer, Debra A -FS

**Cc:** Hornick, Marty -FS; Armenta, Ed -FS; Murphy, Leeann B -FS; [jgriffiths@inyocounty.us](mailto:jgriffiths@inyocounty.us); Fran Hunt; [jhart@inyocounty.us](mailto:jhart@inyocounty.us); Jora Fogg

**Subject:** Re: Current Potential Recommended Wilderness

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Sent from my iPhone

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Such as, what is Alternate five?

--

Mike Johnston

[www.easternsierra4wdclub.com](http://www.easternsierra4wdclub.com)

--

Mike Johnston

[\(760\) 937-6663](tel:(760)937-6663)

[www.easternsierra4wdclub.com](http://www.easternsierra4wdclub.com)

--  
Mike Johnston

[www.easternsierra4wdclub.com](http://www.easternsierra4wdclub.com)

Joshua Hart

---

**From:** mike johnston <mikzemail@gmail.com>  
**Sent:** Wednesday, January 20, 2016 8:50 AM  
**To:** Joshua Hart  
**Cc:** Jeff Griffiths; Dan Totheroh; Matt Kingsley; Rick Pucci; Mark Tillemans  
**Subject:** Volunteer help

The Planning Dept. is very understaffed right now so I would like to volunteer to help. I will give you something to chew on as you develop a new letter for the Supervisors to send to the Forest Service regarding the Potential Recommended Wilderness Areas. Maybe you can use some parts of it:

***As we indicated in our October 20, 2015 correspondence, we believe that the Forest Service's previous approach to identifying potential areas for Wilderness was logical and technically sound. We are disappointed that the Forest Service has revisited this issue and the new information does not appear to maintain the same logical and technically sound approach. We can not support the new proposed areas as the information is ambiguous and the nomenclature is incorrect. Therefore we cannot support Alternative C.***

***Alternative B utilizes the previous information and it contains four of the original six proposed Wilderness areas. We can support the Forest Service removal of the two areas: Glass Mountain and Deep Springs North. Much of our County has had extensive mining activities in the past and contain many man made features the should prohibit the Wilderness designation. We can support Wilderness areas that clearly qualify for, and need, the protection of the designation. This is demonstrated by the fact that approximately 2/3 of our County is currently designated as Wilderness. Based on the information in the polygons and field examination, the four areas in Alternative B have some elements that might disqualify the Wilderness status, especially South Sierra East and Pilot Mountain Addition #1 (previously called Deep Springs South, and should be named Piper Mountain Addition #1).***

***It is our understanding that Alternative A would be no change to the current status. This would be an acceptable Alternative. We appreciate the opportunity to continue to work with Forest Service and our community members to determine how best to protect, enjoy and utilize the Public Lands.***

***We need further information on Alternative D to give it any consideration.***

***It is important that all roads have a set back from Wilderness area. All roads should get at least a 200 foot set back and not just the County Roads. A 75 foot set back is not adequate to reroute roads when there is significant damage.***

***We would like to see an end to the continuous analysis of the Wilderness additions. The Forest Service resources need to be utilized to prevent wildfires, monitor and protect the existing Wilderness areas, promote multiple uses and maintain the recreation areas.***

We appreciate all the work you do Josh and hopefully you are fully staffed soon.

--

Mike Johnston  
(760) 937-6663



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

For Clerk's Use Only: AGENDA NUMBER
--

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

**FROM:** Planning Department

**FOR THE BOARD MEETING OF:** January 19, 2016

**SUBJECT:** Inyo National Forest Plan Revision

**RECOMMENDATION:** Receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Revision and provide input, and; review the Forest Service's most recent proposals regarding Wilderness, Species of Conservation Concern, and Wild and Scenic River Eligibility and draft correspondence in regards thereto, and authorize the Chair to sign.

**SUMMARY DISCUSSION:** The Inyo National Forest (INF) is drafting an updated INF Plan.<sup>1</sup> The County and the Forest Service have entered into a Memorandum of Understanding designating the County as a Cooperating Agency in developing the Plan, and staff will report on recent activities arising out of its responsibilities in regards thereto. Input from the Board is requested to guide staff in future coordination efforts with Forest Service staff.

In December, the Forest Service shared updated documents regarding Wilderness, Wild and Scenic Rivers, and Species of Conservation Concern. Input is requested by February 1. Staff has prepared the attached draft correspondence regarding the documents, as discussed below.

***Wilderness:*** the County has provided input regarding Wilderness previously, including general support for previous processes (Attachment 2). Relative to the areas considered earlier in Inyo County, new areas are proposed to be added for consideration with the following designations: Harkless Flat, Soldier Canyon, Pilot Mountain Wilderness Addition (2), and Inyo Mountain Wilderness Addition. The Forest Service is requesting details to assist determining if there are evaluation polygons, or portions of them, that should or should not be considered for analysis in the draft Environmental Impact Statement (EIS) being prepared for the Plan Revision. Staff believes that significant recreational and cultural activities occur along Soldier Canyon Road that have altered the character to a point that makes areas along the road ineligible for Wilderness designation, and recommends that a buffer along the road be provided.

***Wild and Scenic Rivers:*** the Forest Service has evaluated numerous new rivers in its Wild and Scenic River inventory in Inyo County. Of these, new designations are being considered for Cottonwood Creek, Oak Creek, Lone Pine Creek, Big Pine Creek, South Fork Bishop Creek, and Rock Creek in the Sierra Nevada. Staff believes that these recommended designations may be appropriate with potentially minimal socioeconomic effects, and recommends no input at this time, pending further analysis in the EIS.

<sup>1</sup> Refer to <http://inyoplanning.org/InyoNationalForest.htm> for more information about the County's participation in the Plan Update/Revision, and the following Forest Service website for more information about the Plan Update, including documents related to Wilderness, Wild and Scenic Rivers, and Species of Conservation Concern currently being reviewed:

**Species of Conservation Concern:** the Forest Service is sharing its most current proposals for the SCC, which includes hundreds of potential species. The County has repeatedly expressed dismay at the scale of the proposed SCC, and recommends reiterating this concern.

**ALTERNATIVES:** The Board may consider the following alternatives: (1) do not provide input – this is not recommended as described above or (2) direct changes to the correspondence.

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

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

<b>APPROVALS</b>	
<b>COUNTY COUNSEL:</b>	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>
<b>AUDITOR/CONTROLLER:</b>	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
<b>PERSONNEL DIRECTOR:</b>	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

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



Date: 1/11/10

Attachments:

1. Draft Correspondence
2. Previous Correspondence

January 19, 2016

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

**Re: Inyo National Forest Plan Update/Revision – Species of Conservation Concern and Wilderness Being Considered**

Dear Supervisor Armenta:

On behalf of the Inyo County Board of Supervisors, thank you for continuing to provide avenues for public input regarding the Update/Revision to the Inyo National Forest Plan. We appreciate the opportunity for the public to participate in development of the Plan, particularly the Species of Conservation Concern (SCC) and Wilderness.

As we have expressed repeatedly throughout development of the Planning Rule and the Update/Revision process, we are very concerned about the scope of the proposed SCC. We believe that the vast scale of the SCC being considered will result in significant socioeconomic impacts to Inyo County by further restricting access to the Forest; increasing permitting burdens for the County, volunteer organizations, non-profits, and private enterprise, and; complicating future Forest actions. As we have indicated previously, we urge considering the SCC to be considered in the Plan in light of all the scientific information available and in balance with other important Plan objectives.

As we indicated in our October 20, 2015 correspondence, we believe that the Forest Service's previous approach to identifying potential areas for additional Wilderness logical and technically sound, and we are disappointed that the Forest Service is revisiting this issue. With regards to the current draft proposal, we suggest that a buffer to Soldier Canyon Road be identified as these areas have been significantly disturbed by past human activities, and do not exhibit Wilderness characteristics.

Thank you for your attention to these matters. Please contact Kevin Carunchio, County Administrative Officer, at (760) 878-0292 or kcarunchio@inyocounty.us if you would like to discuss further.

Matt Kingsley, Chair  
Inyo County Board of Supervisors

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



## 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](mailto:pgunsolley@inyocounty.us)

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MARK TILLEMANS  
MATT KINGSLEY

KEVIN D. CARUNCHIO  
*Clerk of the Board*

PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

August 11, 2015

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

**Re: Inyo National Forest Plan Update/Revision – Species of Conservation Concern**

Dear Supervisor Armenta:

On behalf of the Inyo County Board of Supervisors, thank you for continuing to provide avenues for public input regarding the Update/Revision to the Inyo National Forest Plan. We appreciate the opportunity for the public to participate in development of the Plan, particularly the Species of Conservation Concern (SCC).

As we have expressed repeatedly throughout development of the Planning Rule and the Update/Revision process, we are very concerned about the scope of the proposed SCC. We believe that the vast scale of the SCC being considered will result in significant socioeconomic impacts to Inyo County by further restricting access to the Forest; increasing permitting burdens for the County, volunteer organizations, non-profits, and private enterprise, and; complicating future Forest actions. We believe that the more than 140 SCC proposed will be unwieldy and difficult with which to work; we strongly encourage striving to diminish the size of the list to provide a more meaningful, effective, and manageable strategy to address at-risk species.

We are disappointed that the current documents under public review do not include any meaningful analysis of why the SCC were selected. According to the Forest Service Directives, SCC should be chosen by the Regional Forester if the best available scientific information about the species indicates substantial concern about the species' capability to persist over the long term in the plan area. According to the Directives to implement the 2012 Planning Rule, species should not be included as SCC if it can be demonstrated and documented that known threats for these species, such as those threats listed for the species by NatureServe, are not currently present or relevant in the plan area. Although NatureServe provides a valuable tool to begin discussing the universe of species that might be considered for SCC, further analysis should be undertaken to determine threats to species, and ultimately to decide what species should be included in the SCC.

We note that the "black box" NatureServe database appears to be the primary determinant of the proposed SCC. Threats listed for the proposed SCC are not consistently available for inspection through NatureServe. Furthermore, it is not apparent how consistently the NatureServe information has been collected or verified, nor what significant threats NatureServe provides for all the species being considered as SCC. For these reasons, it does not appear valid to utilize NatureServe as the primary determinant of SCC.

Ed Armenta  
August 11, 2015  
Page TWO

We believe that the Regional Forester should evaluate whether or not species being considered as SCC are threatened in the Plan area and explain the analysis, and provided for by the Directives. We urge considering the SCC in light of all the scientific information available and in balance with other important Plan objectives.

Thank you for your attention to these matters. Please contact Kevin Carunchio, County Administrative Officer, at (760) 878-0292 or [kcarunchio@inyocounty.us](mailto:kcarunchio@inyocounty.us) if you would like to discuss further.

Sincerely



Inyo County Board of Supervisors

cc: Board of Supervisors  
County Administrative Officer  
County Counsel  
Planning Department  
Doug Wilson, Willdan  
Rural County Representatives of California  
California State Association of Counties  
National Association of Counties  
Randy Moore, Region 5 Forester



## BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526  
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*Clerk of the Board*  
  
PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

October 20, 2015

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

**Re: Inyo National Forest Plan – Process for identifying potential Wilderness Areas**

Dear Supervisor Armenta:

On behalf of the Inyo County Board of Supervisors, I would like to thank you for continuing to provide avenues for input regarding the Inyo National Forest Plan Revision. We appreciate the opportunity to participate in development of the Plan and particularly with the issue of wilderness.

The Board would also like to convey our appreciation for the current level of cooperation that the County and Inyo Forest staff shares as you work on the Revision. We understand there must be considerable pressure on the Inyo Forest staff as an early adopter forest. The County appreciates your efforts in the Plan Revision process as an early adopter forest and we applaud your efforts and hard work as you move forward.

We have reviewed the process you used for evaluating and identifying lands that may be suitable for recommendation in the Forest Plan for inclusion in the National Wilderness Preservation System. We believe that the County has been offered ample opportunity and has participated adequately in the development of the currently proposed areas. We find that your process, as summarized, is logical and technically sound and would like to offer our support for your methodology.

Sincerely,

Supervisor Matt Kingsley, Chairperson  
Inyo County Board of Supervisors



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

For Clerk's Use Only: <b>AGENDA NUMBER</b>  14
---

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

**FROM:**        **Supervisor Jeff Griffiths**

**FOR THE BOARD MEETING OF:**        January 26, 2016

**SUBJECT:**    Review Grant Application for Inyo-Mono Broadband Consortium and Consider Letter Supporting Application and Authorize Chair to Sign

**DEPARTMENTAL RECOMMENDATION:**

Review grant application designating the Eastern Sierra Council of Governments as the governing board for the Inyo-Mono Broadband Consortium (to be provided at meeting), consider letter of support (attached), and authorize Chair to sign.

**SUMMARY DISCUSSION:**

Last month our Board took action to support the Eastern Sierra Council of Governments (ESCOG) in continuing to identify opportunities for coordination and integration of regional efforts to leverage Digital 395, including The 21st Century Obsidian Project; the Eastern Sierra Connect Regional Broadband Consortia; and the Town of Mammoth Lakes Broadband Task Force. This included discussion supporting the ESCOG assuming broadband consortia role currently provided by the Eastern Sierra Connect Regional Broadband Consortia.

Subsequently, an ad hoc working group of ESCOG representative and staff from member agencies met to discuss next steps. The working group believes, at this time, it will be more expedient to move forward with forming an Inyo-Mono Broadband Consortium as a sub-consortia to the Eastern Sierra Connect Regional Broadband Consortia. This should provide the ESCOG jurisdictions with greater autonomy and separate funding with which to promote broadband adoption and deployment. At this time, the associated application is still under development and is expected to be available at today's meeting. Currently, staff envisions the ESCOG Board will serve as the governing board for the new Inyo Mono Broadband Consortia, thereby reducing redundancy and bureaucracy.

**ALTERNATIVES:**

Our Board could choose to not support the Inyo-Mono Broadband Consortia grant application, support with modifications, or consider other consortia models (e.g., middle mile providers).

**OTHER AGENCY INVOLVEMENT:**

City of Bishop, County of Mono, Town of Mammoth Lakes.

**FINANCING:**

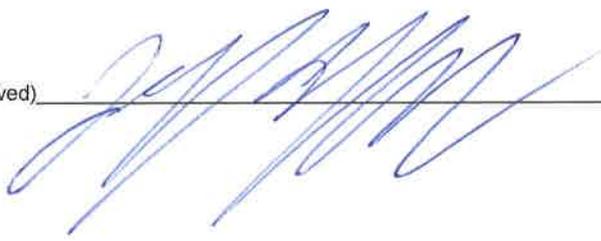
The grant budget is still being developed.

**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 _____

**SIGNATURE:**

(Not to be signed until all approvals are received)



Date: 1-19-16



## 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](mailto:pgunsolley@inyocounty.us)

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

KEVIN D. CARUNCHIO  
*Clerk of the Board*

PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

January 26, 2016

CPUC Communications Division Attn: CASF  
Consortia Grant Account 505 Van Ness Ave.,  
Third Floor  
San Francisco, CA 94102

### **RE: Endorsement of the Inyo/Mono Broadband Consortium**

To Whom It May Concern:

I am writing on behalf of the County of Inyo to express support for the Inyo/Mono Broadband Consortium (IMBC) grant application for California Advances Services Funding (CASF) for the next funding cycle. The IMBC is a recently formed sub-consortium of the Eastern Sierra Connect Regional Broadband Consortium (ESCRBC), which has led the ongoing effort to make broadband Internet available to residents and businesses in the three county regions of Mono, Inyo, and Eastern Kern. The Eastern Sierra Council of Governments (ESCOG) will provide governance for this new sub-consortium, and will deliver Brown Act compliance as well as additional resources to leverage the unique broadband opportunities offered by Digital 395 to the Inyo/Mono region.

We are supportive of this modification to the structure of the ESCRBC and the establishment of the IMBC as a sub-consortium. The change will allow for a more focused approach in meeting the specific needs of our communities. The ESCOG Board - Mono & Inyo Counties, the Town of Mammoth Lakes and the City of Bishop – will include representatives and stakeholders of our communities as part of the IMBC governance structure. We are supportive of the City of Bishop offering to serve as the Fiscal Agent for the IMBC as well.

The County of Inyo was established by the California Legislature in 1866 and covers over 10,227 square miles, with the majority of the County's population living in the norther area of the County. Being a rural community, many of our citizens and visitors depend on and utilize the Internet as part of their everyday lives. The work to date has proved the value that expanded broadband can bring to our community and to our visitors.

The County of Inyo sincerely hopes that CPUC will continue to provide funding to consortia efforts in our region including the Inyo/Mono Broadband Consortium and the Eastern Sierra Connect Regional Broadband Consortium. We support the structural modifications to the ESCRBC as described in this letter, as we believe they will enhance and improve Broadband services in the Inyo/Mono region. Thank you for your consideration.

Sincerely,

Supervisor Jeff Griffiths, Chairperson  
Inyo County Board of Supervisors

cc: ESCOG



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

For Clerk's Use Only:  
**AGENDA NUMBER**  
 15

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

**FROM:** Recycling and Waste Management

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Authorize Personnel to fill a vacant Equipment Operator I position from an established eligibility list.

**DEPARTMENTAL RECOMMENDATION:**

Request your Board find that consistent with the adopted Authorized Position Review Policy that: A) The availability of funding for the requested position exists in the Solid Waste budget as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; and B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to fill the position from an existing list that the County has recruited for and has an existing eligibility list that was approved and created for that the position; and C) approve the hiring of one Equipment Operator I, at Range 58 (\$3,310 - \$4,027).

**SUMMARY DISCUSSION:**

The FY 2015-2016 Manpower Report (approved by your Board as part of the FY 2015-2016 County Budget) identifies the landfill Equipment Operator I positions (Range 58) as being assigned to the County's Recycling and Waste Management program to provide necessary operations of heavy equipment at the landfill, and to drive trucks on the highway to transport solid waste and recycling/diversion materials. This position is critical to the operation of the County landfills.

The Independence/Lone Pine Equipment Operator I position recently became vacant when the Operator transferred to another County Department.

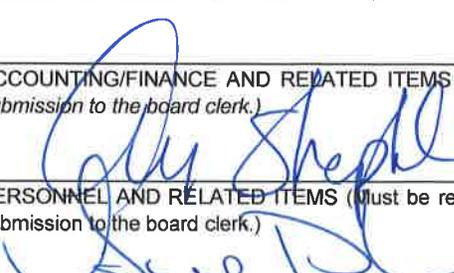
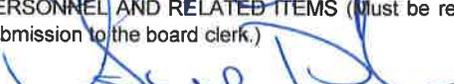
Staff recommends filling of the Equipment Operator I position, Range 58 (\$3,310 - \$4,027) from the established eligibility list to work at the Independence and Lone Pine Landfill, with the option of starting the working day at the Bishop-Sunland Landfill.

**ALTERNATIVES:**

Your Board could choose not to authorize filling the vacant position; however, this is not recommended, as the functionality of the Recycling and Waste Management programs will suffer. When a Equipment Operator I position is vacant the other Equipment Operators must work overtime, or the duties must be performed by an outside source.

**OTHER AGENCY INVOLVEMENT:** Personnel

**FINANCING:** Funding for this position is included in the FY 2015-2016 Solid Waste Budget.

<b>APPROVALS</b>	
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: <u>yes</u> Date <u>1/15/16</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)   Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:** (Not to be signed until all approvals are received) Michael J. Brown Date: 1/20/16



**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:** January 26, 2016

**SUBJECT:** Authorization for the hiring of an Associate Planner in the Planning Department

**RECOMMENDATION:** Find that, consistent with the adopted Authorized Position Review Policy:

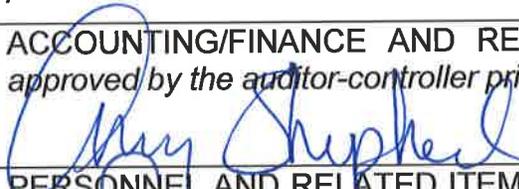
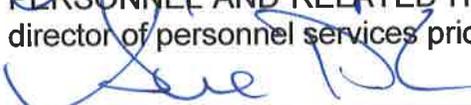
- 1) The availability of funding for the requested position exists in the Planning Department budget, as certified by the Planning Director and concurred with by the County Administrator and the Auditor-Controller; and
- 2) Where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however, an external recruitment is more appropriate; and
- 3) Approve the hiring of one Associate Planner at Range 74 (\$4,731 - \$5,750) dependent upon qualifications; and
- 4) Authorize the filling of an Associate Planner.

**SUMMARY DISCUSSION:** One of the Department's Associate Planners recently retired. The position is key in that it provides mid-level support to the Department and offers training opportunities for more advanced positions in the County. The leaving Associate Planner was primarily responsible for mining, code enforcement, and addressing. Staff requests that the Board authorize filling this vacant position as soon as possible to minimize disruptions to the Department's work plan.

**ALTERNATIVES:** The Board could not authorize hiring an Associate Planner. This would result in delays to County projects and entitlement processing.

**OTHER AGENCY INVOLVEMENT:** None.

**FINANCING:** The position is financed primarily from the General Fund in the Planning Department budget (023800) in the Salaries and Benefits object codes. Partially offsetting these costs are revenues received for entitlement processing and work on the Yucca Mountain Repository Assessment Office.

<b>APPROVALS</b>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  1/15/16
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  1/15/16 ✓

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



Date: 1/18/16



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

For Clerk's Use Only:
<b>AGENDA NUMBER</b>
17

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

**FROM:** Public Works Department

**FOR THE BOARD MEETING OF:** February 2, 2016

**SUBJECT:** Award and approval of the construction contract for the Tecopa Heights Water Vending Machine Project.

**DEPARTMENTAL RECOMMENDATIONS:**

1. Award the Construction Contract for the project to Spiess Construction Company, Inc. of Santa Maria, California in the amount of \$133,761.00;
2. Approve the Construction Contract with Spiess Construction, in the amount of \$133,761.00;
3. Authorize the Public Works Director to execute all other Contract documents, including Contract Change Orders to the extent permitted by Public Contract Code Section 20142 and other applicable law.

**CAO RECOMMENDATIONS:**

**SUMMARY DISCUSSION:**

On November 10, 2015 your Board approved plans and specifications for the Tecopa Heights Water Vending Machine Project and authorized the Public Works Department to advertise and receive bids for the project. This project was originally introduced by the Water Department and has been managed by the Public Works Department.

The project is being funded through grant funds obtained by the County from the State Water Pollution Cleanup and Abatement Account (CAA).

On December 9, 2015, two (2) bids were received and opened by the Board Clerk. Those bidders and their respective bids, from lowest to highest, are as follows: 1) Spiess Construction Company, Inc. at \$133,761.00; and 2) BRM at \$144,775.00. This list is also found in the bid tabulation sheet, which is attached for your review.

The Office of County Counsel reviewed each of the bids and found both Spiess Construction Company, Inc. and BRM to be responsive bidders based upon requirements set forth in the bid documents. The Office of County Counsel found Spiess Construction Company, Inc. submitted the lowest bid at \$133,761.00.

While the lowest bid of \$133,761.00 exceeded the original project budget, the Water Department has subsequently secured additional grant funding from the CAA to cover the remaining project costs including a construction contract in the amount of \$133,761.00.

Per CA Public Contract Code Section 10126(c)(1), the lowest responsive base bid amount shall be used to determine the low bidder. Therefore, the Public Works Department is recommending that the Board award and approve the construction contract to Spiess Construction Company, Inc. in a total bid contract amount of \$133,761.00.

**ALTERNATIVES:**

Your Board could choose to not award the contract to Spiess Construction Company, Inc., and re-bid the project. This is not recommended as the bid price for the project has been deemed to be competitive by the Public Works Department.

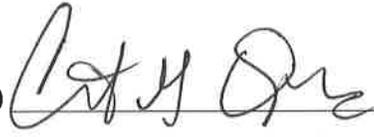
**OTHER AGENCY INVOLVEMENT:**

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

**FINANCING:**

This project is funded from CAA grants received by County of Inyo and being administered by the Inyo County Water Department. Invoices will be paid from the Water Department Budget Unit 024102, Object Code 5265 "Professional & Special Services."

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 1/13/16</u> Date <u>1/13/16</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)  Approved: <u>yes 1</u> Date <u>1/18/2016</u>
PERSONNEL DIRECTOR	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:**  
(Not to be signed until all approvals are received)  Date: 1/18/16

**C O N T R A C T**  
**For the**  
**TECOPA HEIGHTS WATER VENDING MACHINE PROJECT**

THIS CONTRACT is awarded by the COUNTY to CONTRACTOR on, and made and entered into effective as of, \_\_\_\_\_, 2016, by and between the COUNTY OF INYO, a political subdivision of the State of California, (herein "COUNTY"), and \_\_\_\_\_ Spieß Construction Company, Inc. (herein "CONTRACTOR"), for the construction of the **TECOPA HEIGHTS WATER VENDING MACHINE PROJECT** (herein also "Project"), which parties agree, for and in consideration of the mutual promises, as follows:

1. CONTRACTOR shall furnish all labor, materials, methods, processes, implements, tools, machinery, equipment, transportation, permits, services, utilities, and all other items, and related functions and otherwise shall perform all work necessary or appurtenant to construct the Project in accordance with the Contract Documents and within the Time for Completion set forth in the Contract Documents, for:

Title: **TECOPA HEIGHTS WATER VENDING MACHINE PROJECT**

2. For the performance of all such work, COUNTY shall pay to CONTRACTOR the following amount, which constitutes the total bid by CONTRACTOR for said Work:

One Hundred Thirty-Three Thousand Seven Hundred Sixty-One and 0/100 dollars (\$133,761.00)

adjusted by such increases or decreases as authorized in accordance with the Contract Documents, and payable at such times and upon such conditions as otherwise set forth in the Contract Documents.

3. CONTRACTOR and COUNTY agree that this Contract shall include and consist of (a) all of the provisions set forth expressly herein; (b) the Bid Proposal Form, the Faithful Performance Bond, and the Labor and Materials Payment Bond, all of which are incorporated herein and made a part hereof by this reference; and (c) all of the other Contract Documents as described in **Section 1070.04 "Definitions"** of the Standard Specifications of the Inyo County Public Works Department, March, 1997, all of which are incorporated herein and made a part of this Contract by this reference, including without limitation, the Bid Package, the applicable Standard Specifications of the Inyo County Public Works Department, March, 1997 and the Special Provisions concerning this Project, including the Appendices, the Plans, any and all amendments or changes to any of the above listed documents, including without limitation, contract change orders, and any and all documents incorporated by reference into any of the above listed documents.

4. The definition and meaning of the words used in this Contract are the same as set forth in **Section 1070 Abbreviations, Symbols and Definitions** of the Standard Specifications of the Inyo County Public Works Department, March, 1997.

5. This Contract, including the Contract Documents and all other documents, which are incorporated herein by reference, constitutes the entire agreement between CONTRACTOR and COUNTY with respect to the subject matter hereof.

6. Pursuant to **Section 1773 of the Labor Code**, to which this Contract is subject, the prevailing wage per diem rates in Inyo County have been determined by the Director of the State Department of Industrial Relations. These wage rates appear in the Department publication entitled "General Prevailing Wage Rates," in effect at the time the project is advertised. Future effective wage rates, which have been predetermined and are on file with the State Department of Industrial Relations are referenced but not printed in said publication. Such rates of wages are also on file with the State Department of Industrial Relations and the offices of the Public Works Department of the County of Inyo and are available to any interested party upon request.

**C O N T R A C T**  
**for**  
**TECOPA HEIGHTS WATER VENDING MACHINE PROJECT**

IN WITNESS WHEREOF, COUNTY and CONTRACTOR have each caused this Contract to be executed on its behalf by its duly authorized representative, effective as of the day and year first above written.

**COUNTY**

COUNTY OF INYO

**CONTRACTOR**

Spiess Construction Company, Inc.

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

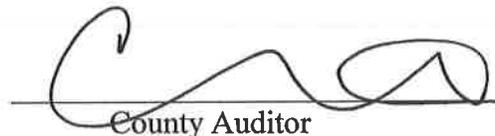
APPROVED AS TO FORM AND  
LEGALITY:

Taxpayer's Identification or  
Social Security Number:

  
\_\_\_\_\_  
County Counsel

\_\_\_\_\_

APPROVED AS TO ACCOUNTING  
FORM:

  
\_\_\_\_\_  
County Auditor

APPROVED AS TO INSURANCE  
REQUIREMENTS:

\_\_\_\_\_  
County Risk Manager



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

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Approval of Minutes

**DEPARTMENTAL RECOMMENDATION:** - **CLERK OF THE BOARD** - Request approval of the minutes of the Board of Supervisors Meetings as follows: A) Regular Meeting of January 5, 2016 and B) Regular Meeting of January 12, 2016.

**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](http://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**  
 19

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

**FROM:** Eastern Sierra Department of Child Support Services

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Workshop regarding Eastern Sierra Child Support and Tribal TANF

**DEPARTMENTAL RECOMMENDATION:**

Request Board A) conduct a workshop with staff to receive a presentation regarding Eastern Sierra Child Support Program and the proposed Tribal TANF 2016-2019 plan regarding the cooperation by families receiving TANF assistance to cooperate with child support services programs; and B) provide direction if any.

**SUMMARY DISCUSSION:**

Eastern Sierra Department of Child Support serving Inyo and Mono Counties, actively seeks to provide Family-Centered Services through partnerships with other State and County agencies including our local tribes to establish and collect child support payments for families receiving public assistance.

Region-wide, the agency has over 165 open cases as of December 2015 that were referrals from the Tribal TANF program. On December 14, 2015, our agency was informed at a public hearing that the OVCD Tribal TANF proposed plan for 2016-2019 will no longer require recipients of tribal TANF aid to cooperate with child support as a condition of receiving assistance.

This 30 minute workshop will focus on collections and important program services provided to all cases with highlights regarding tribal TANF cases specifically and evaluate impacts this tribal TANF plan change may have on our agency and families we serve and seek board direction.

**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)



Date: 1/19/16

## Eastern Sierra Child Support Services

Main Office: 230 W. Line Street  
Bishop, CA 93514

December 22, 2015

Ryan Howard, TANF Director  
Owens Valley Career Development Center, Tribal TANF Program  
P.O. Box 647  
2574 Diaz Lane  
Bishop, CA 93514

**SENT VIA FACSIMILE (760)873-4107 AND U.S. MAIL**

**EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT SERVICES COMMENTS TO THE  
FY 2016-2019 OWENS VALLEY CAREER DEVELOPMENT CENTER TRIBAL TANF PLAN  
RENEWAL**

Dear Mr. Howard,

Thank you for allowing Eastern Sierra Child Support to provide comments regarding your proposed Owens Valley Career Development Center (OVCDC) TANF Plan Renewal. We urge you to reconsider your proposed OVCDC Tribal TANF Plan for years 2016-2019, Section XXVII, TRIBAL OPTIONS, paragraph 14 and ask you to leave the current requirement for cooperation with child support in your plan.

Currently, the 2013-2016 Tribal TANF plan requires a, "*parent/caretaker relative(s) to cooperate with child support enforcement in order to obtain additional financial assistance for eligible children.*" On December 14, 2015, our agency was informed that OVCDC intends to replace this current language in its proposed 2016-2019 Tribal TANF Plan with, "*Parent/caretaker will be provided with the option to cooperate with child support enforcement in order to obtain additional financial assistance for eligible children.*"

Upon learning of OVCDC's interest in no longer requiring recipients of tribal TANF to cooperate with Child Support, we wish to provide following information for your consideration in this regard. Eastern Sierra Child Support manages child support cases on behalf of residents and tribal members in both Inyo and Mono Counties. The functions of our agency expand beyond the establishment of child support orders and collection of these orders. In fact, we are also charged with locating absent parents and establishing paternity through genetic testing.

Since June 2012 our agency has received over two hundred, thirty (230) referrals from Inyo and Mono county Tribal TANF programs. We currently have one hundred, sixty-seven (167) open cases serving tribal TANF families in Inyo and Mono Counties. Services needed in these cases range from locating

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**INYO COUNTY:** Mailing Address: Post Office Box 1147 Bishop, CA 93515  
Physical Address: 230 West Line Street Bishop, CA 93514 Phone: (866) 901-3212 Fax: (760) 873-3646

**MONO COUNTY:** Mailing Address: Post Office Box 5044 Mammoth Lakes, CA 93546  
Physical Address: 126 Old Mammoth Rd. STE202 Mammoth Lakes, CA 93546 Phone: (866) 901-3212 Fax: (760) 934-1875

absent parents, to establishing paternity for children born out of wedlock, as well as establishment of child support orders and collection of child support orders.

Among the tribal TANF cases we managed in 2015, an average of two hundred, sixty-five (265) tribal children receive benefits from our program per month. As you may know, before a child support order is obtained, our agency is required to establish paternity, or parentage for children born out of wedlock on all cases. Of the tribal TANF cases we manage, twenty-one percent (21%) or approximately fifty-five (55) children have had paternity established by our agency through genetic testing. By having paternity established, a child knows who their father is and can connect to their father's, culture, tribe, and family, in addition to having the ability to learn about genetic or medical history shared with their parent. Should your Tribal TANF program no longer require cooperation with child support, this valuable service may not be as readily available to Tribal TANF families. Further, it is unknown if the absence of a paternity determination or judgment may impact a parent's ability to enroll their child in the father's tribe subject to applicable enrollment rules.

Child Support also provides financial assistance to many tribal families. In November 2015 alone, we collected over seven thousand, four hundred dollars (\$7400.00) that went directly to Tribal TANF custodial parents or caretakers of tribal children. Over the last year, Tribal TANF child support collections averaged nine thousand dollars (\$9,000.00) per month. Should OVDC not require cooperation with Child Support as a condition of receiving Tribal TANF, we can expect that the number of cases we manage on behalf of tribal members will decline. Absent a partnership with child support the financial benefit that Eastern Sierra Child Support provides OVDC tribal members may also be in jeopardy.

We take family violence seriously and understand your changed plan requirements may be related to ensuring that families not be required to cooperate with child support should domestic violence be an issue or potential issue if child support is enforced. It is our understanding that your case managers have the option to place a "good cause" exception on any Tribal TANF case which may be at risk for domestic violence. A good cause exception can and should suppress the requirement for a parent or caretaker to cooperate with child support, whereby the case is never referred to our agency for case opening or enforcement.

Should the intent behind no longer requiring parents to cooperate with child support for financial assistance be based on concerns about domestic violence, this is a noteworthy and important objective that can be addressed through case intake at either of our agencies. Should you or your Board have further questions on how domestic violence cases can be excepted from the requirement to cooperate with child support, I would be happy to participate in a presentation with Tribal TANF managers and caseworkers and staff to discuss how we can address this important issue without adopting a wholesale provision that has the real risk of cutting off needed support from our agency to your tribal TANF families.

In conclusion, by collecting child support from absent parents, our agency reinforces the belief that both parents are responsible for raising their children and providing support to the best of their ability. We know that financial support not only helps provide children with basic needs but that it contributes to their emotional well-being in understanding that both parents are supporting them. To not require TANF recipients to cooperate with child support potentially cuts off a tribal TANF family's access to valuable resources we provide such as locating absent parents, establishing paternity, and collecting child support, each of which contributes to family well-being. We urge you to reconsider your proposed OVDC Tribal TANF Plan for years 2016-2019, Section XXVII, TRIBAL OPTIONS, paragraph 14 and ask you to leave the current requirement for cooperation with child support in your plan

Thank you for your consideration and invitation to your public hearing.

Sincerely,

Susanne M. Rizo, ESQ., Regional Director

c: Heidi Hart, Site Manager, OVCD Tribal TANF;  
Leslie Bell, Regional Administrator, California Department of Child Support Services, via email



**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 11:30 a.m.       Closed Session       Informational

**FROM:** Inyo County Planning Commission

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Zone Reclassification (ZR) No. 2015-01/Magnificat Ventures and General Plan Amendment (GPA) No. 2015-01/Magnificat Ventures

**DEPARTMENTAL RECOMMENDATION:**

Request the Board of Supervisors:

A) Conduct a public hearing on the following actions for a 17-acre site at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the community of Charleston View: General Plan Amendment No. 2015-01/Magnificat Ventures changing the General Plan designation from Resort Recreational (REC) to Retail Commercial (RC) to best match the requested zoning and current uses on the property; and, a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2015-01/Magnificat Ventures and Amending the Zoning Map of the County of Inyo by Rezoning a 17-acre Parcel Located at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the Community of Charleston View from Open Space with a Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2)" to best match the current uses on the property.

B) Approve a resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying that the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings with Respect to and Approving Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures."

C) Waive the first reading of the above referenced ordinance under paragraph "A" approving Zone Reclassification No. 2015-01/Magnificat Ventures and schedule the enactment for 11:30a.m., Tuesday, February 2, 2016 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

**SUMMARY DISCUSSION:**

Magnificat Ventures Corp. applied to the County to subdivide a 17-acre parcel of land into 2 parcels: Parcel 1 consisting of approximately 3-acres and Parcel 2, approximately 14-acres. Parcel 1, the smaller parcel (3-acres), will be donated, along with the Catholic Chapel located on it, to the Catholic Diocese of Fresno. Parcel 2, the larger parcel (17-acres), will be kept by the applicant who will continue to operate a visitor center and Catholic columbarium on it. Currently the parcel is zoned Open Space with a 40-acre minimum (OS-40) and has a General Plan designation of Resort Recreational (REC). The applicant obtained a Conditional Use Permit in 2011 for the current uses (a church, visitor center and columbarium) in 2011.

This subdivision requires a Zone Reclassification (ZR), as it will cause the parcels to be non-conforming with regard to the OS-40 development standards and a General Plan Amendment (GPA) for consistency with the ZR. The applicant is requesting a Zoning Designation of Highway Services and Tourist Commercial (C2) and a General Plan Designation of Retail Commercial (RC). These designations best fit the current uses on the parcel and the applicant has indicated that no changes to the uses are foreseen for the future and there is no development proposed with this application. A Conditional Use Permit (CUP) was also approved by the Planning Commission for the continued use of the columbarium on Parcel 2 on September 23, 2015. The ZR and GPA are conditions of approval for the Final Map No. 408.

Environmental Review

The proposed ZR and GPA modify the land use regulations on this parcel. They will not result in physical impacts to the environment, and therefore are exempt from environmental review per the "General Rule" [CEQA Guidelines, Section 15061(b)(3)] which states: "*The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*"

The Planning Commission held a Public Hearing on September 23, 2015, took public comment, and voted to approve Tentative Parcel Map No. 408/Magnificat Ventures and Conditional Use Permit 2015-04/Magnificat Ventures, with certain Findings and Conditions of Approval; and recommended that your Board certify that the project is exempt from CEQA and approve Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures with a vote of 3-0 (two members were absent).

ALTERNATIVES:

- Not approve the requested actions.
- Return to staff with direction

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

The applicant provided fees to cover the costs of these actions.

**APPROVALS**

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

***DEPARTMENT HEAD SIGNATURE:***

*(Not to be signed until all approvals are received)*



Date: 1/7/16

Attachments:

- 1.) Proposed Resolution
- 2.) Proposed Ordinance
- 3.) September 23, 2015 Planning Commission Staff Report.

Attachment 1: Proposed Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING THAT THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) HAVE BEEN MET AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING ZONE RECLASSIFICATION #2015-01/MAGNIFICAT VENTURES AND GENERAL PLAN AMENDMENT #2015-01/MAGNIFICAT VENTURES**

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission as the Environmental Review Board pursuant to Section 15025 of the California Environmental Quality Act (CEQA) Guidelines; and

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

WHEREAS, the Inyo County Planning Department exempted General Plan Amendment No. 2015-01/Magnificat Ventures from environmental review under CEQA Guidelines Section 15061(b), general rule, finding that the proposed General Plan Amendment for the property, located at 881 E. Old Spanish Trail Highway (APN 048-514-33) to Retail Commercial (RC) from Resort Recreational (REC) could have no possibility of causing significant environmental effects as the property is already developed; and

WHEREAS, the Inyo County Planning Department exempted Zone Reclassification No. 2015-01/Magnificat Ventures from environmental review under CEQA Guidelines Section 15061(b), general rule, deeming that the proposed Zone Reclassification for the property, for the property, located at 881 E. Old Spanish Trail Highway (APN: 048-514-33) to Highway Services and Tourist Commercial (C2) from Open Space with a 40-acre minimum (OS-40) could have no possibility of causing significant environmental effects as the property is already developed; and

WHEREAS, pursuant to Senate Bill 18 (SB18) and Government Code Section 65352.3, on June 24, 2015 and again on August 7, 2015 the County requested a list of appropriate Native American contacts from the California Native American Heritage Commission (NAHC) from whom to request consultation regarding General Plan Amendment No. 2015-01/Magnificat Ventures; and

WHEREAS, the NAHC transmitted a list of Native American contacts to the County on August 27, 2015 for purposes of SB18 consultation regarding General Plan Amendment No. 2015-01/Magnificat Ventures; and

WHEREAS, on August 28, 2015 the County sent certified letters initiating Native American Consultation pursuant to the California Government Code Sections 65040.2, 65092, 65351, 65352.3, 65352.4, 65562.5, to the Big Pine Paiute Tribe of the Owens Valley, Bishop

Paiute Tribe, Fort Independence Indian Community of Paiute, Timbisha Shoshone, Lone Pine Paiute Shoshone, Kern Valley Indian Council and the Walker River Reservation; and

WHEREAS, as specified by SB18 and per Government Code Section 65352.3, the tribes have ninety-days to initiate the consultation process after notification; and

WHEREAS, on December 11, 2015 ninety days after the last certified mail receipt from the notification letters was received by the County, no tribes had initiated consultation; and

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

WHEREAS, the Inyo County Planning Commission held a public hearing on September 23, 2015, to review and consider a request for approval of Zone Reclassification #2015-01/Magnificat Ventures and General Plan Amendment #2015-01/Magnificat Ventures, and considered the staff report for the application and all oral and written comments regarding the application; and

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

1. Certify that the requirements of the California Environmental Quality Act have been satisfied with respect to the General Plan Amendment and Zone Reclassification applications; and
2. Approve Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures.

WHEREAS, pursuant to that recommendation, this Board of Supervisors held a public hearing on January 26, 2016, and considered all written and oral testimony presented concerning Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the January 26, 2016, hearing, including the Planning Department Staff Report concerning the above described proposed project, this Board makes the following findings for the proposed project:

1. The provisions of the California Environmental Quality Act (CEQA) have been satisfied, as the project was deemed exempt from environmental review under CEQA Guidelines Section 15061(b)(3), the general rule, and CEQA Guidelines Sections 15301 and 15303 (Class 1 and 3 Categorical Exemptions).

2. Based on substantial evidence in the record, the proposed Zone Reclassification and General Plan Amendment are consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zone Reclassification and General Plan Amendment are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.
4. The project site is already developed and will not result in the loss of native vegetation or wildlife habitat. Therefore, this project will have a “de minimus” impact on wildlife resources as outlined in the California Department of Fish and Game Code Section 711.4 and as outlined under Title 14, Section 753.5(d) of the California Code of Regulations.
5. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.
6. The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.
7. The proposed use is necessary or desirable.

BE IT FURTHER RESOLVED, that Zone Reclassification No. 2015-01/Magnificat Ventures proposes to reclassify the zoning designation from Open Space, with a Forty Acre Minimum, (OS-40) to Highway Services and Tourist Commercial (C2), which best matches the current uses on the property.

BE IT FURTHER RESOLVED, that General Plan Amendment No. 2015-01/Magnificat Ventures proposes to change the land use designation from Resort Recreational (REC) to General Plan Designation of Retail Commercial (RC), which best matches the proposed zone reclassification, and current uses on the property.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve Zone Reclassification No. 2015-01/Magnificat Ventures, subject to the following conditions of approval:

1. Hold Harmless: The applicant shall defend, indemnify and hold harmless Inyo County (County), its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul said approval of Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures. The County reserves the right to prepare its own defense.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures. Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01/Magnificat Ventures shall not take effect for thirty days after the date of this Resolution.

PASSED AND ADOPTED THIS JANUARY 26, 2016:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Jeff Griffiths, Chairperson  
Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO  
Clerk of the Board

By \_\_\_\_\_  
Pat Gunsolley, Assistant

Attachment 2: Proposed Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION No. 2015-01/MAGNIFICAT VENTURES AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A 17-ACRE PARCEL LOCATED AT 881 E. OLD SPANISH TRAIL HIGHWAY (APN 048-514-33) IN THE COMMUNITY OF CHARLESTON VIEW FROM OPEN SPACE WITH A FORTY-ACRE MINIMUM (OS-40) TO HIGHWAY SERVICES AND TOURIST COMMERCIAL (C2).**

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

**SECTION I: AUTHORITY**

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

**SECTION II: FINDINGS**

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

- (1) In accordance with Inyo County Code Section 18.81.320, Magnificat Ventures Corp. applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Open Space with a Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2) on a property in the community of Charleston View (APN 048-514-33), as described in Section III of this Ordinance.
- (2) On September 23, 2015, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification Zone Reclassification No. 2015-01/Magnificat Ventures, following which the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance Open Space with a Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Magnificat Ventures Corp. applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended from Resort Recreational (REC) to Retail Commercial (RC) to best match the requested zoning and current uses on the property.

- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning property to Highway Services and Tourist Commercial (C2), as it best matches the current uses on the property.

**SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED**

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on the 17-acre site at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the community of Charleston View is changed from Open Space with a Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2).

**SECTION IV: EFFECTIVE DATE**

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

**PASSED AND ADOPTED THIS 2 DAY OF FEBRUARY, 2016.**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Jeff Griffiths, Chairperson  
Inyo County Board of Supervisors**

**ATTEST:  
Kevin Carunchio  
Clerk of the Board**

**By:** \_\_\_\_\_  
Pat Gunsolley, Assistant

Attachment 3: September 23, 2015 Planning Commission Staff Report



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

Phone: (760) 878-0263

FAX: (760) 878-0382

E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)

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

**PLANNING COMMISSION  
MEETING DATE:** September 23, 2015

**SUBJECT:** Tentative Parcel Map No. 408/Magnificat  
Ventures; CUP 2015-04/ Magnificat Ventures;  
GPA 2015-01/ Magnificat Ventures; and, ZR  
2015-01/ Magnificat Ventures

#### **EXECUTIVE SUMMARY**

The applicant proposes to subdivide a 17-acre parcel of land into 2 parcels, Parcel 1 consisting of approximately 3-acres and Parcel 2, approximately 14-acres. Parcel 1, the smaller parcel (3-acres) will be donated, along with the Catholic Chapel located on it, to the Catholic Diocese of Fresno. Parcel 2, the larger parcel (17-acres) will be kept by the applicant who will continue to operate a visitor center and Catholic columbarium on it. The subject property is located in Charleston View, adjacent to Old Spanish Trail Highway on the north and approximately 1.5-miles west of the Nevada California border. Currently the parcel is zoned Open Space with a 40-acre minimum (OS-40) and has a General Plan designation of Resort Recreational (REC). The applicant obtained a Conditional Use Permit in 2011 for the current uses (a church, visitor center and columbarium). This subdivision will require a Zone Reclassification (ZR), as it will cause the parcels to be non-conforming with regard to the OS-40 development standards and a General Plan Amendment (GPA) for consistency with the ZR. The applicant is requesting a Zoning Designation of Highway Services and Tourist Commercial (C2) and a General Plan Designation of Retail Commercial (RC). These designations best fit the current uses on the parcels and the applicant has indicated that no changes to the uses are foreseen for the future and there is no development proposed with this application. A Conditional Use Permit (CUP) will also be required for the continued use of the columbarium on Parcel 2.

#### **PROJECT INFORMATION**

**Supervisory District:** 5

**Applicants:** Magnificat Ventures Corporation

**Landowners:** Magnificat Ventures Corporation

**Community:** Charleston View

**A.P.N.:** 048-514-33

**Existing General Plan:** Resort Recreational (REC)

**Existing Zoning:** Open Space with a forty-acre minimum (OS-40)

**Surrounding Land Use:**

Location	Use	General Plan Designation	Zone
Site	Church, visitor center and columbarium	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
North	Vacant & Residences (to the northwest)	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
East	Vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
South	Vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
West	Vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)

**Recommended Action:**

- 1.) Make certain findings with respect to and approve Tentative Parcel Map No. 408/Magnificat Ventures, subject to Conditions of Approval, and find that it is exempt from CEQA.
- 2.) Make certain findings with respect to and approve CUP 2015-04/ Magnificat Ventures, subject to Conditions of Approval, and find it is exempt from CEQA.
- 3.) Make certain findings with respect to and recommend the Board of Supervisors approve GPA 2015-01/ Magnificat Ventures, and find it is exempt from CEQA.
- 4.) Make certain findings with respect to and recommend the Board of Supervisors approve ZR 2015-01/ Magnificat Ventures and, find it is exempt from CEQA.

**Alternatives:**

- 1.) Specify modifications to the proposal and/or the Conditions of Approval.
- 2.) Make specific findings and deny the application.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

**Project Planner:**

Cathreen Richards

**BACKGROUND**

In 2011 the applicant obtained a CUP for the uses that are currently occurring on the property. These uses include: an indoor and outdoor columbarium (these are only for the interment of already cremated remains, no cremations take place on the property), a chapel, a meditation garden that includes the Stations of the Cross and a visitor center. In May 2015 the applicant approached the planning department with the idea of subdividing off the portion of the property with the Chapel to donate it to the Catholic Diocese of Fresno. Along with the TPM request, the applicant is also asking for a Zone Reclassification to match the current uses on the property and to be compliant with development standards; a General Plan Amendment to match the Zoning designation and a Conditional Use Permit to continue the operation of the columbarium.

**STAFF ANALYSIS**

TPM 408

The applicant proposes to subdivide the subject 17-acre parcel into two parcels (refer to Attachment A). The resulting parcels are both oddly shaped as the applicant is cutting Parcel 1 out of the existing parcel for the sole purpose of donating the chapel to the Catholic Diocese of Fresno. This subdivision will create: Parcel 1 that is 3-acres with 10-sides measuring approximately 75' x 277' x 99' x 109' x 143' x 124' x 260' x 358' x 229' x 462'; and, Parcel 2 that is 14-acres with 16 sides measuring approximately 255' x 330' x 330' x 660' x 990' x 660' x 373' x 277' x 99' x 109' x 143' x 124' x 260' x 358' x 229' x 463' (refer to Attachment A). Parcel 1 currently has the Catholic Chapel and meditation garden on it, and Parcel 2 has the visitor center and columbariums on it. No additional development is proposed for either parcel.

Land Use Analysis: The property is predominantly surrounded by vacant open space with sparse and scattered residential development in the area. The subdivision will not alter the existing land use and there are no development proposals for it. The applicant will continue to operate the visitor center and columbarium on Parcel 2 and the Catholic Diocese will continue to use the Chapel and the meditation garden for religious practices. Therefore, the subdivision will not alter the character of the property or the surrounding area.

Zoning: Both of the proposed parcels are designated Open Space with a forty-acre minimum (OS-40). Inyo County Code (ICC) Chapter 18.12 states the minimum standard parcel size for development is 40-acres; the parcel widths must be 500-feet; and the setback requirements are 50-feet for front, side and rear yards. This subdivision will cause the resulting parcels and

current development to be out of compliance with the 18.12 the OS-40 designation; therefore, the applicant is requesting a Zone Reclassification to Highway Services and Tourist Commercial (C2) as this designation best fits the current uses and development pattern. Approval of the Final Map will be conditioned on the applicant obtaining the Zone Reclassification.

General Plan: The General Plan designates both of the proposed parcels as Resort Recreational (REC). The REC designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, campgrounds, trailer parks, restaurants, general stores, service stations, and similar and compatible uses. It does not correspond consistently with the requested C2 zoning designation and the current uses do not match the definition. For consistency, the applicant is requesting a General Plan Amendment (GPA) to change the designation from REC to Retail Commercial (RC). The RC designation is traditionally used in tandem with the C2 zoning designation. It allows for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. Service uses and public/quasi-public uses are more in line with the current operations on the site as the chapel, and columbarium can be considered a service use and public/quasi-public uses. Approval of the Final Map will be conditioned on the applicant obtaining the General Plan Amendment.

Subdivision: ICC Title 16 and the California Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lots do not meet the applicable lot standards and design requirements specified in ICC Chapter 16.16 with the current zoning designation of OS-40; therefore, the project is conditioned on the applicant completing a ZR to C2 and GPA to RC. TPM 408 meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Subdivision Map Act. Additional conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.

Access: Currently access to proposed Parcel 1 is inadequate per ICC Section 16.16.180. Anderson Way that is located west of the property and connects to Old Spanish Trial Highway is not a County road or a dedicated right of way. To remedy this lack of appropriate access to proposed Parcel 1, the applicant has been required to provide a 30-foot legal access easement to Parcel 1 as a condition of approval for the Final Map. The County's subdivision ordinance states that "Road easements for on-site access shall be located so as to provide for future development of parcels adjacent to them. On-site road easements shall be a minimum sixty feet in width; except that road easements peripheral to the land division shall be a minimum thirty feet in width; when, in the opinion of the advisory agency, topography permits future widening of the road easement within a contiguous property." Since this access easement is peripheral to the land division, and there is adequate room on the parcel located on the west side of proposed Parcel 2 to provide an additional 30 feet for a shared access easement in the future, staff has determined that a 30-foot access easement is sufficient. This 30-foot easement is indicated on TPM 408. It runs from Old Spanish Trial Highway through Parcel 2 to Parcel 1.

Utilities and Public Services: TPM-408 has been routed to appropriate County departments and comments have been received by the Environmental Health Department and the Public Works

Department. The Public Works Department provided comments indicating that the access easement as described above would be required. Environmental Health Department staff provided many comments relating to future water and sanitary service provision and the separation of the existing services after the subdivision. Environmental Health staff also had concerns regarding the continued appropriate delivery of these services to the parcels after the subdivision and recommended easements for water and sanitary service uses and access between the two parcels. Based on these comments, a condition of approval will be required for a Final Map that the applicant satisfy the requirements set forth by the County Environmental Health Department and the State of California regarding water and sanitary services.

Due to the fact both parcels are already developed, staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as permitted. A condition of approval is included to require such improvements in the future if they become necessary.

Additional services include:

- Electric: Southern California Edison
- Fire: Southern Inyo Fire Protection District
- Telephone: Cell
- Law Enforcement: Inyo County Sheriff

The Subdivision Map Act requires that subdivisions that are in a High Fire Hazard Zone or are in a State Responsibility Area provide specific findings that fire services will be provided. This property is in neither. It is in a Local Responsibility Area and in a Moderate Fire Hazard Area; therefore, the fire findings are not required for this subdivision application and adequate fire suppression services are available.

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a TPM is for a property that is already developed and includes no additional development proposals. The current site development is compliant with the Conditionals of Approval that were set forth when a previous CUP was granted and have been reviewed and approved by the appropriate County departments.

### **RECOMMENDATIONS**

Find the proposed project exempt from the requirements of the California Environmental Quality Act; make the findings specified below; and, approve TPM No. 408/Magnificat Ventures, subject to Conditions of Approval.

#### Recommended Findings

1. Proposed TPM #408 is covered by the General Rule 15061(b)(3)  
*[Evidence: the proposed TPM is covered by the General Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to*

*CEQA. This TPM is being conducted on property that is already developed and this development has occurred with proper County permits and oversight, there are no plans for further development; therefore, it will not have a significant effect on the environment.]*

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 is not conformance with the OS-40 Zoning designation currently found on the property and a condition of approval to change the Zoning designation to Retail Commercial (RC) will be required for a Final Map.

*[Evidence: Inyo County Code (ICC) Chapter 18.12 states the minimum standard parcel size for development is 40-acres; the parcel widths must be 500-feet; and the setback requirements are 50-feet for front, side and rear yards. This subdivision will cause the resulting parcels and current development to be out of compliance with ICC 18.12 the OS-40 designation; therefore, the applicant is requesting a Zone Reclassification to Highway Services and Tourist Commercial (C2) as this designation best fits the current uses and development pattern. Once this condition is met TPM 408 will be in conformance with the C2 Zoning designation.]*

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 is in conformance with Inyo County Code 18.48.010 Highway Services and Tourist Commercial - Intent.

*[Evidence: The highway services and tourist commercial or C2 district is established to provide space for highway and tourist related enterprises adjacent to major routes of travel, so regulated as to prevent the impairment of safe and efficient movement of traffic and to encourage attractive development, compatible with adjacent residential land uses. 18.48.010(H) permitted uses includes social, cultural, religious or philanthropic institutions. The Mission provides all of the permitted uses found under 18.48.010(H). The Mission is located adjacent to the Old Spanish Trail Highway, a major route through southeast Inyo County. It includes a visitor center, church, meeting room and is in the process of putting in a restaurant. The Mission is an attractive development that is compatible with the sparse residential development that surrounds it, as it blends in design and color with the desert landscape that surrounds it, as well as provides religious services and community events to the local population.]*

4. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 is not conformance with the Inyo County General Plan designation of Resort Recreation (REC) that is currently found on the property and a condition of approval to change the General Plan designation to Retail Commercial (RC) will be required for a Final Map.

*[Evidence: The REC designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, campgrounds, trailer parks, restaurants, general stores, service stations, and similar and compatible uses. It does not correspond consistently with the requested C2 zoning designation and the current uses do not match the definition. For consistency, the applicant is requesting a General Plan Amendment (GPA) to change the designation from REC to Retail Commercial (RC). The RC designation is traditionally used in tandem with the C2 zoning designation. It allows for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. Service uses and public/quasi-public uses are more in line*

*with the current operations on the site as the chapel, and columbarium can be considered a service use and public/quasi-public uses. Once this condition is met TPM 408 will be in conformance with the RC General Plan designation.]*

5. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 is in conformance with the General Plan designation of RC.  
*[Evidence: The RC designation provides for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. The church and columbarium can be considered public/quasi-public uses and fit the current uses on the property.]*
6. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 is in conformance with the General Plan's Economic Development Goal ED-1.4 Targeted Development.  
*[Evidence: Policy ED-1.4 Targeted Development states: Target development in those areas that are currently under-served to fill specific gaps in visitor serving and retail services. The Charleston View area where the Mission is located has no other services or destinations for locals or visitors. The Mission plays a large role in providing religious and visitor services as well as holds community events for the local population.]*
7. Based on substantial evidence in the record, the Planning Commission finds that TPM 408 as conditioned is in conformance with and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.  
*[Evidence: Proposed TPM 408 (Parcel 1 and Parcel 2) is consistent with the C2 Zoning designation as it provides for social, cultural, religious or philanthropic institutions. Both Parcels also meet C2 development standards of a minimum parcel size of 10,000-sqft and minimum width of 75-feet and requires a front yard setback of 25-feet, rear yard of 0-feet and side yards of 0-feet. The proposed lots meet the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]*
8. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.  
*[Evidence: The project is consistent with the rural character of the surrounding area, is already developed and will not increase demands on public services and utilities. The TPM has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval. The applicant will have to satisfy regulations per the County Environmental Health Department and the State of California regarding water and sanitary services. The project is not expected to increase demands for fire protection services and is located within a local fire district.]*

9. Based on substantial evidence in the record, the Planning Commission finds that the design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.

*[Evidence: Access to Parcel 1 will be provided through Parcel 2, as a condition of approval to the Final Map, as a 30-foot easement; and access to Parcel 2 is already established by the Old Spanish Trail Highway. Additional easements for water and sanitary services may be required by the County Environmental Health Department. No conflicts with existing easements have been identified.]*

10. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

*[Evidence: As indicated by the Exemption, the project will not result in substantial impacts to the physical environment or human beings, either individually or cumulatively, or directly or indirectly. The subdivision itself will not result in physical modifications, and no changes in the current uses or development are proposed.]*

11. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

*[Evidence: As indicated by the Exemption, the subdivision will not result in any direct impacts. The site is already developed and the subdivision does not have potential indirect impacts to native vegetation and wildlife; and, the project's incremental contribution to modifying the physical environment will be insignificant.]*

#### Conditions of Approval

1. A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.
2. The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 408/Magnificat Ventures or applicant's failure to comply with conditions of approval.
3. Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.
4. A 30-foot, legal, on-site, access easement from Old Spanish Trail Highway to Parcel 1, shall be created as illustrated on TPM 408 prior to recordation of the Final Parcel Map.

5. The applicant will work with staff from the Inyo County Environmental Health Department to ensure that water and sanitary services are provided to both Parcel 1 and Parcel 2 and meet Inyo County and the State of California regulations pertaining to water and sanitary services prior to recordation of the Final Parcel Map.
6. The applicant will complete a Conditional Use Permit for the continued use of the columbariums on the property prior to recordation of the Final Parcel Map.
7. The applicant will complete a Zone Reclassification from OS-40 to C2 prior to recordation of the Final Parcel Map.
8. The applicant will complete a General Plan Amendment from REC to RC prior to recordation of the Final Parcel Map.
9. The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all streets and utilities within and serving the subdivision per applicable standards, as may be required by the County in the future.

#### Conditional Use Permit 2015-04/ Magnificat Ventures

In 2011 the applicant obtained a CUP for the uses that are currently occurring on the property. These uses include: an indoor and outdoor columbarium (these are only for the interment of already cremated remains, no cremations take place on the property), a chapel, a meditation garden that includes the Stations of the Cross and a visitor center. In May 2015 the applicant approached the planning department with the idea of subdividing off the portion of the property with the Chapel to donate it to the Catholic Diocese of Fresno. Along with the TPM request, the applicant is also asking for a Zone Reclassification to match the current uses on the property and to be compliant with development standards; a General Plan Amendment to match the Zoning designation and a Conditional Use Permit to continue the operation of the columbarium.

#### General Plan Consistency

The goal of this project is to allow for an established use on the site to continue legally. The project is consistent with the General Plan designation of RC that the applicant has applied for and will be required to change it to. RC allows for public/quasi-public uses and similar compatible uses. The columbarium qualifies as a similar compatible use as a public use. It provides what is typically a public service for the internment of cremated remains. No cremations take place on the property, ashes are brought there and are stored in vaults located within buildings or sited in the ground. The columbariums are also compatible with the General Plan's Economic Development Element's Goal ED-2: Bring more destination-spending into Inyo County. The applicant has stated that many of the ashes interned at the columbariums are frequently visited by people from out of the area. These people spend money at the visitor center and in the communities located in southeast Inyo County.

#### Zoning Ordinance Consistency

The goal of this project is to allow for an established use on the site to continue legally. The project is consistent with the Zoning Designation designation of C2 that the applicant has applied for and will be required to change it to. The C2 Zone under 18.48.030(P) – Conditional

Uses includes: public/quasi-public buildings and uses of a recreational, religious, cultural, or public service nature. The columbariums are religious, cultural, and of a public service nature as they are used for the internment of cremated remains in a Catholic facility. The columbariums have already been built and approved by the appropriate County Departments. The applicant is requesting a Zone change as part of a Subdivision so that the Chapel and meditation garden on the site can be donated to the Catholic Diocese of Fresno. This Zone change necessitates the Conditional Use Permit.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is for a property that is already developed and includes no additional development proposals. The current site development is compliant with the Conditionals of Approval that were set forth when a previous CUP was granted and have been reviewed and approved by the appropriate County departments.

## **RECOMMENDATION**

Planning Department staff recommends the approval of Conditional Use Permit No. 2015-04/Magnificat Ventures, with the following Findings and Conditions of Approval:

### Recommended Findings

1. The proposed Conditional Use Permit is exempt under the General Rule, (b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment and the provisions of the California Environmental Quality Act have been satisfied.  
*[Evidence: This application for a CUP is for a property that is already developed and includes no additional development proposals. The current site development is compliant with the Conditionals of Approval that were set forth when a previous CUP was granted and have been reviewed and approved by the appropriate County departments.]*
2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Retail Commercial (RC).  
*[Evidence: The goal of this CUP is to allow for an established non-conforming use on the site to continue legally under the County's zoning ordinance. The project is consistent with the General Plan designation of RC, County's General Plan as it allows for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. The columbariums qualify as a public use as they are considered public service for the internment of human remains and are therefore consistent with policies and objectives under the General Plan designation of RC. The CUP is also consistent with Goal ED-2: Bring more destination-spending into Inyo County. The applicant has stated that many of the ashes interned at the columbariums are frequently visited by people from out of the area. These people spend money at the visitor center and in the communities located in southeast Inyo County; and therefore, bring in more destination spending to the County.]*

3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, 18.48.030(P) which permits “public/quasi-public buildings and uses of a recreational, religious, cultural, or public service nature” as a Conditional Use.  
*[Evidence: The C2 Zone under 18.48.030(P) – Conditional Uses includes: public/quasi-public buildings and uses of a recreational, religious, cultural, or public service nature. The columbariums are religious, cultural, and of a public service nature as they are used for the internment of cremated remains in a Catholic facility. The columbariums have already been built and approved by the appropriate County Departments.]*
4. The proposed Conditional Use Permit is necessary or desirable.  
*[Evidence: The General Plan’s Economic Development Element’s Goal ED-2 states: ‘Bring more destination spending into Inyo County’. The applicant has stated that part of the services it routinely provides at the St. Therese Mission include receiving many visitors from out of the area who are there to visit the interned remains of loved ones. While they are there they participate in religious services and spend money at the visitor center. They also pay for the use of the columbariums. These activities bring money into the area through the Mission as well as visitor spending in the southeast Inyo County communities.]*
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed CUP is proposed to make an existing use legal under the County’s Zoning Code. It will not change or increase the current level or type of use; and therefore, will have no impact on transportation or service facilities in the vicinity.]*
6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The CUP is proposed to make an existing use legal under the County’s Zoning Code. It will not change or increase the current level or type of use; and therefore, will not create impacts on the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.]*
7. Operating requirements necessitate the Conditional Use Permit for the site.  
*[Evidence: The continued use of the property for the columbariums requires a CUP per Inyo County Code Section 18.48.030.]*

## **CONDITIONS OF APPROVAL**

### **1. Hold Harmless**

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2015-04/Magnificat Ventures. The County reserves the right to prepare its own defense.

2. Compliance with County Code  
The applicant/developer shall conform to all applicable provisions of Inyo County Code. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.
3. This conditional use permit will become void if the applicant does not complete a Zone Reclassification from OS-40 to C2 and a General Plan Amendment from REC to RC within one year of the approval date.

#### Zone Reclassification 2015-01/Magnificat Ventures

Both of the proposed parcels are designated Open Space with a forty-acre minimum (OS-40). Inyo County Code (ICC) Chapter 18.12 states the minimum standard parcel size for development is 40-acres; the parcel widths must be 500-feet; and the setback requirements are 50-feet for front, side and rear yards. This subdivision will cause the resulting parcels and current development to be out of compliance with the 18.12 the OS-40 designation; therefore, the applicant is requesting a Zone Reclassification to Highway Services and Tourist Commercial (C2) as this designation best fits the current uses and development pattern. The approval of Final Map 408 is conditioned on the applicant obtaining this Zone Reclassification.

#### General Plan Amendment 2015-01/Magnificat Ventures

The General Plan designates both of the proposed parcels as Resort Recreational (REC). The REC designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, campgrounds, trailer parks, restaurants, general stores, service stations, and similar and compatible uses. It does not correspond consistently with the requested C2 zoning designation and the current uses do not match the definition. For consistency, the applicant is requesting a General Plan Amendment (GPA) to change the designation from REC to Retail Commercial (RC). The RC designation is traditionally used in tandem with the C2 zoning designation. It allows for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. Service uses and public/quasi-public uses are more in line with the current operations on the site as the chapel, and columbarium can be considered a service use and public/quasi-public uses. The approval of Final Map 408 is conditioned on the applicant obtaining this General Plan Amendment.

#### **RECOMMENDATION**

Planning Department staff recommends the Planning Commission recommend the Board of Supervisors approve General Plan Amendment 2015-01/Magnificat Ventures and Zone Reclassification 2015-01/Magnificat Ventures.

#### Recommended Findings

1. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2015-01/Magnificat Ventures and Zone Reclassification 2015-01/Magnificat Ventures are in conformance with the Goals and Objectives of the Inyo County General Plan.

*[Evidence: The proposed designation of RC provides for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses.*

*The church and columbarium can be considered public/quasi-public uses and the RC designation fits the current uses on the property. Policy ED-1.4 Targeted Development states: Target development in those areas that are currently under-served to fill specific gaps in visitor serving and retail services. The Charleston View area where the Mission is located has no other services or destinations for locals or visitors. The Mission plays a large role in providing religious and visitor services as well as holds community events for the local population.]*

2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2015-01/Magnificat Ventures and Zone Reclassification 2015-01/Magnificat Ventures are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

*[Evidence: The proposed designation of highway services and tourist commercial or C2 district is established to provide space for highway and tourist related enterprises adjacent to major routes of travel, so regulated as to prevent the impairment of safe and efficient movement of traffic and to encourage attractive development, compatible with adjacent residential land uses. 18.48.010(H) permitted uses includes social, cultural, religious or philanthropic institutions. The Mission provides all of the permitted uses found under 18.48.010(H). The Mission is located adjacent to the Old Spanish Trail Highway, a major route through southeast Inyo County. It includes a visitor center, church, meeting room and is in the process of putting in a restaurant. The Mission is an attractive development that is compatible with the sparse residential development that surrounds it, as it blends in design and color with the desert landscape that surrounds it, as well as provides religious services and community events to the local population.]*

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

*[Evidence: The project is consistent with the rural character of the surrounding area and is already developed and will not increase demands on public services and utilities. The TPM has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval. The applicant will have to satisfy regulations per the County Environmental Health Department and the State of California regarding water and sanitary services. Since the site is already developed, the project is not expected to increase demands for police or fire protection services and it is located within a local fire district.]*

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare.

*[Evidence: The proposed General Plan Amendment and Zone Reclassification are proposed as condition of approval for TPM 408. They will allow the current uses on the property to be consistent with the County's General Plan and Zoning Ordinance. It will not change or increase the current level or type of use on the property; and therefore, will not create*

*impacts to the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.]*

### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a General Plan Amendment is for a property that is already developed and includes no additional development proposals.

### **EXHIBITS**

- A. Tentative Map.
- B. Legal Description
- C. Vicinity Map



**EXHIBIT 'A'**

**ST. THERESE MISSION  
LOT 1**

**LEGAL DESCRIPTION**

APN: 48-514-33

A PORTION OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 10 EAST, S.B.&M., INYO COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 189 OF SPRING VALLEY RANCHOS AS SHOWN ON THE MAP THEREOF IN RS BOOK 7, PAGE 37, OFFICIAL RECORDS, INYO COUNTY, CALIFORNIA; THENCE NORTH 89°59'00" EAST, ALONG THE NORTH LINE OF SAID LOT, 20.00 FEET TO THE **POINT OF BEGINNING**; THENCE, DEPARTING SAID NORTH LINE, NORTH 00°00'36" WEST, , 75.00 FEET; THENCE NORTH 89°59'00" EAST, 462.53 FEET; THENCE NORTH 00°05'30" EAST, 255.00 FEET; THENCE NORTH 89°59'00" EAST, 124.47 FEET; THENCE NORTH 00°00'00" EAST, 99.21 FEET; THENCE SOUTH 90°00'00" EAST, 109.33 FEET; THENCE SOUTH 00°00'00" WEST, 142.91 FEET; THENCE SOUTH 89°54'30" EAST, 124.37 FEET; THENCE SOUTH 00°05'30" WEST, 286.03 FEET; THENCE SOUTH 89°59'00" WEST, 510.64 FEET TO THE NORTHEAST CORNER OF SAID LOT 189; THENCE SOUTH 89°59'00" WEST, ALONG THE NORTH LINE OF SAID LOT, 310.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3.63 ACRES (158,293 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

**BASIS OF BEARINGS:**

S89°59'00"W - BEING THE SOUTH LINE OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 10 EAST, S.B.&M. INYO COUNTY, CALIFORNIA AS SHOWN ON THE MAP THEREOF IN RS BOOK 7, PAGE 37, OFFICIAL RECORDS, INYO COUNTY, CALIFORNIA

Prepared under the direction of:



Michael E. Bailey, LS 4736

9/11/2015

Date



**EXHIBIT 'A'**

**ST. THERESE MISSION  
LOT 2  
LEGAL DESCRIPTION**

APN: 48-514-33

A PORTION OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 10 EAST, S.B.&M., INYO COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 157 OF SPRING VALLEY RANCHOS AS SHOWN ON THE MAP THEREOF IN RS BOOK 7, PAGE 37, OFFICIAL RECORDS, INYO COUNTY, CALIFORNIA; THENCE NORTH 89°59'00" EAST, ALONG THE SOUTH LINE OF SAID LOT, 20.00 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH 89°59'00" EAST, ALONG SAID SOUTH LINE, 310.00 FEET; THENCE NORTH 00°00'36" WEST, ALONG THE EAST LINE OF SAID LOT, 330.00 FEET TO THE SOUTH WEST CORNER OF LOT 151 OF SAID SPRING VALLEY RANCHOS; THENCE NORTH 89°59'00" EAST, ALONG THE SOUTH LINE OF SAID LOT 151 AND LOT 152 OF SAID MAP, 660.00 FEET TO THE NORTH WEST CORNER OF LOT 154, OF SAID SPRING VALLEY RANCHOS; THENCE SOUTH 00°00'36" EAST, ALONG THE WEST LINE OF SAID LOT 151, LOT 185 AND LOT 186 OF SAID SPRING VALLEY RANCHOS, 960.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF OLD SPANISH TRAIL; THENCE SOUTH 89°59'00" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 660.00 FEET TO THE EAST LINE OF LOT 189 OF SAID SPRING VALLEY RANCHOS; THENCE NORTH 00°00'36" WEST, ALONG THE EAST LINE OF SAID LOT, 300.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 189; THENCE, DEPARTING SAID EAST LINE, NORTH 89°59'00" EAST, 510.64 FEET; THENCE NORTH 00°05'30" EAST, 286.03 FEET; THENCE NORTH 89°54'30" WEST, 124.37 FEET; THENCE NORTH 00°00'00" EAST, 142.91 FEET; THENCE NORTH 90°00'00" WEST, 109.33 FEET; THENCE SOUTH 00°00'00" WEST, 99.21 FEET; THENCE SOUTH 89°59'00" WEST, 124.47 FEET; THENCE SOUTH 00°05'30" WEST, 255.00 FEET; THENCE SOUTH 89°59'00" WEST, 462.53 FEET; THENCE NORTH 00°00'36" WEST, 255.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 13.26 ACRES (577,607 SQUARE FEET), MORE OR LESS, AS DETERMINED BY COMPUTER METHODS.

**BASIS OF BEARINGS:**

S89°59'00"W - BEING THE SOUTH LINE OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 10 EAST, S.B.&M. INYO COUNTY, CALIFORNIA AS SHOWN ON THE MAP THEREOF IN RS BOOK 7, PAGE 37, OFFICIAL RECORDS, INYO COUNTY, CALIFORNIA

Prepared under the direction of:



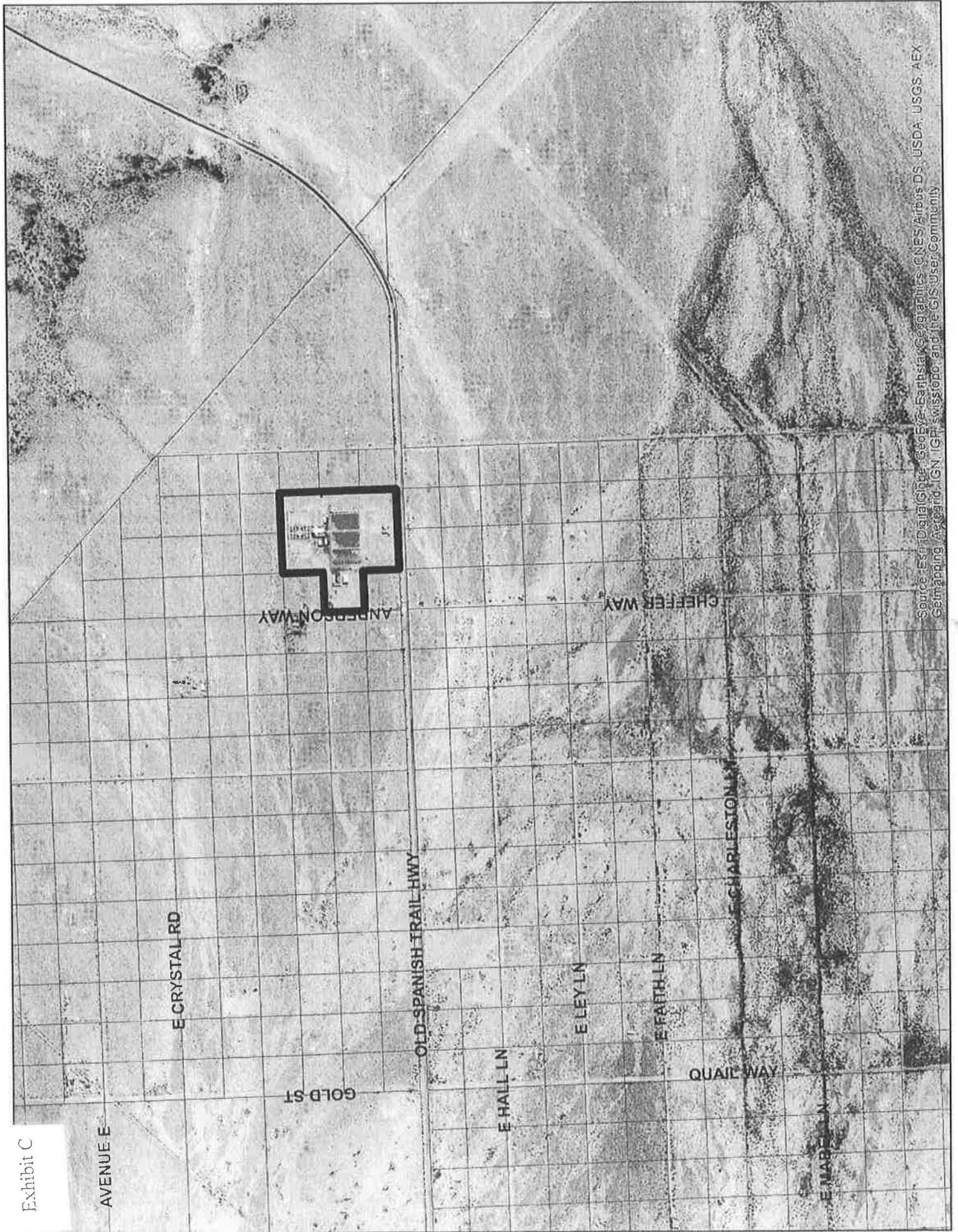
MICHAEL E. BAILEY, LS 4736

9/11/2015

\_\_\_\_\_  
Date



Exhibit C





**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 *1:30*     Closed Session     Informational

**FROM:**        **Supervisor Jeff Griffiths and Supervisor Matt Kingsley**

**FOR THE BOARD MEETING OF:**        January 26, 2016

**SUBJECT:**    Consideration of Letter(s) Regarding the California Minerals, Off-Road Recreation, and Conservation Act (Representative Paul Cook) and California Desert Conservation and Recreation Act (Senator Feinstein)

**DEPARTMENTAL RECOMMENDATION:**

Request our Board discuss and consider authorizing the Chairperson to sign a letter regarding the California Minerals, Off-Road Recreation, and Conservation Act.

**SUMMARY DISCUSSION:**

Two federal land use bills have been introduced by our federal congressional representatives that could impact Inyo County. Both the California Minerals, Off-Road Recreation, and Conservation Act, or CMORCA, (Representative Cook) and the California Desert Conservation and Recreation Act, or CDCRA, (Senator Feinstein) have been the subject of presentations by County staff and discussions by our Board. There continues to be interest and, in some cases, expectation that the Inyo County Board of Supervisors take a position or offer comments on the bills. We have prepared the attached letter, for our Board's consideration, in hopes of furthering the discussion.

**ALTERNATIVES:**

Our Board could choose to not take a position on one or both of the bills. Our Board could also decide to send a similar letter to Senator Feinstein regarding the California Desert Conservation and Recreation Act.

**OTHER AGENCY INVOLVEMENT:**

N/A

**FINANCING:**

There are no financing issues associated with the consideration of these pieces of legislation or the accompanying letter.

**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 _____

**SIGNATURE:**

(Not to be signed until all approvals are received)



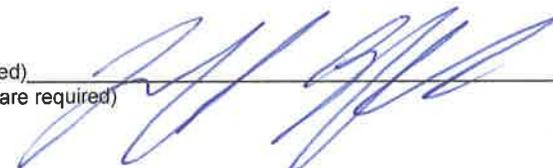
Date:

1-19-16

**SIGNATURE:**

(Not to be signed until all approvals are received)

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



Date:

1-19-16



## 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  
JEFF GRIFFITHS  
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*Clerk of the Board*

PATRICIA GUNSOLLEY  
*Assistant Clerk of the Board*

January 26, 2016

The Honorable Colonel Paul Cook (Ret.)  
United States Congress  
1222 Longworth House Office Building  
Washington, D.C. 20515

**Subject: California Minerals, Off-Road Recreation, and Conservation Act**

Dear Representative Cook:

Your recently introduced legislation, the California Minerals, Off-Road Recreation, and Conservation Act (CMORCA), includes components of critical importance to the County of Inyo. Chief among these is the provisions of a mechanism for the County to continue to repair and maintain the historic Saline Valley Road by regaining access to the traditional material borrow pits that were coopted into Death Valley National Park when the current Park boundaries were established.

The California Desert Conservation and Recreation Act, introduced by Senator Feinstein, also includes provisions to help the County regain access to the Saline Valley Road material sites, as well as the designation of the Alabama Hills National Scenic Area. Both matters are important to Inyo County, with the Alabama Hills designation being paramount. The Inyo County Board of Supervisors acknowledges, and wants to reiterate its appreciation for your leadership last year to move the Alabama Hills designation forward as stand-alone legislation (H.R. 496).

Of the matters contemplated in the CMORCA, the CDCRA and H.R. 496, the designation of the Alabama Hills as a National Scenic Area, and the restoration of the County's access to its long-standing material sites for maintaining and repairing Saline Valley Road, have the unequivocal support of the Inyo County Board of Supervisors. We deeply appreciate your attention to these matters of importance to our county.

The Board of Supervisors also wants to thank you for your recognition that, although Inyo County encompasses more than 10,000 square miles, land tenure patterns and land use designations significantly limit the amount of useable land. In fact, less than two-percent of the land in Inyo County is privately owned. We appreciate the symbolism embodied in the provisions of CMORCA that additional wilderness designations in Inyo County be accompanied by the release of Wilderness Study Areas deemed not suitable for wilderness

designation. However, while we support the concept of additional protective land use designations being accompanied by WSA or other land releases, we also note that the release of the WSA's may do very little to significantly change land use on the ground, particularly with respect to assisting the Inyo County economy.

We respectfully suggest that releasing public lands to the County in and around existing Inyo County communities may be a more meaningful way to support economic growth, and recognizing that almost 65% of the land in Inyo County is designated wilderness or managed as wilderness. Similarly, designating portions of existing WSAs as wilderness may not be the most effective ways of continuing to realize conservation objectives. We note that there are existing wilderness designations with 'gaps' that could be filled and accompanied by land releases near population centers in the county. Also, it may be appropriate to consider non-wilderness land designations – such as the Alabama Hills National Scenic Area – in other parts of the county where such designations could spur or preserve tourism.

We seek an opportunity to explore these concepts with you and Senator Feinstein in more detail. To the extent that desirable land releases could be comprised of federally-managed lands already designated for release, or new lands, we hope that this could be accomplished through a thoughtful and public process.

We are aware of differences in the components of the CMORCA and CDCRA bills, and our thoughts on land designations and land releases in the County also extend to the California Desert Conservation and Recreation Act. We urge you and Senator Feinstein to work together to address the inconsistencies in the two bills as they pertain to, and for the Inyo County. And, we request that Inyo County be involved as discussions and negotiations proceed on both pieces of legislation.

In closing, provisions in both bills are of concern to our constituents for differing reasons, and we want to recognize and ask you to continue your efforts to ensure that both bills receive their due diligence and public engagement as they move through Congress. Toward this end, we would welcome the opportunity to host a joint-meeting in Inyo County to discuss both bills with staff from your and the Senator's office. We appreciate the leadership of your office in ensuring that any compromises reached in reconciling the two bills meet the unique, and often times diverse needs of Inyo County residents.

Sincerely,

Jeff Griffiths  
Chairperson, Inyo County Board of Supervisors

cc: The Honorable Senator Dianne Feinstein  
Inyo County Board of Supervisors  
Rural County Representatives of California  
California State Association of Counties  
National Association of Counties



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

For Clerk's Use Only:  
AGENDA NUMBER

23

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

**FROM:** Alisha McMurtrie, Treasurer-Tax Collector

**FOR THE BOARD MEETING OF:** January 26, 2016

**SUBJECT:** Treasury Status Report for the Quarter Ending December 31, 2015

**DEPARTMENTAL RECOMMENDATION:** Review Report and direct questions to the County Treasurer.

**CAO RECOMMENDATION:**

**SUMMARY DISCUSSION:** The Report is provided pursuant to the provisions of Section 53646(b) of the Government Code. The primary purposes of the Report are to disclose the following: the investments and deposits of the treasury; the cost basis and market values of investments; compliance to the County Treasury Investment Policy; The weighted average maturity of the investments; and, the projected ability of the Treasury to meet the expected expenditure requirements of the Treasury's pooled participants for the next six months.

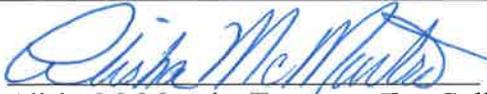
**ALTERNATIVES:** N/A

**OTHER AGENCY INVOLVEMENT:** Pursuant to Section 53646(g), copies of this report, while no longer mandated, will continue to be provided to the members of the Treasury Oversight Committee.

**FINANCING:** N/A

**APPROVALS**

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  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.)  N/A  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.)  N/A  Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:  Date: January 15, 2016  
Alisha McMurtrie, Treasurer-Tax Collector

COUNTY OF INYO  
TREASURER-TAX COLLECTOR  
168 NORTH EDWARDS STREET  
POST OFFICE DRAWER O  
INDEPENDENCE, CA 93526-0614  
(760) 878-0312 • (760) 878-0311 FAX



ALISHA McMURTRIE  
TREASURER-TAX COLLECTOR

TO: Honorable Members of the Inyo County Board of Supervisors  
FROM: Alisha McMurtrie, Treasurer-Tax Collector  
SUBJECT: Report of the Status of the Inyo County Treasury as of: December 31, 2015  
DATE: January 15, 2016

The following status report of the County Treasury as of December 31, 2015 is provided pursuant to the provisions of Section 53646(b) of the Government Code.

The attached copy of the "Treasurer's Daily Reconciliation" provides a breakdown of the dollar amount of the Treasury assets by depository for monetary assets and by issuer for securities.

The attached copy of the custody statement from Union Bank reflects, among other things, the following information regarding each security held: issuer, maturity date; CUSIP number; face amount; cost basis; and market value (calculated by Merrill Lynch).

The weighted average maturity of the investments of the Treasury was 502 days.

The latest PARS/OPEB investment statement is attached for reference.

It is anticipated that the County Treasury will be able to meet the liquidity requirements of its pooled participants for the next six months.

The investment portfolio is in compliance with the Inyo County Treasury Investment Policy.

NOTES: Regarding Inyo County's monetary assets held outside the County Treasury:

- Various Inyo County Departments and treasury pool participants maintain and administer bank checking accounts outside the County Treasury.
- Inyo County's PARS relationship for our OPEB investment began in June 2010. To date: the PARS balance as of: 11/30/15 was \$5,327,488.88 (Principal: \$3,850,000.00 + Interest = \$1,534,809.17 less Fees: \$-57,320.29)

C: Members of the Inyo County Treasury Oversight Committee

TREASURER'S DAILY RECONCILIATION

DATE: 12-31-15

**AUDITOR'S BALANCES**

Balance Forward - Cash in Treasury		<b>\$128,232,455.06</b>	
Plus: Auditor Adjustments Payroll			
Deposit Authorizations			
Fees			
Less: Co. Checks Pd	12/30/15	(685,347.78)	
Auditor JE# to adjust			
Acct. Analysis (UB Fees)			
Outgoing Electronic Wires			
		-9,458.33	vendor
		-33,000.00	vendor
		-78,927.50	Auditor Wire
		-301.00	NACHA
		-263,364.72	City Of Bishop

Ending "Claim on Cash in Treasury" **\$127,162,055.73**

**TREASURER'S BALANCE:**

Cash on Hand: Vault	\$5,430.00
Drawer	\$696.01
Bank Deposits on Hand:	

**BANK ACCOUNTS:**

Union Bank - General Account.	\$2,951,529.23
El Dorado - Cash Account	\$100,370.76
El Dorado- Directs Account	\$10,000.00
Eastern Sierra- General Account	\$0.00

**INVESTMENTS:**

% Invested

Local Agency Investment Fund	\$37,500,000.00	Agency Limit
UBS Money Market	\$1,000,000.00	0.79% of 10.00%
Federal Agencies	\$ 48,235,950.00	37.93% of 100.00%
CD	\$20,015,812.86	15.74% of 30.00%
Local Agency Debt	\$655,548.11	0.52% of 100.00%
Commercial Paper	\$ 16,686,120.15	13.12% of 15.00%

**TOTAL TREASURY BALANCE:** **\$127,161,457.12**

Difference: (Treasury SHORT or OVER) (\$598.61)

Explanation of Difference: (\$388.77) Debit Adjustment  
 (\$209.84) Error Cks paid 12/29/15

**NOTES**

Investments Maturing Over 1 Year **\$ 52,364,762.86** 41.18% of 60.00%

Prepared By: \_\_\_\_\_



As of: 31-Dec-2015

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gains/Loss	Annual Yield	Estimated Annual Income
Cash & Cash Equivalents	NATIXIS NY DCP/ 1/05/16	05-Jan-2016	69373JAS9	2,000,000.0000	\$1,992,511.11 USD	\$1,999,980.00 USD			\$7,368.88 USD		
Corporate Obligations	CATHAY BK LA C/D 0.300% 2/01/16	01-Feb-2016	149159K99	246,000.0000	\$248,000.00 USD	\$247,965.28 USD	N/A		(\$34.72) USD		
Corporate Obligations	ENTERPRISE BK&TR C/ 0.400% 2/04/16	04-Feb-2016	293367ACU5	249,000.0000	\$248,000.00 USD	\$247,980.16 USD	N/A		(\$19.84) USD		
Corporate Obligations	ACCESS NATL BK C/D 0.300% 2/08/16	08-Feb-2016	00432KCY7	249,000.0000	\$248,000.00 USD	\$247,955.38 USD	N/A		(\$44.64) USD		
Corporate Obligations	BEAL BK USA NV C/D 0.500% 2/10/16	10-Feb-2016	07370WMU7	249,000.0000	\$248,000.00 USD	\$247,997.52 USD	N/A		(\$2.48) USD		
Corporate Obligations	DISCOVER BK C/D 0.500% 2/11/16	11-Feb-2016	254672SW2	249,000.0000	\$248,000.00 USD	\$247,997.52 USD	N/A		(\$2.48) USD		
Corporate Obligations	SANTANDER BK C/D 0.500% 2/11/16	11-Feb-2016	80280UDR9	249,000.0000	\$248,000.00 USD	\$247,997.52 USD	N/A		(\$2.48) USD		
Corporate Obligations	FIRST MERIT BK C/D 0.500% 2/12/16	12-Feb-2016	320844PG2	249,000.0000	\$248,000.00 USD	\$247,997.52 USD	N/A		(\$2.48) USD		
Corporate Obligations	WHITNEY BK C/D 0.450% 2/18/16	18-Feb-2016	966594AJ2	249,000.0000	\$248,000.00 USD	\$247,982.84 USD	N/A		(\$17.36) USD		
Corporate Obligations	FIRST NIAGARA BK C/D 0.400% 3/11/16	11-Mar-2016	33583CND7	249,000.0000	\$240,000.00 USD	\$239,944.80 USD	N/A		(\$55.20) USD		
Corporate Obligations	FIRST NATL BK C/D 0.400% 3/29/16	29-Mar-2016	32111LCD2	249,000.0000	\$248,000.00 USD	\$247,918.16 USD	N/A		(\$61.84) USD		
Corporate Obligations	BKSOUTH GREENSBOR C/D 0.400% 3/30/16	30-Mar-2016	06652GAF9	249,000.0000	\$248,000.00 USD	\$247,915.88 USD	N/A		(\$64.32) USD		
Cash & Cash Equivalents	NATIXIS NY DCP/ 3/30/16	30-Mar-2016	63873JCW8	3,000,000.0000	\$2,992,716.67 USD	\$2,995,830.00 USD			\$3,113.33 USD		
Corporate Obligations	RELIANT BK BRENTWO C/D 0.400% 3/30/16	30-Mar-2016	75954BAW3	489,000.0000	\$488,000.00 USD	\$487,834.08 USD	N/A		(\$165.92) USD		
Corporate Obligations	SAFRA NATL BK NY C/D 0.500% 3/30/16	30-Mar-2016	78558QMJ9	249,000.0000	\$248,000.00 USD	\$248,022.32 USD	N/A		\$22.32 USD		
Corporate Obligations	BERKSHIRE BK C/D 0.450% 3/31/16	31-Mar-2016	084601DG5	249,000.0000	\$248,000.00 USD	\$247,942.96 USD	N/A		(\$57.04) USD		
Corporate Obligations	PATRIOT NATL BK C/D 0.450% 3/31/16	31-Mar-2016	70337MAE8	249,000.0000	\$248,000.00 USD	\$248,022.32 USD	N/A		\$22.32 USD		
Corporate Obligations	TOWN NORTH BK C/D 0.400% 3/31/16	31-Mar-2016	89213TLH3	249,000.0000	\$248,000.00 USD	\$247,913.20 USD	N/A		(\$66.80) USD		
Corporate Obligations	APPLE BK C/D 0.400% 4/08/16	08-Apr-2016	03784JGU2	249,000.0000	\$248,000.00 USD	\$247,900.80 USD	N/A		(\$99.20) USD		
Cash & Cash Equivalents	ABBEY NATL NA LLC DCP/ 4/11/16	11-Apr-2016	00280NDB3	2,000,000.0000	\$1,991,750.00 USD	\$1,996,520.00 USD			\$4,770.00 USD		
Corporate Obligations	COMPASS BK ALA C/D 0.450% 5/06/16	06-May-2016	20451PKQ8	249,000.0000	\$248,000.00 USD	\$247,888.40 USD	N/A		(\$111.60) USD		
Corporate Obligations	CENTENNIAL BK C/D 0.400% 5/12/16	12-May-2016	15135KAP6	249,000.0000	\$248,000.00 USD	\$247,836.32 USD	N/A		(\$163.68) USD		
Corporate Obligations	WEX BK MIDVALE UT C/ 0.450% 5/13/16	13-May-2016	92937CCY2	249,000.0000	\$248,000.00 USD	\$247,997.52 USD	N/A		(\$2.48) USD		
Corporate Obligations	NOFIELD BK STATEN C/D 0.400% 5/16/16	16-May-2016	66612AAU2	249,000.0000	\$248,000.00 USD	\$247,995.04 USD	N/A		(\$4.96) USD		
Cash & Cash Equivalents	NATIXIS US FIN DCP/ 6/03/16	03-Jun-2016	63873JF39	1,500,000.0000	\$1,494,866.67 USD	\$1,495,095.00 USD			\$228.33 USD		
Cash & Cash Equivalents	US FINANCE DELW DCP/ 6/07/16	07-Jun-2016	90262CF77	1,250,000.0000	\$1,244,181.25 USD	\$1,245,800.00 USD			\$1,618.75 USD		
Cash & Cash Equivalents	NATIXIS NY DCP/ 6/10/16	10-Jun-2016	63873JFA3	3,000,000.0000	\$2,994,756.67 USD	\$2,989,740.00 USD			\$4,983.33 USD		
Cash & Cash Equivalents	TOYOTA MTR CRED DCP/ 6/21/16	21-Jun-2016	69233GFM3	4,000,000.0000	\$3,985,237.78 USD	\$3,985,360.00 USD			\$122.22 USD		
Corporate Obligations	SACO AND BIDEFORD C/D 0.500% 8/22/16	22-Aug-2016	78877TAC9	249,000.0000	\$248,000.00 USD	\$247,635.44 USD	N/A		(\$364.56) USD		
Government Obligations	FFCB BDS 0.440% 9/08/16	08-Sep-2016	3133EFCF2	3,000,000.0000	\$3,000,000.00 USD	\$2,998,980.00 USD	AA+		(\$1,020.00) USD		
Corporate Obligations	FIRST NIAGARA BK N 0.550% 9/23/16	23-Sep-2016	33583CRZ4	249,000.0000	\$248,000.00 USD	\$247,667.88 USD	N/A		(\$332.32) USD		
Corporate Obligations	S & T BK INDIANA C/D 0.550% 9/23/16	23-Sep-2016	789861CA3	249,000.0000	\$248,000.00 USD	\$247,667.88 USD	N/A		(\$332.32) USD		
Corporate Obligations	MAIN ST BK C/D	29-Sep-2016	56038BBA3	249,000.0000	\$248,000.00 USD	\$247,660.24 USD	N/A		(\$339.76) USD		

Holdings - Reporting as of Settlement Date  
Account: 6736305280 - COUNTY OF INYO



As of: 31-Dec-2015

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Corporate Obligations	0.500% 9/29/16 BROOKLINE BK MASS C/D 0.500% 9/30/16	30-Sep-2016	11373QEC1	248,000.0000	\$248,000.00 USD	\$247,657.76 USD	N/A		(\$342.24) USD		
Corporate Obligations	ESSA BK & TR STOUDSB 0.500% 9/30/16	30-Sep-2016	29667RND1	248,000.0000	\$248,000.00 USD	\$247,655.28 USD	N/A		(\$344.72) USD		
Corporate Obligations	TCF NATL BK C/D 0.550% 9/30/16	30-Sep-2016	872278PU4	248,000.0000	\$248,000.00 USD	\$247,637.92 USD	N/A		(\$362.08) USD		
Corporate Obligations	MIZUHO BK USA C/D 0.600% 11/18/16	18-Nov-2016	60868MRN6	249,000.0000	\$249,000.00 USD	\$247,486.08 USD	N/A		(\$1,513.92) USD		
Government Obligations	FHLB BDS 0.550% 12/09/16	05-Dec-2016	3130A6RF6	5,000,000.0000	\$4,999,000.00 USD	\$4,992,450.00 USD	AA+		(\$6,550.00) USD		
Corporate Obligations	BK NORTH CAROLINA C/D 0.900% 2/21/17	21-Feb-2017	06414QWL9	248,000.0000	\$248,000.00 USD	\$247,786.72 USD	N/A		(\$213.28) USD		
Corporate Obligations	FIRSTBANK PR C/D 1.000% 2/21/17	21-Feb-2017	33767AND9	248,000.0000	\$248,000.00 USD	\$247,732.18 USD	N/A		(\$267.84) USD		
Corporate Obligations	CARDINAL BK C/D 0.800% 3/23/17	23-Mar-2017	14147VFC5	248,000.0000	\$248,000.00 USD	\$247,563.52 USD	N/A		(\$436.48) USD		
Corporate Obligations	CITIZENS ST BK OKE C/D 0.650% 3/24/17	24-Mar-2017	17669WFP5	248,000.0000	\$248,000.00 USD	\$247,568.32 USD	N/A		(\$411.68) USD		
Corporate Obligations	CELTIC BK UTAH C/D 0.850% 3/30/17	30-Mar-2017	15118RKM8	248,000.0000	\$248,000.00 USD	\$247,523.84 USD	N/A		(\$476.16) USD		
Corporate Obligations	BANKUNITED A SVGS BK 0.900% 5/24/17	24-May-2017	066519BE6	248,000.0000	\$249,000.00 USD	\$246,193.24 USD	N/A		(\$806.76) USD		
Corporate Obligations	EVERGREEN BK GRP C/D 0.800% 5/30/17	30-May-2017	300165DH5	248,000.0000	\$248,000.00 USD	\$247,491.60 USD	N/A		(\$508.40) USD		
Corporate Obligations	WESTFIELD BANK C/D 0.900% 5/30/17	30-May-2017	96009LJL6	248,000.0000	\$248,000.00 USD	\$247,459.36 USD	N/A		(\$540.64) USD		
Corporate Obligations	1ST GEN BK ROWLAND C/D 0.900% 7/31/17	31-Jul-2017	320337BD9	248,000.0000	\$248,000.00 USD	\$247,464.32 USD	N/A		(\$535.68) USD		
Government Obligations	FNMA NTS 1.050% 8/15/17	15-Aug-2017	3136G23G0	3,000,000.0000	\$3,000,000.00 USD	\$2,984,750.00 USD	AA+		(\$5,250.00) USD		
Government Obligations	FFCB BDS 0.930% 11/17/17	17-Nov-2017	3133EFPH4	2,000,000.0000	\$2,000,000.00 USD	\$1,992,700.00 USD	AA+		(\$7,300.00) USD		
Government Obligations	FFCB BDS 0.900% 12/26/17	26-Dec-2017	3133ECB45	5,000,000.0000	\$4,997,500.00 USD	\$5,000,100.00 USD			\$2,600.00 USD		
Government Obligations	FNMA NT 2/22/18	22-Feb-2018	3136G23M7	2,000,000.0000	\$2,000,000.00 USD	\$2,005,120.00 USD	AA+		\$5,120.00 USD		
Government Obligations	FFCB BD 3/15/18	15-Mar-2018	3133EFSO1	3,000,000.0000	\$3,000,000.00 USD	\$2,992,350.00 USD	AA+		(\$7,650.00) USD		
Corporate Obligations	BANK AMERICA BD 1.650% 3/26/18	26-Mar-2018	06050TL16	250,000.0000	\$251,812.88 USD	\$248,120.00 USD	A		(\$3,692.88) USD		
Corporate Obligations	ALLY BK MIDVALE C/D 1.100% 4/23/18	23-Apr-2018	02068QJ5	250,000.0000	\$250,000.00 USD	\$248,120.00 USD	N/A		(\$1,880.00) USD		
Corporate Obligations	COMENITY CAP BK C/D 1.000% 4/27/18	27-Apr-2018	20033AKC9	250,000.0000	\$250,000.00 USD	\$246,447.50 USD	N/A		(\$3,552.50) USD		
Corporate Obligations	INVESTORS BK C/D 1.100% 4/30/18	30-Apr-2018	46176PEA9	250,000.0000	\$250,000.00 USD	\$248,627.50 USD	N/A		(\$1,372.50) USD		
Corporate Obligations	LANDMARK CNTY BK C/D 1.000% 5/04/18	04-May-2018	51507LAU8	250,000.0000	\$250,000.00 USD	\$248,017.50 USD	N/A		(\$1,982.50) USD		
Corporate Obligations	WORLDS FOREMOST C/D 1.300% 5/14/19	14-May-2018	981571BE1	200,000.0000	\$200,000.00 USD	\$198,124.00 USD	N/A		(\$1,876.00) USD		
Corporate Obligations	BK NORTH CAROLINA C/D 1.100% 5/30/18	30-May-2018	06414QXG9	248,000.0000	\$248,000.00 USD	\$246,745.12 USD	N/A		(\$1,254.88) USD		
Government Obligations	FHLB BDS 1.250% 6/27/18	27-Jun-2018	313383JQ5	3,000,000.0000	\$3,000,000.00 USD	\$2,995,290.00 USD			(\$4,710.00) USD		
Corporate Obligations	AMERN EXP SVGS BK C/D 1.650% 7/09/18	09-Jul-2018	02587CDK3	248,000.0000	\$248,000.00 USD	\$246,678.16 USD	N/A		(\$1,321.84) USD		
Corporate Obligations	CONNECTONE BK C/D 1.350% 7/09/18	09-Jul-2018	20768ABE4	248,000.0000	\$248,000.00 USD	\$246,063.12 USD	N/A		(\$1,936.88) USD		
Government Obligations	FHLB BDS 1.250% 7/20/18	20-Jul-2018	3130ASFP5	1,250,000.0000	\$1,250,000.00 USD	\$1,253,362.50 USD	AA+		\$3,362.50 USD		
Corporate Obligations	DOLLAR BK FED C/D 1.450% 7/30/18	30-Jul-2018	25865QAS4	248,000.0000	\$248,000.00 USD	\$245,626.08 USD	N/A		(\$1,373.92) USD		
Corporate Obligations	MEDALLION BK UT C/D	31-Aug-2018	58403BZ41	248,000.0000	\$248,000.00 USD	\$247,570.96 USD	N/A		(\$429.04) USD		



As of 31-Dec-2015

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Government Obligations	1.400% 8/31/18 FHLE BDS	28-Sep-2018	3130A6IU9	2,000,000.0000	\$2,000,000.00 USD	\$1,988,040.00 USD	AA+		(\$1,960.00) USD		
Government Obligations	1.350% 9/28/18 FNMA NTS	27-Nov-2018	3135G0Y74	3,000,000.0000	\$2,989,950.00 USD	\$3,021,840.00 USD	AA+		\$31,890.00 USD		
Corporate Obligations	MERRICK BK SO J CID 1.350% 1/18/16	30-Nov-2018	58013JLT4	248,000.0000	\$248,000.00 USD	\$248,412.80 USD	N/A		(\$1,587.20) USD		
Corporate Obligations	ENERBANK USA UT CID 1.500% 1/22/16	24-Dec-2018	29286NW78	245,000.0000	\$245,000.00 USD	\$243,213.95 USD	N/A		(\$1,786.05) USD		
Corporate Obligations	INVESTORS BK CID 1.500% 2/25/19	25-Feb-2019	46178PEK7	248,000.0000	\$248,000.00 USD	\$247,573.44 USD	N/A		(\$426.56) USD		
Corporate Obligations	LAKESIDE BK CID 1.500% 2/28/19	28-Feb-2019	51210SKU0	248,000.0000	\$248,000.00 USD	\$247,553.60 USD	N/A		(\$446.40) USD		
Corporate Obligations	MERCANTILE TR BK CID 1.500% 2/28/19	28-Feb-2019	587550EL4	248,000.0000	\$248,000.00 USD	\$247,553.60 USD	N/A		(\$446.40) USD		
Government Obligations	FHLMC NTS 1.375% 3/29/19	29-Mar-2019	3134G7E23	2,000,000.0000	\$2,000,000.00 USD	\$2,002,220.00 USD	AA+		\$2,220.00 USD		
Corporate Obligations	LUANA SVGS BK CID 1.300% 3/28/18	28-Mar-2019	549103SU4	245,000.0000	\$245,000.00 USD	\$243,762.85 USD	N/A		(\$1,247.05) USD		
Government Obligations	FFCB BDS 1.625% 5/13/19	13-May-2019	3133EEK33	2,000,000.0000	\$2,001,500.00 USD	\$2,003,100.00 USD	AA+		\$1,600.00 USD		
Corporate Obligations	FIRST BUS BK CID 1.450% 5/28/19	28-May-2019	31938QL69	248,000.0000	\$248,000.00 USD	\$244,981.84 USD	N/A		(\$3,018.16) USD		
Corporate Obligations	MS FINL BK NA CID 1.600% 6/03/19	03-Jun-2019	55266CFU4	248,000.0000	\$248,000.00 USD	\$246,464.88 USD	N/A		(\$1,535.12) USD		
Corporate Obligations	WASHINGTON TR CO CID 1.400% 6/04/19	04-Jun-2019	940637HJ3	248,000.0000	\$248,000.00 USD	\$248,462.40 USD	N/A		(\$1,537.60) USD		
Corporate Obligations	STATE BK INDIA CID 2.100% 8/19/19	19-Aug-2019	656283ZAY	248,000.0000	\$248,000.00 USD	\$247,967.52 USD	N/A		(\$3.48) USD		
Corporate Obligations	EAST BOSTON SVGS CID 1.700% 8/23/19	23-Aug-2019	27113PAK7	248,000.0000	\$248,000.00 USD	\$247,872.72 USD	N/A		(\$27.28) USD		
Government Obligations	FHLE BDS 1.500% 9/24/19	24-Sep-2019	3130A6H34	3,000,000.0000	\$3,000,000.00 USD	\$2,974,740.00 USD	AA+		(\$25,260.00) USD		
Government Obligations	FFCB BDS 1.490% 9/30/19	30-Sep-2019	3133EFA0	2,000,000.0000	\$2,000,000.00 USD	\$1,988,540.00 USD	AA+		(\$13,460.00) USD		
Corporate Obligations	LCA BK CORP PK CID 2.000% 11/25/19	25-Nov-2019	501798HN5	248,000.0000	\$248,000.00 USD	\$246,328.48 USD	N/A		(\$1,671.52) USD		
Corporate Obligations	SALLIE MAE BK CID 2.000% 12/09/19	09-Dec-2019	795450XF7	245,000.0000	\$245,000.00 USD	\$243,150.25 USD	N/A		(\$1,849.75) USD		
Government Obligations	FHLE BDS 1.720% 12/23/19	23-Dec-2019	3130A6VE4	3,000,000.0000	\$3,000,000.00 USD	\$2,991,000.00 USD	AA+		(\$9,000.00) USD		
Corporate Obligations	FIRST SOURCE BK CID 1.800% 2/28/20	28-Feb-2020	33646CFN9	248,000.0000	\$248,000.00 USD	\$247,779.28 USD	N/A		(\$220.72) USD		
Corporate Obligations	SINCHRONY BK CID 1.850% 2/24/20	24-Apr-2020	87165FGF5	248,000.0000	\$248,000.00 USD	\$245,336.48 USD	N/A		(\$2,663.52) USD		
Corporate Obligations	WELLS FARGO BK CID 1.250% 4/30/20	30-Apr-2020	94986TTT4	250,000.0000	\$250,000.00 USD	\$245,844.25 USD			(\$4,155.75) USD		
Corporate Obligations	GOLDMAN SACHS BK CID 1.900% 5/06/20	06-May-2020	38148JLU6	248,000.0000	\$248,000.00 USD	\$244,237.84 USD	N/A		(\$3,762.16) USD		
Corporate Obligations	AMEX CENTRN CID 1.950% 5/07/20	07-May-2020	02587DXT0	245,000.0000	\$245,000.00 USD	\$241,778.25 USD	N/A		(\$3,221.75) USD		
Government Obligations	FHLE BDS SU 1.250% 5/12/20	12-May-2020	3130A5DV8	1,000,000.0000	\$999,500.00 USD	\$1,000,680.00 USD	AA+		\$1,180.00 USD		
Corporate Obligations	COMMERCIAL BK CID 1.750% 5/29/20	29-May-2020	201282H69	245,000.0000	\$245,000.00 USD	\$242,711.70 USD	N/A		(\$2,288.30) USD		
Corporate Obligations	AMERICAN EXP CENT C/2 2.50% 6/17/20	17-Jun-2020	02567DYV4	248,000.0000	\$248,000.00 USD	\$244,453.60 USD	N/A		(\$3,546.40) USD		
Corporate Obligations	CIT BANK SLC UT CID 2.300% 6/30/20	30-Jun-2020	17284DDN9	248,000.0000	\$248,000.00 USD	\$245,914.32 USD	N/A		(\$2,085.68) USD		
Corporate Obligations	GUARANTY ST BK & TR 1.600% 6/30/20	30-Jun-2020	401228AW1	245,000.0000	\$245,000.00 USD	\$242,687.20 USD	N/A		(\$2,312.80) USD		
Corporate Obligations	CAPITAL ONE BK CID 2.250% 7/01/20	01-Jul-2020	140420SX9	248,000.0000	\$248,000.00 USD	\$245,904.40 USD	N/A		(\$2,095.60) USD		
Corporate Obligations	CAPITAL ONE CID 2.300% 7/15/20	15-Jul-2020	14042E4P2	248,000.0000	\$248,000.00 USD	\$246,859.20 USD	N/A		(\$1,140.80) USD		



As of: 31-Dec-2015

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Corporate Obligations	EVERBK JACKSONWILL CD2.050%, 8/28/20	28-Aug-2020	29878DA59	248,000.0000	\$248,000.00 USD	\$247,647.84 USD	N/A		(\$352.16) USD		
Corporate Obligations	ORRSTOWN BK C/D 2.000%, 8/28/20	28-Aug-2020	887377DS7	248,000.0000	\$248,000.00 USD	\$247,605.88 USD	N/A		(\$394.32) USD		
Corporate Obligations	WESTERN ST BK C/D 2.000%, 9/04/20	04-Sep-2020	95961N1C2	248,000.0000	\$248,000.00 USD	\$244,289.92 USD	N/A		(\$3,710.08) USD		
Corporate Obligations	BANCLAYS BK C/D 2.800%, 9/10/20	16-Sep-2020	06749KJK4	248,000.0000	\$248,000.00 USD	\$246,983.20 USD	N/A		(\$1,016.80) USD		
Government Obligations	FILMC MTN 2.000%, 9/30/20	30-Sep-2020	3134G7LW5	3,000,000.0000	\$3,000,000.00 USD	\$3,005,070.00 USD	AA+		\$5,070.00 USD		
Corporate Obligations	HSBC BANK USA C/D S/ 1.625%, 12/09/20	09-Dec-2020	40434AE02	248,000.0000	\$248,000.00 USD	\$245,978.80 USD			(\$2,021.20) USD		
Corporate Obligations	BMW BK N.A. SL C/D 2.250%, 12/18/20	18-Dec-2020	05589ADM3	248,000.0000	\$248,000.00 USD	\$242,804.80 USD	N/A		(\$2,195.20) USD		
Corporate Obligations	CENTRAL BK C/D 1.900%, 12/31/20	31-Dec-2020	152524BH6	248,000.0000	\$248,000.00 USD	\$242,741.10 USD	N/A		(\$2,258.90) USD		
<b>Subtotals</b>											
Cash & Cash Equivalents					\$16,686,120.15 USD	\$16,708,325.00 USD			\$22,204.85 USD		\$0.00 USD
Government Obligations					\$48,237,450.00 USD	\$48,208,332.50 USD			(\$29,117.50) USD		\$0.00 USD
Corporate Obligations					\$20,015,812.86 USD	\$19,930,962.51 USD			(\$84,820.35) USD		\$0.00 USD
<b>Total</b>					\$84,939,383.01 USD	\$84,847,650.01 USD			(\$91,733.00) USD		\$0.00 USD

**Inyo County Treasury  
Weighted Average Maturity**

Maturity Date	Formula			\$ Amount of Security
	Principle X	# of Days to Maturity	= Daily Average	
<b>F/A Securities</b>				
9/8/2016	3	252	756	\$ 3,000,000.00
12/5/2016	5	340	1700	\$ 4,999,000.00
8/15/2017	3	593	1779	\$ 3,000,000.00
11/17/2017	2	687	1374	\$ 2,000,000.00
12/26/2017	5	726	3630	\$ 4,997,500.00
2/22/2018	2	784	1568	\$ 2,000,000.00
3/15/2018	3	805	2415	\$ 3,000,000.00
6/27/2018	3	907	2721	\$ 3,000,000.00
7/20/2018	1.25	930	1162.5	\$ 1,250,000.00
9/28/2018	2	1002	2004	\$ 2,000,000.00
11/27/2018	3	1062	3186	\$ 2,989,950.00
3/29/2018	2	1184	2368	\$ 2,000,000.00
5/13/2019	2	1229	2458	\$ 2,001,500.00
9/24/2019	3	1363	4089	\$ 3,000,000.00
9/30/2019	2	1369	2738	\$ 2,000,000.00
12/23/2019	3	1453	4359	\$ 3,000,000.00
5/12/2020	1	1494	1494	\$ 999,500.00
9/30/2020	3	1735	5205	\$ 3,000,000.00
			0	
<b>Totals</b>			<b>45006.5</b>	<b>\$ 48,237,450.00</b>
<b>Commercial Paper</b>				
1/5/2016	2	5	10	\$ 1,992,611.11
3/30/2016	3	90	270	\$ 2,992,716.67
4/11/2016	2	102	204	\$ 1,991,750.00
6/3/2016	1.5	155	0	\$ 1,494,866.67
6/7/2016	1.25	159	0	\$ 1,244,181.25
6/10/2016	3	162	0	\$ 2,984,756.67
6/21/2016	4	176	704	\$ 3,985,237.78
<b>Totals</b>			<b>1188</b>	<b>\$ 16,686,120.15</b>
<b>CD's</b>				
2/1/2016	0.25	32	8	\$ 248,000.00
2/4/2016	0.25	35	8.75	\$ 248,000.00
2/8/2016	0.25	39	9.75	\$ 248,000.00
2/10/2016	0.25	41	10.25	\$ 248,000.00
2/11/2016	0.25	42	10.5	\$ 248,000.00
2/11/2016	0.25	42	10.5	\$ 248,000.00
2/12/2016	0.25	43	10.75	\$ 248,000.00
2/18/2016	0.25	49	12.25	\$ 248,000.00
3/11/2016	0.25	71	17.75	\$ 240,000.00
3/28/2016	0.25	88	22	\$ 248,000.00
3/30/2016	0.25	90	22.5	\$ 248,000.00
3/30/2016	0.5	90	45	\$ 488,000.00
3/30/2016	0.25	90	22.5	\$ 248,000.00

Note: This does NOT include MUFG UB El Dorado Savings Accts

**Inyo County Treasury  
Weighted Average Maturity**

3/31/2016	0.25	91	22.75	\$ 248,000.00
3/31/2016	0.25	91	22.75	\$ 248,000.00
3/31/2016	0.25	91	22.75	\$ 248,000.00
4/8/2016	0.25	99	24.75	\$ 248,000.00
5/6/2016	0.25	127	31.75	\$ 248,000.00
5/12/2016	0.25	133	33.25	\$ 248,000.00
5/13/2016	0.25	134	33.5	\$ 248,000.00
5/16/2016	0.25	137	34.25	\$ 248,000.00
8/22/2016	0.25	235	58.75	\$ 248,000.00
9/23/2016	0.25	267	66.75	\$ 248,000.00
9/23/2016	0.25	267	66.75	\$ 248,000.00
9/29/2016	0.25	273	68.25	\$ 248,000.00
9/30/2016	0.25	274	68.5	\$ 248,000.00
9/30/2016	0.25	274	68.5	\$ 248,000.00
9/30/2016	0.25	274	68.5	\$ 248,000.00
11/18/2016	0.25	323	80.75	\$ 249,000.00
2/21/2017	0.25	418	104.5	\$ 248,000.00
2/21/2017	0.25	418	104.5	\$ 248,000.00
3/23/2017	0.25	448	112	\$ 248,000.00
3/24/2017	0.25	449	112.25	\$ 248,000.00
3/30/2017	0.25	450	112.5	\$ 248,000.00
5/24/2017	0.25	510	127.5	\$ 249,000.00
5/30/2017	0.25	516	129	\$ 248,000.00
5/30/2017	0.25	516	129	\$ 248,000.00
7/31/2017	0.25	578	144.5	\$ 248,000.00
3/26/2018	0.25	816	204	\$ 251,812.86
4/23/2018	0.25	844	211	\$ 250,000.00
4/27/2018	0.25	848	212	\$ 250,000.00
4/30/2018	0.25	851	212.75	\$ 250,000.00
5/4/2018	0.25	855	0	\$ 250,000.00
5/14/2018	0.2	865	173	\$ 200,000.00
5/30/2018	0.25	881	220.25	\$ 248,000.00
7/9/2018	0.25	921	230.25	\$ 248,000.00
7/9/2018	0.25	921	230.25	\$ 248,000.00
7/30/2018	0.25	942	235.5	\$ 248,000.00
8/31/2018	0.25	974	243.5	\$ 248,000.00
11/30/2018	0.25	1065	266.25	\$ 248,000.00
12/24/2018	0.25	1089	272.25	\$ 245,000.00
2/25/2019	0.25	1152	288	\$ 248,000.00
2/28/2019	0.25	1155	288.75	\$ 248,000.00
2/28/2019	0.25	1155	288.75	\$ 248,000.00
3/29/2019	0.25	1184	296	\$ 245,000.00
5/28/2019	0.25	1244	311	\$ 248,000.00
6/3/2019	0.25	1250	312.5	\$ 248,000.00
6/4/2019	0.25	1251	312.75	\$ 248,000.00
8/19/2019	0.25	1327	331.75	\$ 248,000.00
8/23/2019	0.25	1331	332.75	\$ 248,000.00
11/25/2019	0.25	1425	356.25	\$ 248,000.00
12/9/2019	0.25	1439	359.75	\$ 245,000.00
2/28/2020	0.25	1520	380	\$ 248,000.00

Note: This does NOT include MUFG UB El Dorado Savings Accts

**Inyo County Treasury  
Weighted Average Maturity**

4/24/2020	0.25	1576	394	\$	248,000.00
4/30/2020	0.25	1582	395.5	\$	250,000.00
5/6/2020	0.25	1588	397	\$	248,000.00
5/7/2020	0.25	1589	397.25	\$	245,000.00
5/29/2020	0.25	1611	402.75	\$	245,000.00
6/17/2020	0.25	1630	407.5	\$	248,000.00
6/30/2020	0.25	1643	410.75	\$	248,000.00
6/30/2020	0.25	1643	410.75	\$	245,000.00
7/1/2020	0.25	1644	411	\$	248,000.00
7/15/2020	0.25	1658	414.5	\$	248,000.00
8/28/2020	0.25	1702	425.5	\$	248,000.00
8/28/2020	0.25	1702	425.5	\$	248,000.00
9/4/2020	0.25	1709	427.25	\$	248,000.00
9/16/2020	0.25	1721	430.25	\$	248,000.00
12/9/2020	0.25	1805	451.25	\$	248,000.00
12/18/2020	0.25	1814	453.5	\$	245,000.00
12/31/2020	0.25	1827	456.75	\$	245,000.00
<b>Totals</b>			<b>15739</b>	<b>\$</b>	<b>20,015,812.86</b>
<b>Treasury Loans</b>					
2015-01	0.17	1553	264.01	\$	169,732.36
2015-02	0.04	1248	49.92	\$	40,000.00
2015-03	0.04	1248	49.92	\$	43,886.51
2014-03	0.4	1625		\$	401,929.24
<b>Totals</b>			<b>363.85</b>	<b>\$</b>	<b>655,548.11</b>
<b>LAIF</b>					
12/31/2015	37.5	1	37.5	\$	37,500,000.00
<b>UBS</b>					
12/31/2015	1	1	1	\$	1,000,000.00
<b>GRAND TOTAL:</b>			<b>62335.85</b>	<b>\$</b>	<b>124,094,931.12</b>

502 Days\* Weighted Average Maturity

As of: December 31, 2015

\*Days are determined at a per million rate.

Note: This does NOT include MUFG UB EI Dorado Savings Accts

County of Inyo  
PARS OPEB Trust Program

Monthly Account Report for the Period  
11/01/2015 to 11/30/2015

Kevin Carunchio  
County Administrative Officer  
County of Inyo  
P.O. Drawer N  
Independence, CA 93526

### Account Summary

Source	Beginning Balance as of 11/01/2015	Contributions	Earnings	Expenses*	Distributions	Transfers	Ending Balance as of 11/30/2015
Contributions	\$5,329,616.52	\$0.00	\$513.76	\$2,641.40	\$0.00	\$0.00	\$5,327,488.88
<b>Totals</b>	<b>\$5,329,616.52</b>	<b>\$0.00</b>	<b>\$513.76</b>	<b>\$2,641.40</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,327,488.88</b>

### Investment Selection

Moderate HighMark PLUS

### Investment Objective

The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

### Investment Return

1-Month	3-Month	1-Year	Annualized Return			Plan's Inception Date
			3-Years	5-Years	10-Years	
0.01%	1.92%	1.01%	7.09%	7.18%	-	6/16/2010

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value  
Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.

\*Expenses are inclusive of Trust Administration, Trustee and Investment Management fees