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.

October 18, 2016

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

CLOSED SESSION

2. ***CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION*** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (two cases).

3. ***CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]*** – Employee Organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION

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

4. ***REPORT ON CLOSED SESSION***

5. ***PUBLIC COMMENT***

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

CONSENT AGENDA (Approval recommended by the County Administrator)

CORONER

7. Request Board approve a five-year agreement between the County of Orange and the County of Inyo for the provision of supplemental autopsy services in an amount not to exceed $35,000 for the period of February 1, 2017 through January 31, 2022, contingent upon future budgets, and authorize the Chairperson to sign all three agreements.

COUNTY COUNSEL

8. Request Board: 1) receive the 2016 Conflict of Interest Code Biennial Reports from the following Local Agencies (Exhibits A.1. through A.12.): A.1. Big Pine Cemetery, A.2. Eastern Sierra Community Service District, A.3. Independence Cemetery District, A.4. Independence Fire Protection District, A.5. Indian Creek-Westridge Community Services District, A.6. Keeler Community Service District, A.7. Lone Pine Community Services District, A.8. Northern Inyo Healthcare District, A.9. Owens Valley Unified School District, A.10. Round Valley Joint Elementary School District, A.11. Southern Inyo Fire Protection District, A.12. Southern Inyo Healthcare District; and 2) approve the amended Conflict of Interest Code for the following Local Agencies (Exhibits B.1.-B.3): B.1. Eastern Sierra Community Services, District B.2. Northern Inyo Healthcare District, B.3. Southern Inyo Healthcare District.

9. Request Board: 1) receive the 2016 Conflict of Interest Code Biennial Reports from the following County Departments (Exhibits A.1. through A.11.): A.1. Administration, A.2. Agriculture/Weights and Measures, A.3. Assessor, A.4. Auditor, A.5. Child Support Services, A.6. Coroner, A.7. Environmental Health, A.8. Farm Advisor, A.9. Health and Human Services, A.10. Public Administrator/Public Guardian, A.11. Public Works; 2) receive and approve the amended Conflict of Interest Code for the following County Departments (Attachments B.1. through B.8.): B.1. Administration, B.2. Agriculture/Weights and Measures, B.3. Assessor, B.4. Child Support Services, B.5. Environmental Health, B.6. Health and Human Services, B.7. Public Guardian/Public Administrator, B.8. Public Works.

HEALTH AND HUMAN SERVICES

10. ***Eastern Sierra Area Agency on Aging (ESAAA)*** – Request Board reappoint the following four residents to the ESAAA Advisory Council to fill four, two-year terms expiring December 11, 2018: Harriett Davis-Stines of Bishop, Phyllis Mikalowsky of Lone Pine, Rachel Lober of Bishop, and Roger Rasche of Lone Pine. *(A Notice of Vacancy resulted in requests for appointment being received only from Davis-Stines, Mikalowsky, Lober, and Rasche.)*

11. Request Board ratify approval of payment of $26,026.96 to Northern Inyo Hospital for inpatient medical services provided to an Inyo County inmate in a prior fiscal year.

PUBLIC WORKS

12. Request Board: A) approve Amendment No. 6 to County of Inyo Standard Contract No. 113, between the County of Inyo and Preferred Septic of Bishop, CA, extending the term three months to December 31, 2016 and for additional service needs increasing the contract by $9,068.61 for a not-to-exceed amount of $147,656.16; and B) authorize the Chairperson to execute Amendment No. 6, contingent upon obtaining appropriate signatures and adoption of future budgets.

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

13. ***PUBLIC WORKS*** – Request Request the Board authorize the filling of the vacant Associate Building Official Position at Step E, Range 80 ($5,559 - $6,761).

14. ***DISTRICT ATTORNEY*** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested Chief Investigator position exists, as certified by the District Attorney and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position of Chief Investigator, the vacancy could be filled through a closed departmental recruitment; and C) approve the hiring of one Chief Investigator, Range SC81-SE81 ($6,363 - $8,616), through a closed recruitment.

15. ***DISTRICT ATTORNEY*** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested Deputy District Attorney I-IV position exists, as certified by the District Attorney and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the position could possibly be filled by an internal recruitment, an open recruitment is more appropriate to ensure the position is filled with the most qualified candidate; and C) approve the hiring of a Deputy District Attorney I at Range 81 ($5,692 - $6921), Deputy District Attorney II at Range 83 ($5,983 - $7,270), Deputy District Attorney III at Range 86 ($6,436 - $7,822), or Deputy District Attorney IV at Range 89 ($6,931 - $8,417), depending on the qualifications of the applicants, up to Step E.

16. ***HEALTH AND HUMAN SERVICES – Public Health*** – Request Board ratify and approve the contract between the County of Inyo and Anne M. Bybee in the amount of $15,000 for the period of July 1, 2016 to June 30, 2017 for

facilitation of disaster preparedness exercises to test and improve the HHS Public Health Division's Government Authorized Alternate Care Site plan, and authorize the Chairperson to sign.

17. ***PLANNING DEPARTMENT*** – Request Board review the West-wide Energy Corridors Region 1 Review and draft correspondence in regards thereto, and authorize the Chairperson to sign.

18. ***PLANNING DEPARTMENT*** – Request Board review the Environmental Assessments for the Bishop Paiute Hotel and Business Incubator and the Bishop Paiute Casino Project, draft correspondence in regards thereto, and authorize the Chairperson to sign.

19. ***COUNTY ADMINISTRATOR – Parks and Recreation*** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Seasonal Part-Time Park and Campground Maintenance Helper comes from the General Fund, as certified by the Assistant Deputy County Administrator and concurred with by the Auditor-Controller; B) where, due to the seasonal nature of the position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment is more appropriate to ensure qualified applicants apply; C) approve the hiring of one (1) Seasonal Park and Campground Maintenance Helper, Range PT50 ($14.75 - $17.91), contingent upon adoption of future budgets; and D) approve the season of November through April for this position.

20. ***COUNTY ADMINISTRATOR*** – ***Emergency Services*** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.

21. ***COUNTY ADMINISTRATOR*** – ***Emergency Services*** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County.

22. ***COUNTY ADMINISTRATOR*** – ***Emergency Services*** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

23. ***CLERK OF THE BOARD*** – Request Board: A) amend the September 6, 2016 Board Order regarding the Board's Fiscal Year 2016-2017 Budget Hearing discussion to include the Board motion with the CAO's specific recommendations; and B) amend the minutes of the September 6, 2016 Budget Hearing, final paragraph, beginning at line 12, to include the motion with the CAO's specific recommendations.

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

11:45 a.m. 24. ***CAPITAL ASSET LEASING CORPORATION*** – *The Board will convene as the Capital Asset Leasing Corporation Board of Directors to consider the following:*
A) Election of Officers – *The Board will elect a President, Secretary and Treasurer for the Corporation.*
B) Approval of Minutes – *Request approval of the October 13, 2015 Capital Asset Leasing Corporation meeting minutes.*
C) Financial Report – *Inyo County Treasurer-Tax Collector Alisha McMurtrie has submitted a Financial Report on the Corporation.*

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

25. ***PUBLIC COMMENT***

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE – INFORMATIONAL

26. ***California Department of Fish and Game Commission*** – 15-day notice of California Notice Register 2016, No. Z2016-0705-03 regarding Upland Game Bird Special Hunt Drawing and Application; and Notice of Proposed Regulatory Action to add Section 748.6, Title 14, California Code of Regulations, relating to standards for imposing penalty enhancements for illegal take of game with defined characteristics.

27. ***Department of California Highway Patrol*** – Prop 65 report on a hazmat spill on U.S. 395 south of Olancha.

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
7

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

FROM: Jason Molinar, Inyo County Coroner

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Approval of the Five-Year Agreement between the County of Orange and the County of Inyo to provide supplemental autopsy services

DEPARTMENTAL RECOMMENDATION:

Request your Board approve the five year agreement between the County of Orange and the County of Inyo for the provision of supplemental autopsy services in an amount not to exceed $35,000 for the period of February 1, 2017 through January 31, 2022, contingent upon future budgets, and authorize the Chairperson to sign all three agreements.

SUMMARY DISCUSSION:

Every five years, Orange County offers their services to Inyo County. On an average Inyo County uses these services four to five times per year. These services are needed for our most difficult cases including homicides, SIDS, child abuse deaths, and potential cases where lawsuits might be involved such as jail deaths or in-custody deaths.

ALTERNATIVES:

Your Board could choose to not approve this contract, which would impact the job of the Coroner, and not allow him to move forward appropriately and fulfill his duties as Coroner.

OTHER AGENCY INVOLVEMENT:

FINANCING:

This expense will be budgeted in the Coroner's Budget each year in Professional 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: _____ Date 10/11/16
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: Yes Date 10/11/16
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date 10/4/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)_____ Date: 10/11/16
(The Original plus 20 copies of this document are required)

AGREEMENT

BETWEEN THE

COUNTY OF ORANGE

AND THE

COUNTY OF INYO

THIS AGREEMENT, entered into this First day of October which date is enumerated for purposes of reference only, by and between the COUNTY OF ORANGE, a political subdivision of the STATE OF CALIFORNIA, hereinafter referred to as "ORANGE COUNTY", and the COUNTY OF INYO, a political subdivision of the STATE OF CALIFORNIA, hereinafter referred to as "INYO COUNTY," which may be referred individually to as "Party" or collectively as "Parties."

WITNESSETH:

WHEREAS, the CORONER of INYO COUNTY and the SHERIFF-CORONER of ORANGE COUNTY, pursuant to Government Code Sections 27491 et seq., are both responsible to perform autopsies in the circumstances outlined by statute;

WHEREAS, the Boards of Supervisors of INYO COUNTY and ORANGE COUNTY have determined that it is in the interest of both counties, in cases designated by INYO COUNTY CORONER and agreed upon by the ORANGE COUNTY SHERIFF-CORONER, to have the ORANGE COUNTY SHERIFF-CORONER perform autopsies on the bodies of certain persons who died in INYO COUNTY and whose deaths come within provisions of Government Code Sections 27491, et seq.;

WHEREAS, the Boards of Supervisors of INYO COUNTY and ORANGE COUNTY have elected to enter into this Agreement pursuant to Government Code Sections 6500, et seq. to authorize the ORANGE COUNTY SHERIFF-CORONER to perform autopsy services as specified herein, for the INYO COUNTY CORONER; and

WHEREAS, ORANGE COUNTY SHERIFF-CORONER is agreeable to the rendering of such services, as authorized in Government Code Section 27491, et seq., on the terms and conditions hereinafter set forth:

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

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Attachment A: AUTOPSY SERVICES RATE SCHEDULE

Attachment B: COUNTY BILLING POLICY

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A. TERM:

The term of this Agreement shall be for five (5) years, commencing February 1, 2017 and terminating January 31, 2022, unless earlier terminated by either Party in the manner set forth herein.

B. OPTIONAL TERMINATION:

ORANGE COUNTY or INYO COUNTY may terminate this Agreement, without cause, upon thirty (30) days written notice to the other Party.

C. SERVICES BY ORANGE COUNTY:

INYO COUNTY CORONER occasionally has a need for supplemental autopsy services. At the discretion of ORANGE COUNTY SHERIFF-CORONER, ORANGE COUNTY may provide such autopsy services as requested by INYO COUNTY CORONER. These services will be rendered within the COUNTY OF ORANGE. After completion of said services, the ORANGE COUNTY SHERIFF-CORONER shall retain and preserve such tissue samples as necessary to establish the "manner and cause of death" or to support the autopsy findings, at the discretion of the pathologist. Once manner and cause of death have been determined, all retained and preserved tissue samples shall be returned to INYO COUNTY CORONER.

D. SERVICES BY INYO COUNTY:

When a case is accepted for autopsy by the ORANGE COUNTY SHERIFF-CORONER, INYO COUNTY shall transport to the ORANGE COUNTY CORONER facility the human remains to be autopsied, together with such items or effects of the decedent as may be pertinent to determination of the time, manner and cause of death. When the autopsy is concluded, INYO COUNTY shall promptly transport the human remains and the pertinent items or effects back to INYO COUNTY, except that such tissue samples and other evidence as may be needed to support the autopsy findings may, at the option of the ORANGE COUNTY SHERIFF-CORONER, remain with ORANGE COUNTY.

D. SERVICES BY INYO COUNTY: (Continued)

Once manner and cause of death have been determined, INYO COUNTY shall promptly transport all tissue samples and other evidence back to INYO COUNTY. All transportation provided or arranged by INYO COUNTY pursuant hereto shall comply with all applicable laws. INYO COUNTY shall be responsible for the human remains, tissue samples, and other evidence during transport.

INYO COUNTY retains complete jurisdiction as Coroner and Medical Certifier in such cases. INYO COUNTY CORONER shall be responsible for establishing the identity of the decedent, locating and notification of the decedent's next of kin, all reporting requirements to appropriate governmental agencies, and completing the appropriate sections and signing of the certificate of death as required by law.

E. PAYMENT:

1. Pursuant to Government Code Sections 6500, et seq., INYO COUNTY agrees to pay to ORANGE COUNTY, the costs of performing the services mutually agreed upon in this Agreement. The cost-of-service includes: salaries, wages, benefits, services, supplies, and divisional, department and COUNTY General overhead.

   The total sum of payments made by INYO COUNTY to ORANGE COUNTY for services and work performed under this Agreement shall not exceed Thirty-Five thousand dollars ($35,000) (hereinafter referred to as "contract limit"). INYO COUNTY expressly reserves the right to deny any payment or reimbursement requested by ORANGE COUNTY for services or work performed which is in excess of the contract limit.

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E. PAYMENT: (continued)

2. The autopsy services rate charged to INYO COUNTY by ORANGE COUNTY shall be computed annually by the ORANGE COUNTY SHERIFF-CORONER in accordance with salaries, wages, benefits, services, supplies, equipment and divisional, department and County General overhead rates in effect at the time services are provided.

   The current County autopsy services rate in effect is attached hereto as Attachment A. ORANGE COUNTY will promptly notify INYO COUNTY of any changes to the County autopsy services rate and provide INYO COUNTY with a copy of the new rates in effect.

3. ORANGE COUNTY shall invoice INYO COUNTY upon completion of the autopsy services.

4. INYO COUNTY shall pay ORANGE COUNTY in accordance with ORANGE COUNTY Board of Supervisors' approved County Billing Policy, which is attached hereto as Attachment B, and incorporated herein by this reference.

5. ORANGE COUNTY shall charge INYO COUNTY late payment penalties in accordance with COUNTY Board of Supervisors' approved County Billing Policy.

6. ORANGE COUNTY shall provide strict accountability of all funds received hereunder, and upon request, shall report all receipts and disbursements hereunder. Upon termination of this Agreement, any monies received by ORANGE COUNTY for services not rendered shall be returned to INYO COUNTY.

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F. ALTERATION OF TERMS:

This Agreement fully expresses all understanding of INYO COUNTY and ORANGE COUNTY with respect to the subject matter of this Agreement, and shall constitute the total Agreement between the Parties for these purposes. No addition to, or alteration of, the terms of this Agreement shall be valid unless made in writing, formally approved and executed by duly authorized agents of both Parties.

G. STATUS OF ORANGE COUNTY and INYO COUNTY:

1. ORANGE COUNTY is, and shall at all times be deemed to be, an independent contractor. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between INYO COUNTY and ORANGE COUNTY or any of ORANGE COUNTY'S agents or employees. ORANGE COUNTY and its SHERIFF-CORONER shall retain all authority for rendition of services, standards of performance, control of personnel, and other matters incident to the performance of services by ORANGE COUNTY pursuant to this Agreement. ORANGE COUNTY, its agents and employees, shall not be entitled to any rights or privileges of INYO COUNTY employees and shall not be considered in any manner to be INYO COUNTY employees.
2. INYO COUNTY is, and shall at all times be deemed to be, an independent contractor. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between ORANGE COUNTY and INYO COUNTY or any of INYO COUNTY'S agents or employees. INYO COUNTY and its CORONER shall retain all authority for rendition of services, standards of performance, control of personnel, and other matters incident to the performance of services by INYO COUNTY pursuant to this Agreement. INYO COUNTY, its agents and employees, shall not be entitled to any rights or privileges of ORANGE COUNTY

G. STATUS OF ORANGE COUNTY and INYO COUNTY: (Continued)

employees and shall not be considered in any manner to be ORANGE COUNTY employees.

H. INDEMNIFICATION:

1. ORANGE COUNTY shall indemnify and hold harmless INYO COUNTY and its elected and appointed officials, officers, agents, employees, subcontractors and independent contractors from any claim, demand or liability whatsoever, based or asserted upon any act or omission of ORANGE COUNTY, or its elected and appointed officials, officers, agents, employees, subcontractors or independent contractors related to this Agreement, including but not limited to, for property damage, bodily injury or death or any other element of damage of any kind or nature, and ORANGE COUNTY shall defend at its expense, including attorney fees, and with counsel approved in writing by INYO COUNTY, INYO COUNTY and its elected and appointed officials, officers, agents, employees, subcontractors and independent contractors in any legal action or claim of any kind based or asserted upon such alleged acts or omissions.
2. INYO COUNTY shall indemnify and hold harmless ORANGE COUNTY and its elected and appointed officials, officers, agents, employees, subcontractors and independent contractors from any claim, demand or liability whatsoever, based or asserted upon any act or omission of INYO COUNTY or its elected and appointed officials, officers, agents, employees, subcontractors, or independent contractors related to this Agreement, for property damage, bodily injury or death or any other element of damage of any kind or nature, and INYO COUNTY shall defend at its expense, including attorney fees, and with counsel approved in writing by ORANGE COUNTY, ORANGE COUNTY and its elected and appointed officials, officers, agents, employees, subcontractors and independent contractors in

H. INDEMNIFICATION (continued

any legal action or claim of any kind based or asserted upon such alleged acts or omissions. If judgment is entered against INYO COUNTY and ORANGE COUNTY by a court of competent jurisdiction because of the concurrent active negligence of either Party, INYO COUNTY and ORANGE COUNTY agree that liability will be apportioned as determined by the court. Neither Party shall request a jury apportionment.

I. NOTICES:

All notices, reports and correspondence between the Parties hereto respecting this Agreement shall be in writing and deposited in the United States Mail, postage prepaid, addressed as follows:

INYO COUNTY: CORONER
CORONER DEPARTMENT
325 W. ELM STREET
BISHOP, CA 93514

ORANGE COUNTY: ATTN: LAW ENFORCEMENT CONTRACT MANAGER
SHERIFF-CORONER DEPARTMENT
320 NORTH FLOWER STREET, SUITE 108
SANTA ANA, CA 92703

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IN WITNESS WHEREOF, the parties have executed this AGREEMENT in the Counties of INYO and ORANGE, State of California.

BY:_____ DATED:_____

INYO COUNTY

BOARD OF SUPERVISORS

APPROVED AS TO FORM:

BY:_____ DATED: 10/11/2016

INYO COUNTY

COUNTY COUNSEL

BY:_____ DATED: 10/05/2016

INYO COUNTY CORONER

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DATED:_____

BY:_____
Chairwoman of the Board of Supervisors
County of Orange, California

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIR OF THE BOARD PER G.C
SEC. 25103, RESO 79-1535.
ATTEST:

_____
Robin Stieler
Clerk of the Board of Supervisors
County of Orange, California

APPROVED AS TO FORM:
Office of the County Counsel
County of Orange, California

BY:_____
Deputy

DATED: 9/23/16

ATTACHMENT A

ORANGE COUNTY SHERIFF-CORONER DEPARTMENT
CORONER AUTOPSY SERVICES RATES PER AUTOPSY
FY 2016-17

Personnel		Rate		Hour(s)		Total
FORENSIC SPECIALIST	5451	$ 93.54	x	2.00	=	$187.08
FORENSIC SCIENTIST III (Criminallist)	5451	$ 153.70	x	2.00		$307.40
FORENSIC SCIENTIST III (Toxicologist)	5451	$ 153.70	x	1.50	=	$230.55
DATA ENTRY SPECIALIST	5454	$ 56.24	x	0.15	=	$8.44
SENIOR FORENSIC ASSISTANT	5454	$ 96.97	x	3.58	=	$347.15
SUPV. DEPUTY CORONER	5454	$ 139.74	x	1.50	=	$209.61
SENIOR LEGAL PROPERTY TECHNICIAN	5451	$ 91.25	x	0.13	=	$11.86
MEDICAL TRANSCRIBER II	5454	$ 56.24	x	1.00	=	$56.24
FORENSIC PATHOLOGIST PRIVATIZED						$999.14
$1,800,445 *		/ 1,802	autopsy performed	=	$999.14	

* Autopsy Contract MA 060-13011062 value $1,800,445 effective 2/1/13. 1,802 autopsies performed in CY 2015.

TOTAL COST PER AUTOPSY	$2,357.47

ATTACHMENT B

COUNTY BILLING POLICY
APPROVED BY BOARD MINUTE ORDER DATED OCTOBER 27, 1992

I. POLICY

All County agencies/departments/districts (County) governed by the Board of Supervisors shall bill contracting entities for materials and/or services provided under contract in accordance with the following standardized billing and collection policy. Billing frequency is dependent on whether the contract is a fixed price or actual cost contract. Payment due date is designed to be both responsive to the County's cash flow needs and reasonable enough as to not require special processing by the contracting entity. If payments are not received by the required due dates, a late payment fee shall be computed and billed to the contracting entity in accordance with the requirements of this procedure.

Nothing herein shall affect the liability, including pre-judgment interest, of the contracting party for services or materials in as much as this is a policy to enact standard billing practices.

II. DEFINITIONS

A. Contract for the purposes of this policy - A contract is a formal written agreement, a purchase order from the contracting entity, or any other acceptable mutual understanding between the contracting parties.

B. Received by the County - The phrase "received by the County", as used in Section VI of this policy, refers to the date a payment is received by the County. It is defined as the date the payment is in the County's possession. It is not the date the payment is posted or deposited by the County.

III. FIXED PRICE CONTRACTS

A. Fixed Price (One-Time/Non-Recurring Contracts) - Invoices that represent a billing for a one-time, non-recurring provision of materials and/or services shall be issued no later than five (5) working days after delivery by the County of the materials and/or services. Examples of such one-time, non-recurring provision of materials and/or services might be a city contracting with the Sheriff for security service at a parade or sporting event; or, a city purchasing a computer listing containing certain city-requested data. Payment due date shall be invoice date plus 30 days.

B. Fixed Price (Ongoing/Recurring Contracts) - Invoices that represent a billing for an ongoing, recurring provision of materials and/or services shall be issued according to the following frequency:

1. Annual Billings that total $10,000 or less per 12-month period shall be billed via one (1) annual invoice. Annual invoices will be issued for each 12-month period of the contract, or portions thereof. Invoices shall be issued no later than five working days after the beginning of each 12-month period. Payment due date shall be invoice date plus 30 days.

2. Quarterly Billings that are greater than $10,000 but not more than $200,000 per 12-month period, shall be billed in quarterly installments. Quarterly invoices will be issued representing the contract amount for each 12-month period of the contract, or portions thereof, prorated into four (4) installments. Invoices shall be issued no later than 30 days after the beginning of each quarter. Payment due date shall be 60 days after the beginning of each calendar quarter.

3. Monthly Billings that are greater than $200,000 per 12-month period shall be billed in monthly installments. Monthly invoices will be issued representing the contract amount for each 12-month period of the contract, or portions thereof, prorated into 12 installments. Invoices shall be issued on or before the first day of each service month. Payment due date shall be 30 days after the beginning of each service month.

An example of a fixed price contract for ongoing, recurring provision of materials and/or services might be a city contracting with the Sheriff for law enforcement services.

IV. ACTUAL COST CONTRACTS

A. Actual Cost (One-Time/Non-Recurring Contracts) - Invoices that represent a billing for a one-time, non-recurring provision of materials and/or services shall be issued after delivery by the County of the materials and/or services and no later than 15 days after actual cost data is available. Payment due date shall be invoice date plus 30 days.

B. Actual Cost (Ongoing/Recurring Contracts) - Invoices that represent a billing for an ongoing, recurring provision of materials and/or services shall be issued on a monthly basis and shall represent the cost of materials and/or services provided to the contracting entity during the previous calendar month. Such invoices shall be issued no later than 15 days after the close of the monthly billing period. If the County agency/department/district does not utilize a monthly billing cycle, the invoice shall be issued no later than 15 days after actual cost data is available. Payment due date shall be invoice date plus 30 days.

Examples of actual cost contracts for the ongoing, recurring provision of materials and/or services might be a city contracting with the County for communications equipment repair or waste disposal at a County landfill.

V. PAYMENT DUE DATES

Notwithstanding the provisions of Sections II and III above, payment due date shall be at least invoice date plus 30 days. If the County is late in issuing an invoice, the contracting entity would always have at least invoice date plus 30 days to pay. If the County is early in issuing an invoice, the contracting entity would still have a payment due date of either 60 days after the beginning of the quarter (quarterly invoices) or 30 days after the beginning of the service month (monthly invoices).

(EXAMPLES: An invoice for October service, dated and issued October 8 (late) would have a payment due date of November 7. An invoice for August service, dated and issued July 20 (early) would have a payment due date of August 30.)

VI. LATE CHARGES

The late payment of any invoiced amount by a contracting entity will cause the County to incur costs not contemplated by the County/contracting entity agreement, the exact amount of such cost will be extremely difficult to ascertain. Such costs include, but are not limited to, costs such as administrative follow-up and processing of delinquent notices, increased accounting costs, etc.

Late charges will be assessed in the following situations:

- Over-the-counter payments will be assessed a late charge if any payment is not received by the County by the payment due date.

- Payments transmitted to the County via the U.S. Mail that have the payer's postage meter mark will be assessed a late charge if any payment is not received by the County by the payment due date plus one day.

- Payments transmitted to the County via the U.S. Mail that have a U.S. Post Office postmark dated after the payment due date will be assessed a late charge.

The late charge assessed in each of these situations shall be three-quarters of one percent (0.75%) of the payment due and unpaid plus $100.00 for late payments made within 30 days of the payment due date. An additional charge of three-quarters of one percent (0.75%) of said payment shall be added for each additional 30-day period that the payment remains unpaid. Late charges shall be added to the payment and invoiced to the contracting entity in accordance with this policy.

VII. COLLECTIONS

Any invoice remaining unpaid 90 days after the invoice date shall be referred to the Auditor-Controller for subsequent collection action, such as deduction from contracting entity moneys on deposit with the County Treasurer in accordance with Government Code Section 907 and any other applicable provision of law. Non-payment of invoices and applicable late charges will constitute a breach of contract for which the County retains all legal remedies including termination of the contract.

VIII. DISCOUNT FOR EARLY PAYMENT

Any payment received by the County from a contracting entity 20 days or more before the payment due date shall be entitled to a discount of one-quarter of one percent (0.25%). If the contracting entity takes a discount, and the payment is received by the County less than 20 days before the payment due date, County staff shall immediately notify the contracting entity by telephone that the discount should not have been taken and that the balance is due by the original payment due date.

If the balance is not received by the County in accordance with the dates as specified in Section VII, applicable late charges shall be calculated on the balance due.

IX. DEFERRED REVENUE

At fiscal year end, any portion of revenue invoiced (not necessarily received) during the fiscal year being closed out that represents charges or prepayment for materials and/or services for the upcoming fiscal year shall be reclassified from a revenue account to a deferred revenue account (liability). In the new fiscal year the deferred revenue shall be reclassified to a revenue account. (EXAMPLE: On June 1, 19X1, a city is invoiced $48,000 which represents charges for the 12-month period June 1, 19X1 to May 31, 19X2. The amount to be reclassified to deferred revenue would be $44,000, representing 11/12ths of the total amount. In July 19X1, the $44,000 would be reclassified to revenue.) Reclassification entries shall be made by Auditor-Controller Agency Accounting units, or for those agencies/departments/districts without such a unit, the agency/department/district shall notify the Auditor-Controller of the amounts to be reclassified.

X. COST RECOVERY

All County agencies/department/districts shall include all costs of providing contracted services in contract rates. Including all direct costs, allocated indirect costs such as departmental and County (CWCAP) overhead, and cost of capital financing.

XI. EXISTING CONTRACTS

Billing terms and provisions contained in existing contracting entity agreements (existing as of the date this policy is approved by the Board of Supervisors) shall remain in effect for the life of the contract. However, when these existing contracts are renegotiated, they shall contain the billing provisions as set forth in this policy.

XII. DEVIATIONS FROM POLICY

Deviations from this policy shall be approved by the Board of Supervisors. Proposed deviations by agencies/departments/districts shall be submitted to the CEO for concurrence in advance of filing an Agenda Item Transmittal (AIT) with the Clerk of the Board. The CEO, or his/her designee, shall advise the agency/department/district of approval or disapproval of the proposed deviations. If a County agency/department/district submits a contract to the Board of Supervisors for approval, and the billing provisions in the contract deviate from this policy, the agency/department/district shall specifically advise the Board of Supervisors in the AIT of the deviation, the reason for the deviation, and of the CEO's recommendation relative thereto.

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

8

X Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: COUNTY COUNSEL

FOR THE BOARD MEETING OF: **October 18, 2016**

SUBJECT: **2016 LOCAL AGENCY CONFLICT OF INTEREST CODE BIENNIAL REPORTS AND CONFLICT OF INTEREST CODES**

DEPARTMENTAL RECOMMENDATION:

1. Receive the 2016 Conflict of Interest Code Biennial Reports from the following Local Agencies (Exhibit A.1. through A.12.).

A.1. Big Pine Cemetery District
A.2. Eastern Sierra Community Service District
A.3. Independence Cemetery District
A.4. Independence Fire Protection District
A.5. Indian Creek-Westridge Community Services District
A.6. Keeler Community Service District
A.7. Lone Pine Community Services District
A.8. Northern Inyo Healthcare District
A.9. Owens Valley Unified School District
A.10. Round Valley Joint Elementary School District
A.11. Southern Inyo Fire Protection District
A.12. Southern Inyo Healthcare District

2. Approve the Amended Conflict of Interest Code for the following Local Agency (Exhibit B.1.- B.3.).

B.1. Eastern Sierra Community Services District
B.2. Northern Inyo Healthcare District
B.3. Southern Inyo Healthcare District

SUMMARY DISCUSSION: In even numbered years, Government Code section 87306.5 requires all local agencies in the County with a conflict of interest code (Code) to review the Code and revise it as needed. The Code identifies decision makers within the Agency that are required to prepare and file with the Clerk/Recorder a Statement of Economic Interest, which is frequently identified as a Form 700.

The request to commence the review process must go out by July 1, 2016, and traditionally in Inyo County is made by the County Counsel. On January 25, 2016, the Office of County Counsel notified each district within Inyo County of its obligation to review its conflict of interest code and file the required biennial report on or before October 1, 2016. There still remain five (5) districts who have not submitted their conflict of interest code biennial reports to our office. A reminder notice was sent out to all districts on July 1, and September 1, 2016.

We have received notices in the form of Biennial Reports from all of the agencies identified above as A.1-A.12. Additionally, in conducting their biennial review, three (3) local agencies made necessary changes to their agency conflict of interest codes (B.1.-B.3.).

The County Counsel's Office has reviewed the Biennial Reports and Amended Codes submitted herewith and finds them in accordance with legal requirements.

Your Board is asked to receive the Biennial Reports and approve the Amended Conflict of Interest Code identified herein.

ALTERNATIVES: The Board may decline to approve and/or receive the biennial report or the amended conflict of interest code. Such action, however, would be contrary to the Board's duties as the County's conflict of interest code approving body.

OTHER AGENCY INVOLVEMENT: n/a

FINANCING: The recommended action results in no financial impact to the County of Inyo.

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: yes Date 10/14/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/11/16

dg:CIC/ARF.Districts20161018

2016 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

(1) [■] Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Virginia MacLeod
Agency Big Pine Cemetery District
Mailing Address PO Box 294 Big Pine CA 93513
Date of Review of Agencies Conflict of Interest Code 7/7/2016

Virginia R. MacLeod
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

Exhibit A. 1

2016 Local Agency Biennial Notice

Name of Agency: Eastern Sierra Community Service District

Mailing Address: 301 West Line Street, Suite D, Bishop, CA 93514

Contact Person: Jennifer Krafcheck Phone No. 760-872-1415

Email: escsd@usamedia.tv Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX):*

☑ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ○ Include new positions
- ○ Revise disclosure categories
- ○ Revise the titles of existing positions
- ○ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ● Other *(describe)* Non-substantive amendment to include renumbered references to Regulations and clarifying language from the FPPC.

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Walt Pachucki 9-8-16

Signature of Chief Executive Officer *Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

COUNTY COUNSEL, COUNTY OF INYO, P.O. BOX M, INDEPENDENCE, CA 93526

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

2016 LOCAL AGENCY BIENNIAL REPORT

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County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

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This agency has reviewed its conflict of interest code and has determined that:

(1) [X] Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Sandra Bilyeu
Agency Independence Cemetery District
Mailing Address P.O. Box 219 Independence, CA 93526
Date of Review of Agencies Conflict of Interest Code 2.16.16

Marilyn H Bracken
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

Exhibit A.3

INDEPENDENCE FIRE PROTECTION DISTRICT
BOARD OF COMMISSIONERS
MEETING AGENDA
MONDAY, October 3, 2016
5:30 PM

COPY

I. Bring meeting to order.
Flag Salute

II. Public Comment.
At this time, any member of the public may make comments during this scheduled period, but no action will be taken.

III. Discussion Items

a. Fire Chief –
- Station upgrade, hose tower & main meeting room/kitchen
- protocols

Other-

b. Asst. Chief

c. Other discussion -

d. Budget Report – J. Odum

Fund Balance as of September 28, 2016

Fire District:	$214,271
Ambulance:	$ 26,690
ACO:	$ 131,821

e. Consent Agenda
Approve minutes from August 29, 2016
Approve expenditures (rounded)for August, 2016 in the amount of $65,035.97(Operating), and $71.19(Ambulance)
Significant expenditures for August, 2016 operating budget: $10,025 for Fire & Casualty Insurance; $554 for vehicle fuel & $50,000 for Operating transfer to the ACO fund.
No significant expenditures for Ambulance in August, 2016.

Revenue received in Independence Fire Operating:
August, 2016 $-0-

Revenue received in Independence Fire Ambulance:
August, 2016 $-0-

Motioned by: Ed M. Seconded: Jim C
Ayes: 2 Noes: 0 Motion passed: Yes

IV. Accept the 2013-2014 & 2015-2016 financial audit, as presented by Gallina LLC.

Motioned by: Jim C Seconded: Ed M
Ayes: 2 Noes: 0 Motion passed: Yes

V. As required by Government Code, approve the Independence Fire Protection District Conflict of Interest Code as is, with no changes necessary.

Motioned by: Ed M Seconded: Jim C
Ayes: 2 Noes: 0 Motion passed: Yes

VI. Approve the Chief to apply for EMS/Maddy funds for FY 2016-2017 through the Inyo County Health Department in the amount of $9,592.56 and;
Once approved by the County, amend the FY2016-2017 by increasing appropriations in Independence Fire Operating budget 832001, Object Code 4599 Other Agencies by $9,593 and;
Increase expenditures in Independence Fire Operating budget 832001, Object 5232 Office & Other Equip <$5,000 by $791 for 2 Motorola Minitor VI 5 channel pagers including battery, charger and 2-year warranty and;

Increase expenditures in Object Code 5650 Equipment by $8,802 for a "Bullard" Eclipse LDX Thermal Imaging camera, including vehicle mount charges, 2 batteries and a 5-year warranty and; Authorize the Chief to sign any necessary documents and; Approve the purchase of above mentioned items.

Motioned by: Jim C Seconded: E. Murdy
Ayes: -2- Noes: 0 Motion passed: yes

VII. Authorize the Chief to use the Department credit card to pay ICEMA for EMT recertification's.

Motioned by: Ed Murdy Seconded: Jim C
Ayes: -2- Noes: 0 Motion passed: yes

VIII. Set day & time for next meeting. Nov 14, 2016

Motioned by: Jim C Seconded: Ed Murdy
Ayes: 2 Noes: 0 Motion passed: yes

IX. Adjourn meeting 6:07

Motioned by: E. Murdy Seconded: Jim C
Ayes: -2- Noes: 0 Motion passed: yes

Jim Connaughton Jim L Odem

2016 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

(1) [X] Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Terry Tye
Agency Indian Creek-Westridge CSA
Mailing Address P.O. Box 952, Bishop, CA, 93515
Date of Review of Agencies Conflict of Interest Code 7-8-16

Terrence L. Te
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16 010416

2016 LOCAL AGENCY BIENNIAL REPORT

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Independence, CA 93526

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- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Bruce Spry - Acting Chairperson
Agency Keeler Community Service District
Mailing Address P.O. Box 107 Keeler, CA. 93530
Date of Review of Agencies Conflict of Interest Code 8-16-2016

Bruce N Spry
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

Exhibit A-6

2016 LOCAL AGENCY BIENNIAL REPORT

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County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

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- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person NITA LINDSEY - Secretary
Agency LONE PINE COMMUNITY SERVICE DISTRICT
Mailing Address P.O. Box 36
Date of Review of Agencies Conflict of Interest Code

Joyce Spearman Chairperson
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

2016 LOCAL AGENCY BIENNIAL REPORT

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Independence, CA 93526

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- [✓] Include new positions which must be designated.
- [ ] Make changes to the reportable sources of income, investments, business positions, or real property.
- [✓] Make changes to the titles of positions assigned.
- [✓] Delete positions which have been abolished or changed.
- [ ] Change or add the provisions required by Government Code Section 87302.

Contact Person Sandy Blumberg
Agency Northern Inyo Healthcare District
Mailing Address 150 Pioneer Lane, Bishop, CA 93514
Date of Review of Agencies Conflict of Interest Code 6/15/16; Board Approval 8/17/16

Denise M. Hayden
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

Exhibit A.8

2016 LOCAL AGENCY BIENNIAL REPORT

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County of Inyo
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- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Dan Moore
Agency Owens Valley Unified School District
Mailing Address 202 South Clay St., Drawer E, Independence CA. 93526
Date of Review of School Districts Conflict of Interest Code 9-19-16

Dan Moore
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.SchoolDistrict16 010416

Exhibit A-9
Page 9 of 12

2016 LOCAL AGENCY BIENNIAL REPORT

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County Counsel
County of Inyo
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Independence, CA 93526

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- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Cathy Molina
Agency Round Valley Joint Elementary School District
Mailing Address 300 N. Round Valley Road, Bishop, CA 93514
Date of Review of School Districts Conflict of Interest Code 10/19/16

Kam Marshall
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.SchoolDistrict16

010416

2016 LOCAL AGENCY BIENNIAL REPORT

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County Counsel
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- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Carl R. Dennett
Agency Southern Inyo Fire Protection District
Mailing Address P.O. Box 51 Tecopa, CA 92389
Date of Review of Agencies Conflict of Interest Code _____

_____, Board Chair
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Districts16

010416

Exhibit A-11
Page 11 of 12

2016 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

(1) [ ] Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☒ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Richard Fedchenko
Agency Southern Inyo Healthcare District
Mailing Address PO Box 1009
Date of Review of Agencies Conflict of Interest Code September 21, 2016

Richard Fedchenko
Signature of Presiding Officer

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Districts16 010416

Exhibit A-12
Page 12 of 10

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE

OF THE

EASTERN SIERRA

COMMUNITY SERVICES DISTRICT

BBK - August 2016

Exhibit B-1
Page 1 of 5

COPY

CONFLICT OF INTEREST CODE OF THE EASTERN SIERRA COMMUNITY SERVICES DISTRICT

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, regulation and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Eastern Sierra Community Services District** (the "**District**").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Office Manager** as the District's Filing Officer. The **Office Manager** shall make and retain a copy of all statements filed by Members of the Board of Directors, and forward the originals of such statements to the Clerk/Recorder of the County of Inyo. The **Office Manager** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008).

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

EASTERN SIERRA COMMUNITY SERVICES DISTRICT

(Amended November 8, 2000[1])

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments[2]:

Members of the Board of Directors

Financial Consultants

---

1 Revised in August 2016 to include renumbered references to Regulations and clarifying language as provided by the Fair Political Practices Commission

2 Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

DESIGNATED POSITIONS' TITLE OR FUNCTION	DISCLOSURE CATEGORIES ASSIGNED
General Counsel	1, 2
Office Manager	4
Chief Plant Operator	5
Consultant and New Positions[3]	

[3] Individuals providing services as a Consultant defined in Regulation 18700.3(a), or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Office Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Office Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.[4] "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

---

[4] This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

CONFLICT OF INTEREST CODE OF THE NORTHERN INYO HEALTHCARE DISTRICT COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1: Purpose

Pursuant to California Government Code section 87300, *et seq*., the Northern Inyo Healthcare District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the *Political Reform Act of 1974* (California Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 81700 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2: Designated Positions

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are designated positions and are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3: Disclosure Statements

Each designated position is assigned to one or more of the disclosure categories as set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Northern Inyo Healthcare District's Governing Board may determine in writing that a particular consultant, although a "designated" position is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

Exhibit B-2
1 of 6

SECTION 4: Place, Time, and Requirements of Filing

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Northern Inyo Healthcare District Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property held on the effective date of this Conflict of Interest Code and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5: Contents of Disclosure Statement

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

SECTION 6: Disqualification

A person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
DESIGNATED POSITIONS

OF THE NORTHERN INYO HEALTHCARE DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Members of the Board of Directors; Hospital Administrator/CEO; Chief Financial Officer/Chief of Fiscal Services; Chief Operating Officer	1
Chief Information Officer	2
Chief Human Relations Officer	2
Chief Nursing Officer	2
Director of Pharmacy	3
Director of Purchasing	3
Director of Laboratory	3
Director of Diagnostic Imaging	3
Dietary Director	3
Consultants, and Hospital District Legal Counsel	4

APPENDIX "B"
OF THE NORTHERN INYO HEALTHCARE DISTRICT

DISCLOSURE CATEGORIES

An investment, business position, interest in real property, or income is reportable if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by a person in a designated position.

Designated persons in Disclosure Category "1" must report:

All investments, interests in real property and income, any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management, and any such business position. Financial interests are reportable only if located within or subject to the jurisdiction of the Northern Inyo Healthcare District or if the business entity is doing business or planning to do business in the jurisdiction or has done business within the jurisdiction at any time during the two years prior to the filing of the statement.

Designated persons in Disclosure Category "2" must report:

A. Investments in any business entity defined to be an "employer" or an "employment agency" within the meaning of the State Labor Statute.
B. Each source of income, provided that the income was furnished by or on behalf of any person defined to be an "employer, "labor organization", "employment agency, or "joint apprenticeship council" within the meaning of the California Labor Code.
C. His or her status as a director, officer, partner, trustee, employee, or any position of management in any business entity defined to be an "employer", "employment agency", labor organization", or "joint apprenticeship council", within the meaning of the State Labor Statute.

Designated persons in Disclosure Category "3" must report:

A. Investments in any business entity which, within the last two years, has contracted, or in the future foreseeably may contract with the Northern Inyo Healthcare District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Healthcare District in which the persons serve as designated persons.

B. Income from any source which, within the last two years, has contracted, or in the future foreseeably may contract with the Healthcare District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Healthcare District in which the persons serve as designated persons.
C. His or her status as director, officer, partner, trustee, employee, or holder of a position of management in any business entity, which, within the last two years, has contracted, or in the future foreseeably may contract with the Healthcare District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Healthcare District in which the persons serve as designated persons.

Designated persons in Disclosure Category "4":

Are consultants. A consultant is any natural person who provides under contract information, advice, or recommendation of counsel to the Northern Inyo Healthcare District. The disclosure required of each consultant shall be determined on a case by case basis by the Hospital Administrator/CEO, based on whether the consultant participates in the making of decisions on behalf of the Northern Inyo Healthcare District which may foreseeably and materially affect any investments, interests in real property, or sources of income conceivably held by the consultant, or any business entity in which the consultant may conceivably hold a business position. The scope of disclosure required of each consultant, if any, shall be determined by the Hospital Administrator/CEO in writing in each case, and may include, but is not limited to, any source listed in Disclosure Categories 1, 2, or 3 or this Appendix.

This acknowledges that the Northern Inyo Healthcare District adopted this Conflict of Interest Code on Wednesday, August 17, 2016.

Denise M. Hayden

Signature of Authorized Officer
Denise Hayden, Governing Board President
Northern Inyo Healthcare District

CONFLICT OF INTEREST CODE OF THE
Southern Inyo Healthcare DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Southern Inyo Healthcare District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Southern Inyo Healthcare District's Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Southern Inyo Healthcare District's Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first

statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
_____ DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
Members of the Board of Directors, CRO/Administrator, Chief Nursing Officer SNF Director of Nursing Services, Legal Counsel	1
Human Resources Manager	2
Materials Manager	3
Director of Plant Operations	3
Dietary Manager	3
Registered Dietitian	3
Consultant to Designated Employee	Consultants will make disclosures as determined by the CRO/Administrator or Board of Directors

Exhibit B.3
Page 3 of 4

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Southern Inyo Healthcare DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeable be affected materially by any decision made or participated in by a person in a designated position.

Designated Persons in Group "1" Must Report:

All investments, interest in real property and income, and any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management. Financial interests are reportable only if located within or subject to the jurisdiction of the Southern Inyo Healthcare District or if the business entity is doing business or planning to do business in the jurisdiction or has done business within the jurisdiction at any time during the two years prior to the filing of the statement.

Designated Person in Group "2" Must Report:

A. Investments in any business entity defined to be an "employer" or an "employment agency" within the meaning of the State Labor Statute.
B. Each source of income, provided that the income was furnished by or on behalf of any person defined to be an "employer", "labor organization," "employment agency," or "joint apprenticeship council" within the meaning of the State Labor Statute.
C. His or her status as a director, officer, partner, trustee, employee, or any position of management in any business entity defined to be a "labor organization," or "joint apprenticeship council," within the meaning of the State Labor Statute.

Designated Persons in Group "3" Must Report:

A. Investments in any business entity which, within the last two years, has contracted, or in the future foreseeable may contract with the Southern Inyo Healthcare District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Hospital District in which the persons serve as designated persons.
B. Income from any source which, within the last two years, has contracted, or in the future foreseeable may contract with the Healthcare District or with the State of California to provide services, supplies, materials, machinery, or equipment to the department or division of the Healthcare District in which the persons serve as designated persons.

Exhibit B.3
Page 4 of 4

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
9

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

FROM: COUNTY COUNSEL

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: APPROVAL OF 2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORTS AND CONFLICT OF INTEREST CODES

DEPARTMENTAL RECOMMENDATION:

1. Receive and approve the 2016 Conflict of Interest Code Biennial Reports from the following County Departments (Attachments A.1. through A.11.)

   A.1. Administration
   A.2. Agriculture/Weights and Measures
   A.3. Assessor
   A.4. Auditor
   A.5. Child Support Services
   A.6. Coroner
   A.7. Environmental Health
   A.8. Farm Advisor
   A.9. Health & Human Services
   A.10. Public Administrator/Public Guardian
   A.11. Public Works

2. Receive and approve the amended Conflict of Interest Code for the following Departments (Attachments B.1. through B.8.)

   B.1. Administration
   B.2. Agriculture/Weights and Measures
   B.3. Assessor
   B.4. Child Support Services
   B.5. Environmental Health
   B.6. Health & Human Services
   B.7. Public Guardian/Public Administrator
   B.8. Public Works

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Government Code § 87306.5 requires that the Inyo County Board of Supervisors, no later than July 1st of each even numbered year, direct every local governmental agency within the county, to review its Conflict of Interest Code and report to the Board no later than October 1, of each even numbered year. The report is a certification that the conflict of interest code has been reviewed and that either no changes need be made to the code or that certain changes need to be made as indicated. Inyo County Ordinance Number 931 (County Code section 2.83.050) imposes similar requirements upon each department of the County to conduct a biennial review of its conflict of interest code. On January 25, 2016, the Office of County Counsel notified each county department within Inyo County of its obligation to review its conflict of interest code and file the

required biennial report on or before October 1, 2016. All departments have submitted their conflict of interest code biennial reports.

County Departments who have reviewed their conflict of interest code and submitted their biennial report to the Board are attached (Attachments A.1. through A.11. above). By this Agenda Request, the Board is asked to receive and approve these biennial reports. Additionally, in conducting their biennial review, eight (8) departments made necessary changes to their departmental conflict of interest codes (Attachment B.1-B.8.) and are seeking your Board's approval as the Local Agency Code Reviewing Body. We have reviewed the Biennial Reports and Conflict of Interest Codes submitted to your Board, and find them to be in accordance with legal requirements.

ALTERNATIVES: If the Board feels that a biennial report is not accurate, it may direct that the report be returned to the originating county department for revision. Likewise, if the Board feels that a designated employee or the disclosure category set forth in the conflict of interest code is not appropriate or in accordance with the requirements of the law, your Board may elect to return the conflict of interest code to the county department for further revision. The Board could also decline to approve and receive the biennial report or the conflict of interest codes. Such action, however, would be contrary to the Board's duties as the County's conflict of interest code approving body.

OTHER AGENCY INVOLVEMENT: n/a

FINANCING: The recommended action results in no financial impact to the County of Inyo.

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: Yes Date 10/11/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/11/16

dg:CIC/ARF.Depts 20161018

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

###

This department has reviewed its conflict of interest code and has determined that:

(1) [ ] Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [X] Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- [X] Include new positions which must be designated.
- [ ] Make changes to the reportable sources of income, investments, business positions, or real property.
- [ ] Make changes to the titles of positions assigned.
- [X] Delete positions which have been abolished or changed.
- [ ] Change or add the provisions required by Government Code Section 87302.

Contact Person NATHAN READE, AG. COMM.
Department AGRICULTURE / WEIGHTS & MEASURES, ESWMA, OVMAP
Mailing Address 207 W. SOUTH STREET, BISHOP, CA 93514
Date of Review of Departmental Conflict of Interest Code 1-26-16

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Depts16

010416

Exhibit A. 1

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☒ Make changes to the titles of positions assigned.
- ☒ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Dave Stottlemyre
Department Assessor
Mailing Address PO Box J, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code _____

Dave Stottlemyre
Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**
dg:CIC/Biennial.Depts16

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

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(2) ☐ Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Amy Shepherd
Department Auditor-Controller
Mailing Address P.O. Drawer R Independence CA 93526
Date of Review of Departmental Conflict of Interest Code 10/11/16

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Depts16 010416

Exhibit A-3
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2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

###

This department has reviewed its conflict of interest code and has determined that:

(1) ☐ Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) ☒ Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☒ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person: Susanne Rizo
Department: Eastern Sierra Department of Child Support Services
Mailing Address: 230 W. Line St. Bishop CA 93514
Date of Review of Departmental Conflict of Interest Code: 6-29-16

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Depts16 010416

Exhibit A.4
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2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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This department has reviewed its conflict of interest code and has determined that:

(1) [X] Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person Jason Molinar
Department Coroner
Mailing Address 325 W Elm St Bishop CA 93514
Date of Review of Departmental Conflict of Interest Code 07/01/2016

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**
dg:CIC/Biennial.Depts16

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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(2) ☒ Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

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- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☒ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person: Kevin D. Carunchio, County Administrative Officer
Department: County Administration
Mailing Address: P.O. Drawer N, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code: September 22, 2016

Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Depts16 010416

Exhibit A
Page 5 of 11

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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(1) ☐ Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) ☒ Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☒ Include new positions which must be designated.
- ☐ Make changes to the reportable sources of income, investments, business positions, or real property.
- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person: Marvin Moskowitz
Department: Environmental Health
Mailing Address: P.O. Box 427, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code: 8/9/2016

Marvin Moskowitz
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Depts16 010416

Exhibit A.7

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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This department has reviewed its conflict of interest code and has determined that:

(1) [X] Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) [ ] Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- ☐ Include new positions which must be designated.
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- ☐ Make changes to the titles of positions assigned.
- ☐ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person DUSTIN BLAKEY
Department FARM ADVISOR
Mailing Address 207 W SOUTH ST
Date of Review of Departmental Conflict of Interest Code 7/5/16

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Depts16 010416

Exhibit A.8

Jean Turner, HHS Director
163 May Street
Bishop, CA 93514

Telephone (760) 873-3305
Fax (760) 873-6505
jturner@inyocounty.us

County of Inyo
Health and Human Services
Behavioral Health, Public Health & Prevention/First 5,
Aging and Social Services
Jean Turner, M.A., Director

MEMORANDUM

TO: County Counsel

FROM: Jean Turner Jean Turner

DATE: July 11, 2016

SUBJECT: Proposed Changes to the Health and Human Services Conflict of Interest Code

---

As part of the biennial review of the Health and Human Services conflict of interest code, we have determined that the following amendments are necessary:

Add the following positions:

Add Title	Disclosure Category
Administrative Analyst – QA (2)	II

Delete the following positions:

Delete Title	Disclosure Category
Administrative Analyst – IMAAA	II
Fiscal Supervisor	II

Make changes to the title of positions assigned as follows:

From Old Title	To New Title	Disclosure Category
Clinical Services Director	Deputy Director- Public Health	I
Social Services Director	Deputy Director- Aging and Social Services	I
Behavioral Health Director	Deputy Director- Behavioral Health	I
Fiscal Director	Senior Management Analyst	I
Clinic Nurse Manager	Nurse Supervisor	II
Human Services Supervisor: Social Services (4)	Human Services Supervisor: Social Services (5)	II

2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- ☐ Make changes to the titles of positions assigned.
- ☒ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person: PAPG Patricia Barton
Department: PAPG
Mailing Address: 162 J Grove St, Bishop, California 93514
Date of Review of Departmental Conflict of Interest Code: 10/5/2016

Patricia Barton
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

dg:CIC/Biennial.Depts16 010416

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2016 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- ☒ Make changes to the titles of positions assigned.
- ☒ Delete positions which have been abolished or changed.
- ☐ Change or add the provisions required by Government Code Section 87302.

Contact Person: Shannon Williams
Department: Public Works
Mailing Address: PO Drawer Q Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code: 07/01/2016

Signature of Department Head

Note: **Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.**

dg:CIC/Biennial.Depts16 010416

Exhibit A.11
Page 11

CONFLICT OF INTEREST CODE OF THE
INYO COUNTY ADMINISTRATION **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Inyo County Administration Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Inyo County Administration Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Inyo County Administration.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. **Contents of Disclosure Statement**.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. **Disqualification**.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
INYO COUNTY ADMINISTRATION **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
County Administrator	1
Consultants	1
Deputy County Administrator	2
Assistant County Administrator	2
Deputy Personnel Director	2
Risk Manager	2
Director, Information Services	2
Director, Library	2
Administrator, Eastern California Museum	2
Senior Management Analyst, Budget	2
Assistant Purchasing Agent	3
Transportation Manager/Parks/Field Supervisor	3

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
INYO COUNTY ADMINISTRATION **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

DISCLOSURE CATERGORY ONE (1):

Designated employees shall report as required by Government Code Section 87200, et.seq.

DISCLOSURE CATEGORY TWO (2):

Designated employees shall report all investments, business positions, interests in real property, and sources of income within Inyo County and two miles therefrom.

DISCLOSURE CATEGORY THREE (3):

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment, or business position is held, the interest in real property, the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

1. General office services;
2. Office supplies;
3. Office equipment, business machines, computer hardware and software;
4. Vehicle maintenance equipment and supplies;
5. Vehicles and/or vehicle supplies, including petroleum products;
6. Food preparation and/or delivery services or supplies; and
7. Printing and/or publication services or supplies, sale of books, periodicals or other items printed and made available for sale.

CONFLICT OF INTEREST CODE OF THE
Agriculture and Weights & Measures DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Agriculture and Weights & Measures Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Agriculture and Weights & Measures Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Agriculture and Weights & Measures.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Agriculture and Weights & Measures DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
Agriculture / Weights & Measures:	
Agricultural Commissioner / Director of Weights & Measures	1, 2, 6
Supervising Agricultural Biologist	1, 2, 6
Agricultural Biologist Weights & Measures Inspector I, II, Senior	1, 2, 6
Office Technician I, II, III	1, 2, 6
Consultants	7
Eastern Sierra Weed Management Area:	
Field Program Manager	1, 2, 5
Field Technician III	1, 5
Consultants	7
Owens Valley Mosquito Abatement Program:	
Mosquito Program Manager	1, 4
Mosquito Technician III	1, 4
Consultants	7
Agricultural Resource Advisory Board:	
President of the Inyo/Mono Farm Bureau (or appointee)	1, 3, 6
President of the Inyo/Mono Cattleman's Association (or appointee)	1, 3, 6
City of Los Angeles Department of Water and Power Lessee	1, 3, 6
Chair of the Resource Conservation District	1, 3, 6
Tri-County Fair Board Chair	1, 3, 6
Community Business at Large	1, 3, 6
Chambers of Commerce	1, 3, 6
Consultants	7

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Agriculture and Weights & Measures DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Disclosure Category One (1):

Designated employees shall report any investments, business positions, interest in real property and sources of income, if the business entity in which the investment or business position is held, the interest in real property, or the source of income is located within the County of Inyo, or the County of Mono, or within two miles of such counties' boundaries.

Disclosure Category Two (2):

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property, the source of income is from any of the following business which has done business in Inyo or Mono Counties at any time during the last two years prior to the time that this statement is filed, currently does any business in Inyo or Mono Counties, or currently has plans to di business in Inyo or Mono Counties;

1. Office services, equipment and supplies;
2. Agricultural inspection/regulation services, equipment and supplies;
3. Weights and measures inspection/regulation services, equipment and supplies;
4. Mosquito abatement services, equipment and supplies;
5. Noxious weed eradication services, equipment and supplies.

Disclosure Category Three (3):

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, of the business entity in which the investment or business position is held, the interest in real property, the source of income is from any of the following business which has done business in Inyo and Mono Counties at any time during the two years prior to the time that this statement is filed, currently does any business in Inyo or Mono Counties, or currently has plans to do any business in Inyo or Mono Counties.

1. Agricultural inspection/regulation services, equipment and supplies;
2. Weights and measures inspection/regulation services, equipment and supplies.

Disclosure Category Four (4):

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property, the source of income is from any of the following business which has done business in Inyo or Mono Counties at any time during the two years prior to the plans to do business in Inyo or Mono Counties;

1. Mosquito abatement services, equipment and supplies.

Disclosure Category Five (5);

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property, the source of income is from any of the following business which has done business in Inyo or Mono Counties at any time during the two years prior to the plans to do business in Inyo or Mono Counties;

1. Noxious weed eradication services, equipment and supplies.

Disclosure Category Six (6):

Designated employees shall disclose all Investments, business positions, interests in real property, or sources of income, wherever located, if the business entity in which the investment or business position is held, the interest in real property, the source of income is subject to or affected by inspection or regulations of the Agriculture and Weights & Measures Department.

Disclosure Category Seven (7):

Designated employees in Category 7 must disclose pursuant to Categories 1, 2 and 6 above, except that the Agricultural Commissioner/Director of Weights & Measures may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that are limited in scope and thus, is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description a statement of the extent, if any, of disclosure required. The determination is a public record and shall be retained for inspection in the same manner and location as this Conflict of Interest Code.

CONFLICT OF INTEREST CODE OF THE ASSESSOR DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Assessor Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Assessor Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the ~~Director of~~ ASSESSOR'S OFFICE.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. **Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. **Disqualification.**

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Assessor DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
Assessor	1
Assistant Assessor	1
Auditor Appraiser	1
Appraiser III	2
Appraiser II	2
Appraiser I	2
Cadastral Tech	3
Administrative Analyst	2
Office Tech I	3

Exhibit B.3.
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APPENDIX "B"
DISCLOSURE CATEGORIES

OF THE ASSESSOR DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORY ONE (1)

(a.) Designated employees shall report any investment or interest in real property located within the County of Inyo or within two miles of the County boundary.

(b.) Designated employees shall report any investment, business position or source of income if the business entity in which the investment or business position is held or is the source of income is located within the County of Inyo or within two miles of the County boundary or does business within the County of Inyo and is subject to assessment by the Inyo County Assessor's office.

(c.) Designated employees shall disclose all investments, business positions or sources of income, regardless of where located, if the business entity in which the investment or business position is held or is the source of income is from any of the following businesses which have done business in Inyo County at any time during the two years prior to the time the statement is filed, currently does business in Inyo County, or currently has plans to do business in Inyo County:

1. Manufacture, sales or service of computers or related equipment or software.

2. Manufacture, sales or service of office furniture or equipment.

3. Manufacture or sales of office supplies.

DISCLOSURE CATEGORY TWO (2)

(a.) Designated employees shall report any investment or interest in real property located within the County of Inyo or within two miles of the County boundary.

(b.) Designated employees shall report any investment, business position or source of income if the business entity in which the investment or business position is held or is the source of income is located within the County of Inyo or within two miles of the County boundary or does business within the County of Inyo and is subject to assessment by the Inyo County Assessor's office.

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DISCLOSURE CATEGORY THREE (3)

(a.) Designated employees shall disclose all investments, business positions or sources of income, regardless of where located, if the business entity in which the investment or business position is held or is the source of income is from any of the following businesses which have done business in Inyo County at any time during the two years prior to the time the statement is filed, currently does business in Inyo County, or currently has plans to do business in Inyo County:

1. Manufacture, sales or service of computers or related equipment or software.

2. Manufacture, sales or service of office furniture of equipment.

3. Manufacture or sales of office supplies.

CONFLICT OF INTEREST CODE OF THE
Eastern Sierra Department of Child Support Services DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Eastern Sierra Department of Child Support Services Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Eastern Sierra Department of Child Support Services Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Eastern Sierra Department of Child Support Svcs.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Eastern Sierra Department of Child Support Services DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
Regional Director	1
Child Support Attorney	1

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE

COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Disclosure Category One (1):

Designated employees shall report as required by Government Code Section 87200 et seq.

CONFLICT OF INTEREST CODE OF THE
Environmental Health **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Environmental Health Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Environmental Health Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Environmental Health.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Environmental Health DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
Environmental Health Director	1
Registered Environmental Health Specialist	1
Senior Hazardous Materials Program Manager	1
Office Tech	1

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE Environmental Health DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Category One (1): In addition to Inyo County Ordinance No. 271, designated employees in category one must report all financial interest in real property, investments, income and interest in any business entity

Category Two (2): Designated employees in category two must report all interest, income or investment in businesses which supply general office services, supplies and/or equipment

Jean Turner, HHS Director
163 May Street
Bishop, CA 93514

Telephone (760) 873-3305
Fax (760) 873-6505
jturner@inyocounty.us

County of Inyo
Health and Human Services
Behavioral Health, Public Health & Prevention/First 5,
Aging and Social Services
Jean Turner, M.A., Director

MEMORANDUM

TO: County Counsel

FROM: Jean Turner Jean Turner

DATE: July 11, 2016

SUBJECT: Proposed Changes to the Health and Human Services Conflict of Interest Code

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As part of the biennial review of the Health and Human Services conflict of interest code, we have determined that the following amendments are necessary:

Add the following positions:

Add Title	Disclosure Category
Administrative Analyst – QA (2)	II

Delete the following positions:

Delete Title	Disclosure Category
Administrative Analyst – IMAAA	II
Fiscal Supervisor	II

Make changes to the title of positions assigned as follows:

From Old Title	To New Title	Disclosure Category
Clinical Services Director	Deputy Director- Public Health	I
Social Services Director	Deputy Director- Aging and Social Services	I
Behavioral Health Director	Deputy Director- Behavioral Health	I
Fiscal Director	Senior Management Analyst	I
Clinic Nurse Manager	Nurse Supervisor	II
Human Services Supervisor: Social Services (4)	Human Services Supervisor: Social Services (5)	II

The following positions remain unchanged:

Title	Disclosure Category
Assistant Director of Health and Human Services	I
Director of Health and Human Services	I
First 5 Director	I
Health Officer	I
Management Analyst	I
Program Chief: Behavioral Health (2)	I
Addictions Program Supervisor	II
Administrative Analyst: Behavioral Health	II
Administrative Analyst: Social Services	II
First 5 Commissioners (7)	II
Human Services Supervisor: Behavioral Health	II
Human Services Supervisor: Prevention	II
Program Manager: Progress House	II
Program Manager: WIC	II
Psychiatrist	II
Psychotherapist (3)	II
Tecopa Operations Manager	II
Senior Citizen Specialist (2)	II
Social Worker Supervisor	II
Senior Social Worker Supervisor	II
Consultants and Contractors	II

Exhibit B.6.
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If all proposed changes are approved by County Counsel, the combined designated positions should be listed as follows in Appendix "A" of the Health and Human Services conflict of interest code for 2016:

Title	Disclosure Category
Assistant Director of Health and Human Services	I
Deputy Director of Aging and Social Services	I
Deputy Director of Behavioral Health	I
Deputy Director of Public Health	I
Director of Health and Human Services	I
First 5 Director	I
Health Officer	I
Management Analyst	I
Senior Management Analyst	I
Program Chief: Behavioral Health (2)	I
Addictions Program Supervisor	II
Administrative Analyst: Behavioral Health	II
Administrative Analyst: QA	II
Administrative Analyst: Social Services	II
First 5 Commissioners (7)	II
Human Services Supervisor: Behavioral Health	II
Human Services Supervisor: Prevention	II
Human Services Supervisor: Social Services (5)	II
Nurse Supervisor	II
Program Manager: Progress House	II
Program Manager: WIC	II
Psychiatrist	II
Psychotherapist (3)	II
Senior Citizen Specialist (2)	II
Social Worker Supervisor	II
Senior Social Worker Supervisor	II
Tecopa Operations Manager	II
Consultants and Contractors	II

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Health and Human Services DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

General Provisions

When a designated employee is required to disclose investments and sources of income, the employee need only disclose investments in business entities and sources of income which do business in the County, plan to do business in the County, or have done business in the County; within the past two years. In addition to other activities, a business entity is doing business within the County if it owns real property within the County. When a designated employee is required to disclose interests in real property, the employee need only disclose real property which is located in whole or in part within, or not more than, two miles outside the boundaries of the County or within two miles of any land owned or used by the County. Notwithstanding the above general provisions, an employee whose position involves negotiating purchases or contracts in business operating outside the County shall disclose all business interests and income both in and outside the County of Inyo.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix "A".

Disclosure Categories

Category I
Designated employees in Category I must report all financial interest in real property, investments, income and interest in any business entity as defined in General Provisions above.

Category II
Designated employees in Category II must report all financial interest in real property, investments, income and interest in any business as defined in General Provisions above which is a related business to the designated employee's County position. This includes any related private practice of the employee and any business to which referrals are made or purchases recommended by the employee. This includes counseling, nursing and residential treatment programs.

Category III
Designated employees in Category III must report pursuant to Category I when the Director of Health and Human Service designates in contract such designations.

CONFLICT OF INTEREST CODE OF THE
PAPG DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the PAPG Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the PAPG Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of PAPG.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. **Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. **Disqualification.**

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
PAPG DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

Designated Positions	Disclosure Category
PAPG Patricia Barton	1

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
PAPG DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

1. Designated employee shall report In compliance to Government Code section 87200 et seq

CONFLICT OF INTEREST CODE OF THE

Public Works DEPARTMENT

COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Public Works Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Public Works Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Public Works.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interested Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
DESIGNATED POSITIONS
OF THE PUBLIC WORKS DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

Designated Positions	Disclosure Category
Director of Public Works/Road Commissioner	1
Deputy Director of Public Works	1
Senior Civil Engineer	1
Associate Civil Engineer	1
Associate Civil Engineer - Water	1
Assistant Civil Engineer	1
Associate or Senior Civil Engineer	1
Engineering Assistant I or II	1
Senior Transportation Planner	1
Administrative Analyst I, II or III	2
Administrative Secretary I, II or III	2
Lead Airport Technician	3
Airport Technician I	3
Airport Operations Supervisor	3
Office Technician I, II or III	3
Building Inspector I	4
Building Official	4
Building and Maintenance Worker I/II	5
Custodian I	5
Road Superintendent	6
Supervisor Road Maintenance Crew	6

APPENDIX "B"
DISCLOSURE CATEGORIES
OF THE PUBLIC WORKS DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORY ONE (1):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Surveying, engineering and construction firms.
2. Wholesale or retail building supply firms, lumber yards, aggregate mines and/or manufacturing plants, asphalt plants or concrete plants.
3. Wholesale or retail engineering, surveying or construction supplies firms.
4. Aircraft related business including aircraft fuel sales.
5. Accounting firms.
6. Vehicle/equipment repair or vehicle/equipment parts supply firms.
7. Building cleaning/janitorial supplies.

DISCLOSURE CATEGORY TWO (2):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Wholesale or retail office supplies or office equipment.
2. Wholesale or retail engineering, surveying or construction supplies firms.
3. Accounting firms.

DISCLOSURE CATEGORY THREE (3):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Wholesale or retail office supplies or office equipment.
2. Aircraft related business including aircraft fuel sales.
3. Wholesale or retail engineering, surveying or construction supplies firms.

DISCLOSURE CATEGORY FOUR (4):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Surveying, engineering and construction firms.
2. Wholesale or retail building supply firms, lumber yards, aggregate mines and/or manufacturing plants, asphalt plants or concrete plants.

DICLOSURE CATEGORY FIVE (5):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Building cleaning or janitorial supplies.
2. Sales or Service for building mechanical, electrical or plumbing systems.
3. Wholesale or retail parts for building mechanical, electrical or plumbing systems.
4. Wholesale or retail building supply firms, lumberyards or concrete plants.

DICLOSURE CATEGORY SIX (6):

(a) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or source of income is located within the County of Inyo or within two miles of the County Boundary.

(b) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income or source of income is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Surveying, engineering and construction firms.
2. Wholesale or retail building supply firms, lumber yards, aggregate mines and/or manufacturing plants, asphalt plants or concrete plants.
3. Vehicle/equipment repair or vehicle/equipment parts supply firms.

DICLOSURE CATEGORY SEVEN (7):

Designated employees in Category seven (7), must disclose pursuant to Category one (1) above, except that the Public Works Director/Road Commissioner may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that are limited in scope and thus, is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultants duties and, based upon that description, statement of the extent, if any, of disclosure required. The determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

For Clerk's Use Only:
AGENDA NUMBER
10

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

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

FROM: HEALTH & HUMAN SERVICES – ESAAA

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Appointment of ESAAA Advisory Council members

DEPARTMENTAL RECOMMENDATION:
Request Board appoint four (4) Advisory Council members for the Eastern Sierra Area Agency on Aging (ESAAA) to fill four two-year terms expiring at the end of December 2016. The published recruitment resulted in four applicants as follows: Harriett Davis-Stines of Bishop, Phyllis Mikalowsky of Lone Pine, Rachel Lober of Bishop, and Roger Rasche of Lone Pine.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
An Area Agency on Aging (AAA) is required by statute to have an Advisory Council. The purpose of such Advisory Council, pursuant to Section 9402 of the Older Californians Act, is to be "a principal advocate body on behalf of older individuals within a planning and service area," and "shall provide advice and consultation on issues affecting the provision of services provided locally to older individuals." Your Board adopted By-laws in October 2012 for the new ESAAA Advisory Council with a membership of nine (9), including one Board of Supervisors member, appointed annually. The recent recruitment for four Advisory Council members closed near the end of September and resulted in the above four applicants, all of whom currently serve on the ESAAA Advisory Council and wish to continue serving.

ALTERNATIVES:
Your Board could refuse to appoint new Advisory Council members, thus leaving the Advisory Council to function with the remaining five members.

OTHER AGENCY INVOLVEMENT:
California Department of Aging, County of Mono

FINANCING:
No funding involved in this request.

APPROVALS	
COUNTY COUNSEL:	**AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS** *(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)* Approved: _____ Date: _____
AUDITOR/CONTROLLER:	**ACCOUNTING/FINANCE AND RELATED ITEMS** *(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)* Approved: _____ Date: _____
PERSONNEL DIRECTOR:	**PERSONNEL AND RELATED ITEMS** *(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)* Approved: _____ Date: _____
BUDGET OFFICER:	**BUDGET AND RELATED ITEMS** *(Must be reviewed and approved by the Budget Officer prior to submission to the Board Clerk.)* Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Jean Turner Date: 10-5-16

For Clerk's Use Only:
AGENDA NUMBER

11

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

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

FROM: HEALTH AND HUMAN SERVICES

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Ratify payment to Northern Inyo Hospital

DEPARTMENTAL RECOMMENDATION:
Request your Board ratify approval for the payment of $26,062.96 to Northern Inyo Hospital for payment of inpatient medical services for an Inyo County inmate provided in a prior fiscal year.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
Changes authorized in the Affordable Care Act (ACA) allow Medi-Cal billing for an eligible inmate who is admitted as an inpatient at a hospital offsite from the jail. The medical case management work is performed by the HHS jail nurse, while the HHS Employment and Eligibility staff determine Medi-Cal eligibility status.

This ratification request is for a payment already sent to Northern Inyo Hospital for an inmate in need of health care in June 2015. When the inmate was hospitalized, he had active health insurance plan coverage making him ineligible for Medi-Cal. The private insurance company refused to cover the services because he was in custody. Northern Inyo Hospital billing personnel then contacted Health and Human Services (HHS) as the payer of last resort in September 2016 for payment. California State Penal Code 4011.10(b) determines that HHS is only permitted to reimburse costs for inmate health costs at a rate equal to 110% of the hospital's actual cost to charge ratio. Using data from the Office of Statewide Health Planning and Development, we are only obligated to pay 60.35% of the base charges which total $26,062.96.

Due to these services being provided in 2015 and knowing we had a legal obligation to pay, the payment was processed, as all such payments in the past have been. Recently, it was determined that such health care payments are subject to the County Purchasing Policy, and as such, must come to your Board in amounts over $10,000. Thus, the Department now brings this to you for ratification.

The Department has updated procedures to ensure such future health care bills over $10,000 come to the Board of Supervisors prior to payment.

ALTERNATIVES:
Your Board could deny payment of this obligation, leaving a local hospital with unreimbursed costs to care for a local inmate.

OTHER AGENCY INVOLVEMENT:
Inyo County Sheriff's Department, Northern Inyo Hospital, California Department of Health Care Services-Medi-Cal branch.

FINANCING:

Health Realignment funds. Funding for this is included in the Health budget. This will be paid for out of the Health Budget (045100), Professional Services (5265). No County General Funds.

APPROVALS	
COUNTY COUNSEL: yes	**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: 10/6/16
AUDITOR/CONTROLLER: yes	ACCOUNTING/FINANCE AND RELATED **ITEMS** *(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)* Approved: Amy Shepherd Date: 10/7/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Jean Turner Date: 10/12/16

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

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

For Clerk's Use Only:
AGENDA NUMBER
12

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Approve Amendment No. 6 to the master contract for the provision of trash disposal service with Preferred Septic And Disposal Inc. of Bishop, CA, extending the term by three months to December 31, 2016 and for additional service needs, increasing the contract by $9,068.61 for a not-to-exceed amount of $147,656.16.

DEPARTMENTAL RECOMMENDATIONS: Request your Board:

A. Approve Amendment No. 6 to County of Inyo Standard Contract No. 113, between the County of Inyo and Preferred Septic of Bishop, CA, extending the term three months to December 31, 2016 and for additional service needs increasing the contract by $9,068.61 for a not-to-exceed amount of $147,656.16; and

B. Authorize the chairperson to execute Amendment No. 6, contingent upon obtaining appropriate signatures and future budgets.

CAO RECOMMENDATIONS:

SUMMARY DISCUSSION: Preferred Septic is currently providing trash disposal services under a master contract for various County locations. The master contract is for the period of December 1, 2012 to June 30, 2016. Amendment No. 5 extended the term to September 30, 2016. Amendment No. 6 to Preferred Septic's contract is for:

a. Extending the term for three months to December 31, 2016; and
b. Increase the contract $9,068.61 for additonal services not to exceed amount of $147,656.16.

The Public Works Department is currently preparing the bid package for trash disposal services however, due to time constraints a new contract will not be fully executed prior to the existing contract term ending date of September 30, 2016. As many County facilities utilize the trash disposal year round, an interuption of these services would negatively affect janitorial services.

The Public Works Department recommends your Board approve Amendment No. 6 to the master contract to extend the term and for additional service needs increasing the contract $9,068.61 for a not-to-exceed amount of $147,656.16.

ALTERNATIVES: Your Board could choose not to approve Amendment No. 6 and direct staff to obtain separate purchase orders. This is not recommended as the Public Works Department has invested time in the current arrangement. Additionally, staff is very satisfied with Preferred Septic responsiveness and customer service.

OTHER AGENCY INVOLVEMENT: Office of the County Counsel, Auditor's Office, and Risk Manager to sign the contract.

FINANCING: Funding for this work is budgeted in the Building & Maintenance (011100) Professional services Object code 5265.

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: yes Date 9/22

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

Approved: yes Date 9/26/2016

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: N/A Date

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Date: 9/28/16

AMENDMENT NUMBER 6 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Preferred Septic and Disposal Inc.
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Preferred Septic and Disposal Inc., of Bishop, CA (hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Independent Contractor Services dated November 20, 2012, on County of Inyo Standard Contract No. 113, for the term from December 1, 2012 to June 30, 2016.

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:

1. Section 2, TERM. The Sentence is revised as follows:
"The term of this Agreement shall be from December 1, 2012 to December 31, 2016 unless sooner as terminated as provided below."

2. Section 3D, Limit upon amount payable under Agreement. The first sentence is revised as follows:
"The total sum of all payments made by the County to Contractor for services and work performed under this Agreement, shall not exceed ONE HUNDRED FORTY SEVEN THOUSAND, SIX HUNDRED FIFTY SIX DOLLARS AND SIXTEEN CENTS($147,656.16)(herin after referred to as "contract Limit").

The effective date of this Amendment to the Agreement is _____.

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

AMENDMENT NUMBER 6 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Preferred Septic and Disposal Inc.
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

Dale Comontofski
Type or Print

Dated: 9-30-16

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

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

For Clerk's Use Only:
AGENDA NUMBER
13

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Authorize Hiring of Vacant Associate Building Official Position at Step E.

DEPARTMENTAL RECOMMENDATIONS:

Request the Board authorize the filling of the the vacant Associate Building Official Position at Step E.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
As part of the Budget adoption, the Board authorized the recruitment of an Associate Building Official. Public Works has identified a candidate for the Associate Building Official that has extensive knowledge and experience. The candidate is certified as follows:

- ICC Certified Residential and Commercial Building Plans Examiner
- ICC Certified Residential and Commercial Building Inspector
- ICC Certified Residential and Commercial Electrical Inspector
- ICC Certified Residential and Commercial Plumbing Inspector

The candidate also has 19 years experience as a Building Inspector and Plans Examiner, including acting as Building Official during a number of engagements. He also has an Associate of Science Degree in Inspection Technology. This expertise and experience, combined with a strong desire to reside and work in the Owens Valley make this an exceptional candidate.

Staff is requesting that pursuant to Section 5.5 of the Personnel Rules and Regulations of Inyo County, due to the exceptional qualifications of the candidate and the difficulty in finding qualified technical/professional staff, the Board authorize filling the vacant Associate Building Official Position at Step E.

ALTERNATIVES:
The Board could decide not to approve hiring the position at Step E. This is not recommended because it is difficult to find qualified applicants for professional positions.

OTHER AGENCY INVOLVEMENT:

CAO
Personnel Department for recruitment
Auditor.

FINANCING:

The funding for this position will be 100% Building and Safety Public Works (023200). It is noted that revenue is expected from the City of Bishop in the amount of $60,000 annually to partially offset the cost of this position and the recently filled Building Inspector position.

Agenda Request Form
Board meeting of
Subject:

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) Approved: 10/13/2016 Date
PERSONNEL DIRECTOR	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: ✓ Date 10/5/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/13/16

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
14

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Thomas L. Hardy, District Attorney

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Request to fill the position of the Chief Investigator.

DEPARTMENTAL RECOMMENDATION:

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

1) The availability of funding for the requested position exits, as certified by the District Attorney concurred with by the County Administrator and Audit-Controller;
2) Where internal candidates meet the qualifications for the position of Chief Investigator, the vacancy could be filled through a closed departmental recruitment; and
3) Approve the hiring of one Chief Investigator at Range SC81 – SE 81 ($6363-$8616) through a closed departmental recruitment.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

There currently exists a vacancy in the position of District Attorney Chief Investigator. This position is vital to the operation of the department at the management level and the ability to make those decisions as consistent with policy. This position could be filled out of the rank of District Attorney Investigator II, which could result in overtime savings. It is crucial the Chief Investigator position be filled in a timely manner because this position supervises the District Attorney's Investigations Division, and coordinates the office's investigative work with allied agencies.

ALTERNATIVES:

None.

OTHER AGENCY INVOLVEMENT:

None

FINANCING: District Attorney Safety Budget 022410.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date_____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: YES Date 10/11/16
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: J Date 10/10/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/11/16

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: Thomas L. Hardy, District Attorney

FOR THE BOARD MEETING OF: October ~~25~~ 18, 2016

SUBJECT: Request to fill the position of the Deputy District Attorney I-IV

DEPARTMENTAL RECOMMENDATION:

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

1) The availability of funding for the requested position exists, as certified by the District Attorney concurred with by the County Administrator and Audit-Controller;
2) Approve the hiring of a Deputy District Attorney I - IV at Range 81 ($5692-$6921), II, Range 83 ($5983-$7270), III, Range 86 ($6436-$7822), IV, Range 89 ($6931-$8417), depending on the qualifications of the applicants, up to Step E.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The District Attorney's office will have a FTE Deputy District Attorney position vacant effective November 7, 2016. Historically, the District Attorney's office relies on a staff of one (1) Assistant District Attorney and two (2) Deputy District Attorneys and that staffing level is the minimum necessary to ensure the efficient operations of the office. The District Attorney requests authorization to fill the position of a Deputy District Attorney I-IV through an open recruitment.

ALTERNATIVES:

None.

OTHER AGENCY INVOLVEMENT:

None

FINANCING: This position is in the authorized staffing of the District Attorney's Office. Budget Unit 022400

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date_____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: yes Date 10/11/16

PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: ✓ Date 10/10/16

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/11/16

For Clerk's Use Only:
AGENDA NUMBER
16

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

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

FROM: HEALTH & HUMAN SERVICES – Public Health

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Ratification and approval of contract with Anne M. Bybee for GACCS Exercise

DEPARTMENTAL RECOMMENDATION:
Request your Board ratify and approve the contract between the County of Inyo and Anne M. Bybee in the amount of $15,000 for the period of July 1, 2016 to June 30, 2017 for facilitation of disaster preparedness exercises to test and improve the HHS Public Health Division's Government Authorized Alternate Care Site plan, and authorize the Chairperson to sign.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
This contract is coming to you late due to extra time needed by the successful respondent to the Request for Proposals to secure insurance to meet the requirements of the contract. No services have been provided under the contract to date.

The Health and Human Services (HHS) Public Health Division received a supplemental disaster planning grant in response to the Ebola outbreak in 2014-15. While Inyo County was not largely impacted by the outbreak, we did identify plans and processes that needed to be updated and tested in order to be prepared for a similar event.

The draft Government Authorized Alternate Care Site (GAACS) plan establishes how Public Health would respond if the demand for local hospital services exceeded capacity, particularly over a long period of time and when an event minimized the availability of hospital beds outside Inyo. For example, if a pandemic influenza spread throughout the Western United States, all hospitals would be impacted and may not be able to take patients from our area. Our hospitals would quickly reach capacity and an alternate site for palliative care may be needed for those who could not be taken care of in their own home.

This contract will allow HHS to test the current plan and make improvements based on lessons learned during both a facilitated table top and a functional exercise.

ALTERNATIVES:
The Board could choose not to approve the contract, which would mean that the draft GAACS plan would not be tested and improved to ensure readiness the event of an event resulting in widespread medical surge.

OTHER AGENCY INVOLVEMENT:
Health Care Coalition members, including local hospitals, Sherriff's Department, Life Flight, Pioneer Home Health, Toiyabe Indian Health Services, Sterling Heights, and other health care partners.

FINANCING:
This contract is budgeted in the Health budget (045100) in Professional Services (5265). No County general Funds.

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: yes Date: 9/22/16
AUDITOR/CONTROLLER:	**ACCOUNTING/FINANCE AND RELATED ITEMS** *(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)* Approved: yes Date: 9/26/2016
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: 10/5/16
BUDGET OFFICER:	**BUDGET AND RELATED ITEMS** *(Must be reviewed and approved by the Budget Officer prior to submission to the Board Clerk.)* Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE: Jean Turner Date: 10-6-16

(Not to be signed until all approvals are received)

AGREEMENT BETWEEN COUNTY OF INYO
AND Anne M. Bybee
FOR THE PROVISION OF GAACS Training and Exercise **SERVICES**

INTRODUCTION

WHEREAS, the County of Inyo (hereinafter referred to as "County") has the need for the GAACS Training and Exercise services of Anne M. Bybee of Roseville, California hereinafter referred to as "Contractor"), and in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK.

The Contractor shall furnish to the County, those services and work set forth in Attachment **A**, attached hereto and by reference incorporated herein.

Services and work provided by the Contractor at the County's request under this Agreement will be performed in a manner consistent with the requirements and standards established by applicable federal, state, and County laws, ordinances, regulations, and resolutions. Such laws, ordinances, regulations, and resolutions include, but are not limited to, those which are referred to in this Agreement.

2. TERM.

The term of this Agreement shall be from July 1, 2016 to June 30, 2017 unless sooner terminated as provided below.

3. CONSIDERATION.

A. Compensation. County shall pay to Contractor the sum total of Fifteen Thousand Dollars and No cents ($15,000.00) for performance of all of the services and completion of all of the work described in Attachment **A**.

B. Travel and Per Diem. Contractor will not be paid or reimbursed for travel expenses or per diem which Contractor incurs in providing services and work under this Agreement.

C. No Additional Consideration. Except as expressly provided in this Agreement, Contractor shall not be entitled to, nor receive, from County, any additional consideration, compensation, salary, wages, or other type of remuneration for services rendered under this Agreement. Specifically, Contractor shall not be entitled, by virtue of this Agreement, to consideration in the form of overtime, health insurance benefits, retirement benefits, disability retirement benefits, sick leave, vacation time, paid holidays, or other paid leaves of absence of any type or kind whatsoever.

D. Limit Upon Amount Payable Under Agreement. The total sum of all payments made by the County to Contractor for all services and work to be performed under this Agreement shall not exceed $15,000.00 Dollars (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

E. Billing and Payment. Contractor shall submit to the County, upon completion of all services and work set forth in Attachment **A**, an itemized statement of all services and work performed by Contractor pursuant to this Agreement. This statement will identify the date on which the services were performed and describe the nature of the services and work which was performed on each day. Upon receipt of the statement by the fifth (5th) day of the month, County shall make payment to Contractor on the last day of the month.

F. Federal and State Taxes.

(1) Except as provided in subparagraph (2) below, County will not withhold any federal or state income taxes or social security from any payments made by County to Contractor under the terms and conditions of this Agreement.

(2) County will withhold California State income taxes from payments made under this Agreement to non-California resident independent contractors when it is anticipated that total annual payments to Contractor under this Agreement will exceed one thousand four hundred ninety-nine dollars ($1,499.00).

(3) Except as set forth above, County has no obligation to withhold any taxes or payments from sums paid by County to Contractor under this Agreement. Payment of all taxes and other assessments on such sums is the sole responsibility of Contractor. County has no responsibility or liability for payment of Contractor's taxes or assessments.

(4) The total amounts paid by County to Contractor, and taxes withheld from payments to non-California residents, if any, will be reported annually to the Internal Revenue Service and the California State Franchise Tax Board. To facilitate this reporting, Contractor shall complete and submit to the County an Internal Revenue Service (IRS) Form W-9 upon executing this Agreement.

4. WORK SCHEDULE.

Contractor's obligation is to perform, in a timely manner, those services and work identified in Attachment **A**. It is understood by Contractor that the performance of these services and work will require a varied schedule. Contractor will arrange his/her own schedule, but will coordinate with County to ensure that all services and work requested by County under this Agreement will be performed within the time frame set forth by County.

5. REQUIRED LICENSES, CERTIFICATES, AND PERMITS.

A. Any licenses, certificates, or permits required by the federal, state, county, or municipal governments for contractor to provide the services and work described in Attachment **A** must be procured by Contractor and be valid at the time Contractor enters into this Agreement or as otherwise may be required. Further, during the term of this Agreement, Contractor must maintain such licenses, certificates, and permits in full force and effect. Licenses, certificates, and permits may include, but are not limited to, driver's licenses, professional licenses or certificates, and business licenses. Such licenses, certificates, and permits will be procured and maintained in force by Contractor at no expense to the County. Contractor will provide County, upon execution of this Agreement, with evidence of current and valid licenses, certificates and permits which are required to perform the services identified in Attachment **A**. Where there is a dispute between Contractor and County as to what licenses, certificates, and permits are required to perform the services identified in Attachment **A**, County reserves the right to make such determinations for purposes of this Agreement.

B. Contractor warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. Contractor also warrants that it is not suspended or debarred from receiving federal funds as listed in the List of Parties Excluded from Federal Procurement or Non-procurement Programs issued by the General Services Administration available at: http://www.sam.gov.

6. OFFICE SPACE, SUPPLIES, EQUIPMENT, ETC.

Contractor shall provide such office space, supplies, equipment, vehicles, reference materials, and telephone service as is necessary for Contractor to provide the services identified in Attachment A to this Agreement. County is not obligated to reimburse or pay Contractor, for any expense or cost incurred by Contractor in procuring or maintaining such items. Responsibility for the costs and expenses incurred by Contractor in providing and maintaining such items is the sole responsibility and obligation of Contractor.

7. COUNTY PROPERTY.

A. Personal Property of County. Any personal property such as, but not limited to, protective or safety devices, badges, identification cards, keys, etc. provided to Contractor by County pursuant to this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of County. Contractor will use reasonable care to protect, safeguard and maintain such items while they are in Contractor's possession. Contractor will be financially responsible for any loss or damage to such items, partial or total, which is the result of Contractor's negligence.

B. Products of Contractor's Work and Services. Any and all compositions, publications, plans, designs, specifications, blueprints, maps, formulas, processes, photographs, slides, video tapes, computer programs, computer disks, computer tapes, memory chips, soundtracks, audio recordings, films, audio-visual presentations, exhibits, reports, studies, works of art, inventions, patents, trademarks, copyrights, or intellectual properties of any kind which are created, produced, assembled, compiled by, or are the result, product, or manifestation of, Contractor's services or work under this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of the County. At the termination of the Agreement, Contractor will convey possession and title to all such properties to County.

8. WORKERS' COMPENSATION.

Contractor shall provide Statutory California Worker's Compensation coverage and Employer's Liability coverage for not less than $1,000,000 per occurrence for all employees engaged in services or operations under this Agreement. The County of Inyo, its agents, officers and employees shall be named as additional insured or a waiver of subrogation shall be provided.

9. INSURANCE.

For the duration of this Agreement Contractor shall procure and maintain insurance of the scope and amount specified in Attachment **B** and with the provisions specified in that attachment.

10. STATUS OF CONTRACTOR.

All acts of Contractor, its agents, officers, and employees, relating to the performance of this Agreement, shall be performed as independent contractors, and not as agents, officers, or employees of County. Contractor, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of County. Except as expressly provided in Attachment A, Contractor has no authority or responsibility to exercise any rights or power vested in the County. No agent, officer, or employee of the County is to be considered an employee of Contractor. It is understood by both Contractor and County that this Agreement shall not under any circumstances be construed or considered to create an employer-employee relationship or a joint venture. As an independent contractor:

A. Contractor shall determine the method, details, and means of performing the work and services to be provided by Contractor under this Agreement.

B. Contractor shall be responsible to County only for the requirements and results specified in this Agreement, and except as expressly provided in this Agreement, shall not be subjected to County's control with respect to the physical action or activities of Contractor in fulfillment of this Agreement.

C. Contractor, its agents, officers, and employees are, and at all times during the term of this Agreement shall, represent and conduct themselves as independent contractors, and not as employees of County.

11. DEFENSE AND INDEMNIFICATION.

Contractor shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the performance of this Agreement by Contractor, or Contractor's agents, officers, or employees. Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death, or damage or destruction to tangible or intangible property, including the loss of use. Contractor's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs which is caused in whole or in part by any act or omission of the Contractor, its agents, employees, supplier, or any one directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless under the provisions of this paragraph is not limited to, or restricted by, any requirement in this Agreement for Contractor to procure and maintain a policy of insurance.

To the extent permitted by law, County shall defend, indemnify, and hold harmless Contractor, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, or resulting from, the active negligence, or wrongful acts of County, its officers, or employees.

12. RECORDS AND AUDIT.

A. Records. Contractor shall prepare and maintain all records required by the various provisions of this Agreement, federal, state, and municipal law, ordinances, regulations, and directions. Contractor shall maintain these records for a minimum of four (4) years from the termination or completion of this Agreement. Contractor may fulfill its obligation to maintain records as required by this paragraph by substitute photographs, microphotographs, or other authentic reproduction of such records.

B. Inspections and Audits. Any authorized representative of County shall have access to any books, documents, papers, records, including, but not limited to, financial records of Contractor, which County determines to be pertinent to this Agreement, for the purposes of making audit, evaluation, examination, excerpts, and transcripts during the period such records are to be maintained by Contractor. Further, County has the right, at all reasonable times, to audit, inspect, or otherwise evaluate the work performed or being performed under this Agreement.

13. NONDISCRIMINATION.

During the performance of this Agreement, Contractor, its agents, officers, and employees shall not unlawfully discriminate in violation of any federal, state, or local law, against any employee, or applicant for employment, or person receiving services under this Agreement, because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex. Contractor and its agents, officers, and employees shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900, et seq.), and the applicable regulations promulgated thereunder in the California Code of Regulations. Contractor shall also abide by the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said act.

14. ASSIGNMENT.

This is an agreement for the services of Contractor. County has relied upon the skills, knowledge, experience, and training of Contractor as an inducement to enter into this Agreement. Contractor shall not assign or subcontract this Agreement, or any part of it, without the express written consent of County. Further, Contractor shall not assign any monies due or to become due under this Agreement without the prior written consent of County.

15. DEFAULT.

If the Contractor abandons the work, or fails to proceed with the work and services requested by County in a timely manner, or fails in any way as required to conduct the work and services as required by County, County may declare the Contractor in default and terminate this Agreement upon five (5) days written notice to Contractor. Upon such termination by default, County will pay to Contractor all amounts owing to Contractor for services and work satisfactorily performed to the date of termination.

16. WAIVER OF DEFAULT.

Waiver of any default by either party to this Agreement shall not be deemed to be waiver of any subsequent default. Waiver or breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided in paragraph twenty-three (23) below.

17. CONFIDENTIALITY.

Contractor further agrees to comply with the various provisions of the federal, state, and county laws, regulations, and ordinances providing that information and records kept, maintained, or accessible by Contractor in the course of providing services and work under this Agreement, shall be privileged, restricted, or confidential. Contractor agrees to keep confidential all such information and records. Disclosure of such confidential, privileged, or protected information shall be made by Contractor only with the express written consent of the County. Any disclosure of confidential information by Contractor without the County's written consent is solely and exclusively the legal responsibility of Contractor in all respects.

Notwithstanding anything in the Agreement to the contrary, names of persons receiving public social services are confidential and are to be protected from unauthorized disclosure in accordance with Title 45, Code of Federal Regulations Section 205.50, the Health Insurance Portability and Accountability Act of 1996, and Sections 10850 and 14100.2 of the Welfare and Institutions Code, and regulations adopted pursuant thereto. For the purpose of this Agreement, all information, records, and data elements pertaining to beneficiaries shall be protected by the provider from unauthorized disclosure.

18. CONFLICTS.

Contractor agrees that it has no interest, and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the work and services under this Agreement.

19. POST AGREEMENT COVENANT.

Contractor agrees not to use any confidential, protected, or privileged information which is gained from the County in the course of providing services and work under this Agreement, for any personal benefit, gain, or enhancement. Further, Contractor agrees for a period of two years after the termination of this Agreement, not to seek or accept any employment with any entity, association, corporation, or person who, during the term of this Agreement, has had an adverse or conflicting interest with the County, or who has been an adverse party in litigation with the County, and concerning such, Contractor by virtue of this Agreement has gained access to the County's confidential, privileged, protected, or proprietary information.

20. SEVERABILITY.

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state, or county statute, ordinance, or regulation, the remaining provisions of this Agreement, or the application thereof, shall not be invalidated thereby, and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

21. FUNDING LIMITATION.

The ability of County to enter this Agreement is based upon available funding from various sources. In the event that such funding fails, is reduced, or is modified, from one or more sources, County has the option to cancel, reduce, or modify this Agreement, or any of its terms within ten (10) days of its notifying Contractor of the cancellation, reduction, or modification of available funding. Any reduction or modification of this Agreement made pursuant to this provision must comply with the requirements of paragraph twenty-two (22) (Amendment).

22. AMENDMENT.

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

23. NOTICE.

Any notice, communication, amendments, additions, or deletions to this Agreement, including change of address of either party during the terms of this Agreement, which Contractor or County shall be required, or may desire, to make, shall be in writing and may be personally served, or sent by prepaid first class mail to, the respective parties as follows:

County of Inyo
Health and Human Services — Department
207 A West South St. — Address
Bishop, Ca. 93514 — City and State

Contractor:

Anne M. Bybee — Name
601 Julmar Ct. — Address
Roseville, Ca. 95747 — City and State

24. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless the same be in writing executed by the parties hereto.

# #

AGREEMENT BETWEEN COUNTY OF INYO
AND Anne M. Bybee
FOR THE PROVISION OF GAACS Training and Exercise **SERVICES**

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

COUNTY OF INYO

By:_____

Dated:_____

CONTRACTOR

By: Anne M. Bybee
Signature

Anne M. Bybee
Type or Print Name

Dated: 9/6/16

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 INSURANCE REQUIREMENTS:

_____
County Risk Manager

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF INYO
AND Anne M. Bybee
FOR THE PROVISION OF GAACS Training and Exercise **SERVICES**

TERM:

FROM: July 1, 2016 **TO:** June 30, 2017

SCOPE OF WORK:

I. Classroom Training
   a. Review the current Inyo County GAACS plan.
   b. Plan and conduct a GAACS training for Inyo County Healthcare Coalition.

II. Exercise Planning
   a. Plan and conduct initial Planning Conference (IPC), Main Planning Conference (MPC), and Final Planning Conference (FPC) for Inyo County GAACS Exercise according to Homeland Security Exercise & Evaluation Program (HSEEP) guidelines.
   b. Prepare all documents for Inyo County GAACS Tabletop Exercise (TTX) and Functional Exercise (FE) according to HSEEP guidelines.

III. TTX and FE
   a. Plan and conduct one GAACS TTX in Inyo County.
   b. Plan and conduct one GAACS FE in Inyo County.

IV. After Action Report/Improvement Plan (AAR/IP)
   a. Develope an AAR/IP in HSEEP format using information from exercise Hotwash.

ATTACHMENT B

AGREEMENT BETWEEN COUNTY OF INYO
AND Anne M. Bybee
FOR THE PROVISION OF GAACS Training and Exercise **SERVICES**

TERM:

FROM: July 1, 2016 **TO:** June 30, 2017

SEE ATTACHED INSURANCE PROVISIONS

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
17

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: West-wide Energy Corridors – Region 1 Review

DEPARTMENTAL RECOMMENDATION: Review the West-wide Energy Corridors Region 1 Review and draft correspondence in regards thereto, and authorize the Chair to sign.

SUMMARY DISCUSSION: Section 368 of the Energy Policy Act of 2005, Public Law 109-58 (H.R. 6), enacted in 2005, directs the Secretaries of Agriculture, Commerce, Defense, Energy, and the Interior to designate corridors on federal land in 11 Western States (Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) for oil, gas, and hydrogen pipelines and electricity transmission and distribution facilities. A Programmatic Environmental Impact Statement (PEIS) for the West-wide Energy Corridor (WEC) was prepared and corresponding Records of Decision (ROD) were adopted in 2009.[1] The Board received a presentation from the Agencies' representatives on January 15, 2008 and provided input regarding the draft PEIS.

Multiple organizations filed a complaint raising a variety of challenges to the ROD. A Settlement Agreement with specific actions was ultimately approved, with four principal components: (1) complete an interagency Memorandum of Understanding (MOU) addressing periodic corridor reviews; (2) update agency guidance; (3) update agency training; and (4) complete a Corridor Study. In fulfillment of the Settlement Agreement, an MOU was executed in 2013. The MOU includes a Work Plan for the Regional Periodic Reviews. The Agencies also approved a Work Plan for the Corridor Study with the execution of the MOU.

In response to the Agencies' public notice, the County transmitted correspondence to the Agencies on May 20, 2014 providing input into the Periodic Reviews and development of the Corridor Study, and requesting coordination. Representatives of the Agencies' staff subsequently updated the Board regarding the WEC and related topics on July 15, 2014.

Corridor Study

In May 2016, a Corridor Study was released which examines whether the Corridors are achieving their purpose to promote environmentally responsible corridor-siting decisions and to reduce proliferation of dispersed rights-of-way crossing federal lands. Reportedly with the aim of encouraging more efficient and effective use of the Corridors, the Study establishes baseline data and presents opportunities and challenges for further consideration during the Periodic Regional Reviews. Issues identified include modifications to the Corridors, congestion, interagency

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1 Refer to http://corridoreis.anl.gov/ for more information.

operating procedures, better agency coordination, Corridor gaps, and incorporation of new information.

Regional Reviews

The Agencies have now begun their Regional Reviews (refer to Attachment 2). According to the Agencies, the outcome of the Regional Reviews will be the development of recommendations for specific corridor additions, deletions, or alterations, where warranted. An interim step to the recommendations is an initial analysis of opportunities and constraints. Corridor abstracts have been developed to specify opportunities and concerns as well as identify which Corridors effectively meet current and projected energy needs and which fall short either due to limited remaining capacity, poor placement, or other considerations.

Corridor Abstracts

The Corridors have been divided into five regions; Region 1 is the first to be evaluated, and Abstracts have been prepared to identify opportunities and constraints. Comments regarding the Region 1 Abstracts are requested by October 24, 2016, with final recommendations expected in the new year.

Corridor No. 18-23 is the main identified Corridor that runs through Inyo County; this Corridor is labeled a Corridor of Concern. Only a small portion of this Corridor within Inyo County is within Region 1; most of the Corridor is within Region 5, and opportunities for input into that process are anticipated in 2018. Small portions of two other Corridors are also located within Inyo County: Corridor Nos. 23-25 and 23-106. Attachment 3 includes the Region 1 Abstract for these Corridors.

Draft Correspondence

Staff has reviewed the Abstracts and notes a lack of reference to the County's renewable energy planning. Staff has prepared draft correspondence for the Board's consideration raising this issue and confirming its previous request for coordination (Attachment 1).

ALTERNATIVES: The Board could direct modifications to the correspondence, or not submit correspondence.

OTHER AGENCY INVOLVEMENT: Multiple agencies involved in transmission planning, including the Bureau of Land Management, Forest Service, Department of Energy, California Energy Commission, California Independent System Operator, California Public Utilities Commission, State of Nevada, etc.

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

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.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

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

Date: 10/10/16

Attachments:

1. Draft Correspondence
2. Notice
3. Abstracts

October 18, 2016

Department of the Interior
Department of Agriculture
Department of Energy
blm_wo_368corridors@blm.gov

Re: West-wide Energy Corridor Regional Reviews – Abstract Nos. 18-23, 23-25, and 23-106

To Whom It May Concern:

On behalf of the Inyo County Board of Supervisors, I wish to again convey our appreciation to the Agencies for the opportunity to participate in the development of the Regional Reviews and the Corridor Study. I wish to also thank the Agencies for their participation in our Workshop on July 15, 2014 and acknowledgement of our input in the Corridor Study.

We believe that coordination is paramount in development of the Regional Reviews, and confirm our earlier requests for continuing coordination between the Bureau of Land Management and the County. In response to the current outreach effort being undertaken by the Agencies, I reiterate that Inyo County's renewable energy planning should be considered in the Region 1 Reviews. In particular, the Renewable Energy General Plan Amendment[1] that we have adopted should be referenced in Abstracts for those portions of the Corridors that pass through Inyo County (e.g, between Little Lake and the boundary with Kern County), as well as for those Corridors that may interact with the County's designated Solar Energy Development Areas. Also, since our last correspondence, we have completed the Owens Valley Solar Energy Study,[2] and urge the Agencies to consider it in development of the Region 5 Reviews.

Thank you. If you have any questions, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or kcarunchio@inyocounty.us.

Sincerely,

Jeff Griffiths, Chair
Inyo County Board of Supervisors

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1 Refer to http://inyoplanning.org/projects/REGPA.htm.
2 Refer to http://inyoplanning.org/OwensValleySolarEnergyStudyOVSES.htm

West-Wide Energy Corridors Review and Opportunities for Stakeholder Engagement

On behalf of the Bureau of Land Management (BLM), the U.S. Forest Service (FS), and the Department of Energy (DOE) (the Agencies), Argonne National Laboratory invites you to participate in reviews of West-wide energy corridors and in the development of recommendations for corridor changes.

The corridors, commonly known as West-wide or Section 368 energy corridors, were designated pursuant to Section 368 of the Energy Policy Act of 2005 (EPAct). Section 368 of the EPAct directed agencies to designate corridors to support siting of oil, gas, and hydrogen pipelines, as well as electricity transmission and distribution facilities on Federal land. In response, the BLM and FS designated approximately 6,000 miles of corridors in 2009. The Agencies recently released a Corridor Study evaluating the effectiveness of the corridors. The Agencies will consider the information and conclusions from the Corridor Study in conducting the corridor reviews. The Corridor Study and other information regarding how the BLM and FS designated the corridors are available at http://corridoreis.anl.gov.

As agreed upon in a 2012 settlement agreement that resolved litigation challenging the corridor designations, the Agencies are initiating Regional Reviews of the energy corridors. Reviews will be conducted on a regional basis starting with Region 1, which encompasses southern Nevada, southern California, and western Arizona. Each Regional Review will take approximately 6 months; completion of all the reviews will be subject to the availability of funds.

Regional Review Sequence*		
Energy Corridor Region	Start Public Input	Issue the Recommendations
Region 1 (CA, NV, AZ)	September 2016	February 2017
Region 2 (AZ, NM, CO)	March 2017	September 2017
Region 3 (CO, UT, NV)	October 2017	March 2018
Region 4 (WY, MT)	April 2018	October 2018
Region 5 (CA, NV)	November 2018	April 2019
Region 6 (MT, ID, OR, WA)	May 2019	November 2019

*Map of the regions included as Attachment 1.

The Regional Reviews will be guided by the following corridor siting principles from the 2012 settlement agreement, to ensure that:

- Corridors are thoughtfully sited to provide maximum utility and minimum impact to the environment;
- Corridors promote efficient use of landscape for necessary development;

- Appropriate and acceptable uses are defined for specific corridors; and
- Corridors provide connectivity to renewable energy generation to the maximum extent possible, while also considering other generation, in order to balance the renewable sources and to ensure the safety and reliability of electricity transmission.

The outcome of the Regional Reviews will be the development of recommendations for specific corridor additions, deletions, or alterations. Stakeholders will have the opportunity to review and comment on the recommendations. The recommendations will be considered for implementation by the BLM and FS during subsequent agency land-use planning processes.

STAKEHOLDER ENGAGEMENT

To facilitate stakeholder engagement during the Regional Reviews, the Agencies have developed corridor abstracts. The Agencies will be seeking stakeholder feedback on the abstracts to ensure we have as complete and current an understanding as possible for each corridor, prior to developing any corridor recommendations. Abstracts for Region 1 will be available in early September for forty-five (45) days on the project website, known as the West-wide Corridor Information Center, at http://corridoreis.anl.gov.

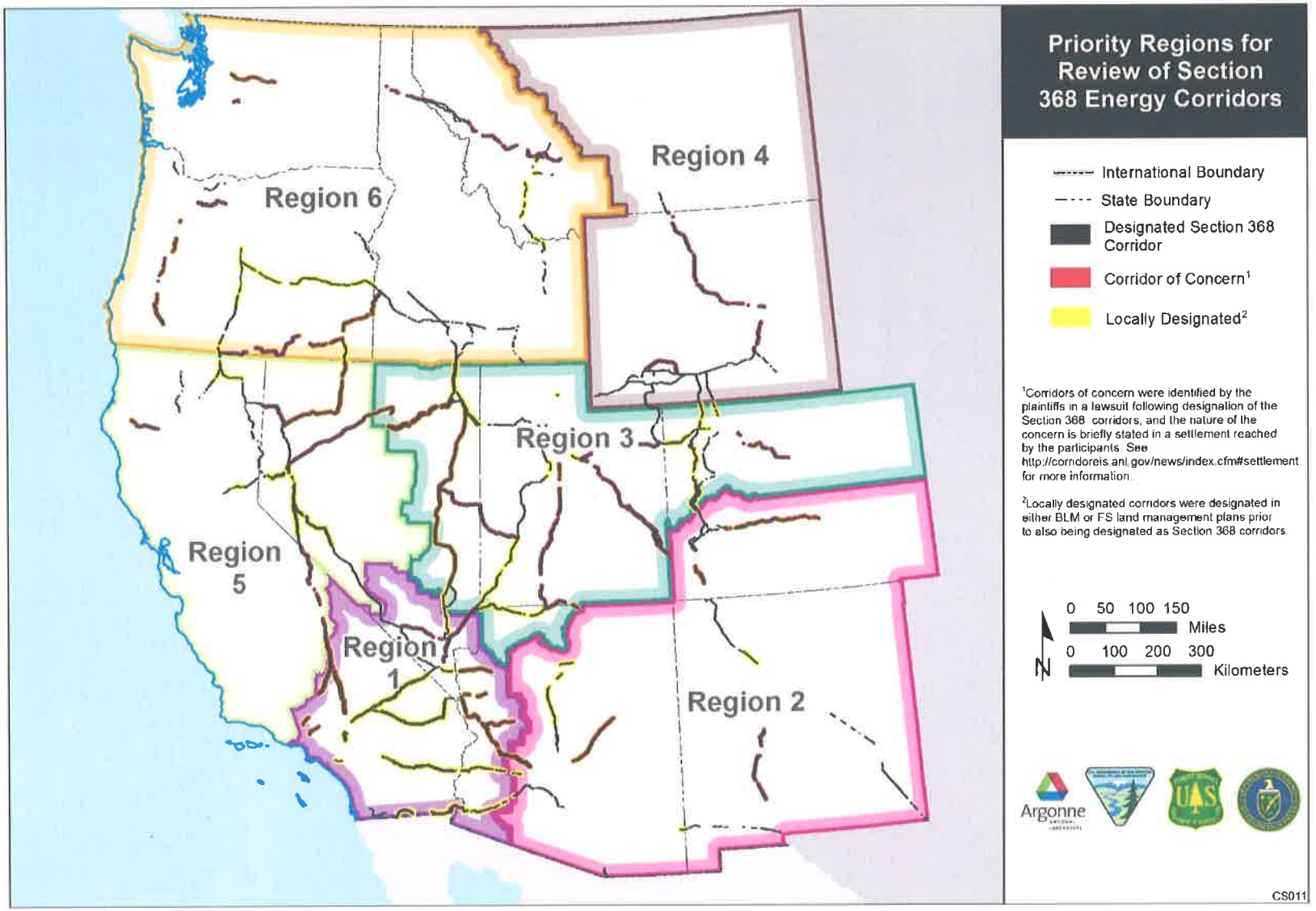
Opportunities to provide input on the Region 1 corridor abstracts will also be offered at upcoming public webinars and meetings starting in September 2016.

- Public webinars will be held on September 7 and 29, 2016, at 9 a.m. Pacific Daylight Time (PDT). Webinar information will be provided through the project website noted above at least one week prior to each event.

- Public meetings will be held on the following dates:
  - September 20, 2016, in Phoenix, Arizona, at the BLM National Training Center (9828 N 31st Ave., Phoenix, AZ 85051) from 9 a.m. to 3 p.m. local Arizona time.
  - September 22, 2016, in Palm Springs, California, at the University of California Riverside - Palm Desert Center, Room B200 (75080 Frank Sinatra Drive, Palm Desert, CA 92211) from 9 a.m. to 3 p.m. PDT, and
  - September 27, 2016, in Las Vegas, Nevada, at the Hampton Inn Tropicana (4975 S. Dean Martin Dr., Las Vegas, NV 89118) from 9 a.m. to 3 p.m. PDT.

If you plan to participate in any of these events, please RSVP to blm_wo_368corridors@blm.gov to help us prepare. Please include the event location, date, and your contact information in the reply.

We value any input you have and look forward to your feedback on how the Agencies can improve the West-wide energy corridors to better serve the energy transmission and distribution infrastructure needs of the western United States. We will provide additional opportunities for involvement throughout the review process. For questions regarding corridors on FS-administered lands, please contact Reggie Woodruff, FS Project Manager, at 202-205-1196 or rwoodruff@fs.fed.us. For more information on the reviews or questions regarding corridors on BLM-administered lands, contact Jim Gazewood, BLM Project Manager, at 801-539-4107 or jgazewoo@blm.gov.



Attachment 1

Corridor 18-23

Corridor 18-23 is a 239-mile corridor predominantly in Region 5. Approximately 28 miles of corridor is located in Region 1. Comments will be accepted during the Region 1 review; however, this corridor will be reviewed in its entirety during the Region 5 review in 2018 and an analysis of issues is not yet included.

Attachment 3

Corridor 18-23

395 Corridor for Priority Region 1 only, or Eastern Sierra

Introduction

Corridor 18-23 extends north-south into Priority Region 1 at the western boundary of the Ridgecrest Field Office (FO) in Inyo County near Olancha. The corridor continues south into Kern County and intersection with Corridors 23-25 and 23-106 near Little Lake. Federally designated portions of this corridor are entirely on BLM-administered land, with a 10,560-ft width over its entire extent in Priority Region 1. It is designated as a multi-modal corridor that can accommodate both electrical transmission and pipeline projects. In Priority Region 1, the corridor matches existing California Desert District Corridor 'A' and is within the California Desert Conservation Area, intersects ACECs, and is slightly reduced in width to fit between China Lake Naval Air Weapons Station on the east and the Sacatar Trail Wilderness on the west. The corridor spans a 239-mile distance, with 172 designated centerline miles. The designated area is 104,340 acres/163.03 square miles. This corridor is entirely in Mono and Inyo counties in California and Lyon and Mineral counties in Nevada. BLM jurisdictions include Ridgecrest and Bishop FOs in California and Sierra Front and Stillwater FOs in Nevada. FS jurisdictions include the Humboldt-Toiyabe NF in NV and the Inyo NF in CA. The majority of this corridor is in Priority Region 5, but for the purposes of this regional review for Priority Region 1, we are only considering the corridor extent from Mileposts (MPs) 211 to 239.

Figure 1a. Northern Portion of Corridor 18-23 *(Key for Figures 1-4 can be found on the last page of the abstract)*

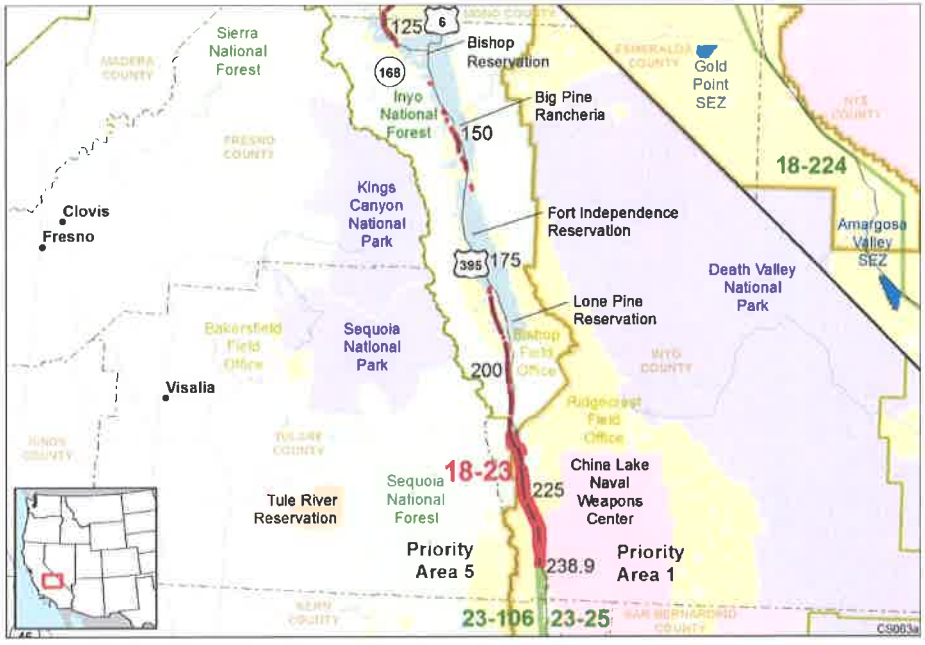


Figure 1b. Southern Portion of Corridor 18-23 *(Key for Figures 1-4 can be found on the last page of the abstract)*

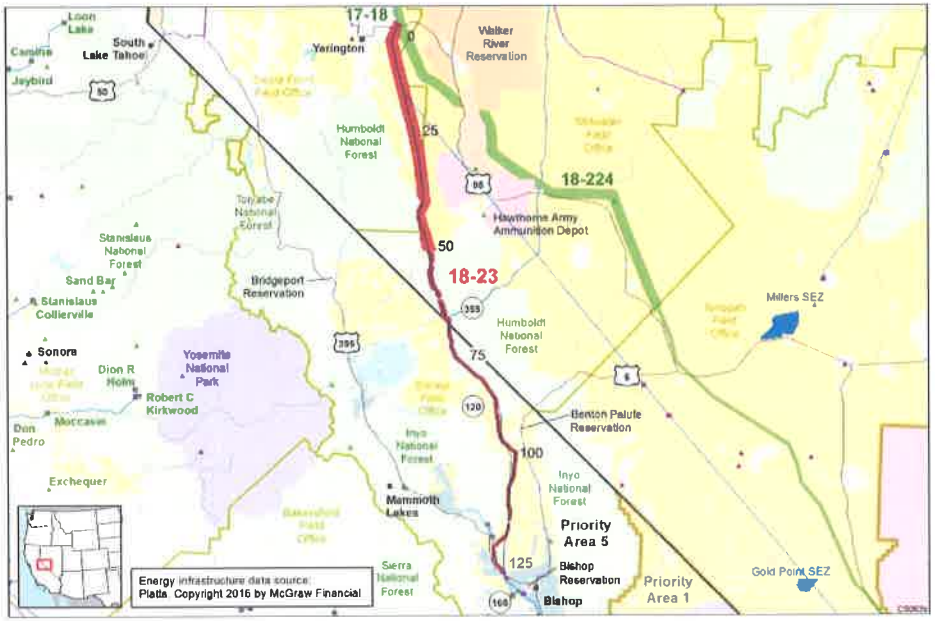


Figure 2a. North Portion of Corridor 18-23, including existing energy infrastructure

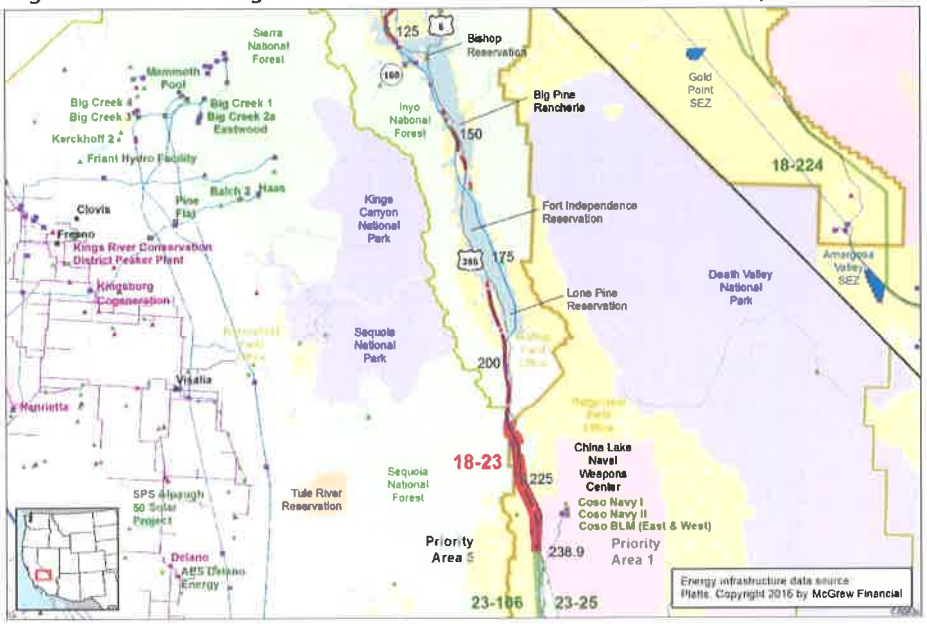


Figure 2b. North Portion of Corridor 18-23, including existing energy infrastructure

Corridor Rationale

During scoping for the West-wide Energy Corridor Programmatic Environmental Impact Statement (WWEC PEIS), routes generally following this route were suggested by Western Utility Group and American Wind Energy Association. Current approved projects occupying parts of the corridor in Priority Region 1 include an 800-kV DC electric transmission line, smaller transmission lines, US Hwy 395, and a major railroad. There are currently no pipelines following the corridor. There is interest for additional use of this corridor, including two pending right-of-way (ROW) applications. Platts data indicate one operational Los Angeles Dept. of Water & Power hydroelectric power plant with two substations, three non-operational power plants with substations, and five existing transmission lines (Bonneville Power Administration [1,000 kV DC], Los Angeles Dept. of Water & Power [230 kV], Southern California Edison Co. [115 kV], a 10-kV transmission line, and a 34.5-kV transmission line) within the corridor. There are also three other substations within one mile of the corridor centerline and several buildings and structures within the corridor.

Corridor of Concern Status

Corridor 18-23 is a Corridor of Concern. Concerns regarding Areas of Critical Environmental Concern (ACECs), Inventoried Roadless Areas, BLM Wilderness Study Areas, CA Boxer Wilderness, CA-proposed Wilderness, NV-proposed Wilderness, sage-grouse habitat, and its redundancy to Corridor 18-224 were identified in the Settlement Agreement. These issues are highlighted in yellow in the Corridor Analysis table below.

Corridor Analysis

☒ **Energy Planning Opportunities**
- ☒Appropriate and acceptable uses
- ☒WWEC Purpose (e.g., renewable energy)
- ☐Transmission and pipeline capacity opportunity

☒ **Energy Planning Concerns**
- ☒Physical barrier
- ☒Jurisdictional concern
- ☒Corridor alignment and spacing
- ☐Transmission and pipeline capacity concern

☒ **Land Management Responsibilities and Environmental Concerns**
- ☐Acoustics
- ☐Air quality
- ☐Climate change
- ☐Cultural resources
- ☒Ecological resources
- ☐Environmental Justice
- ☒Hydrological resources
- ☒Lands and Realty
- ☐Lands with wilderness characteristics
- ☐Livestock Grazing
- ☐Paleontology
- ☒Public Access and Recreation
- ☐Socioeconomics
- ☐Soils/erosion
- ☒Specially designated areas
- ☐Tribal concerns
- ☒Visual resources
- ☐Wild horses and burros

☐**Interagency Operating Procedures**

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
ENERGY PLANNING OPPORTUNITIES							
Appropriate and Acceptable Uses							
18-23 .001	BLM	Ridgecrest FO	Inyo County, CA	Southern California Edison Co. 115 kV transmission line	MP 214.3 to 215.5; MP 219.7 to 223.6; MP 224.3 to 234.0; MP 237.3 to 238.9	GIS Analysis	
18-23 .002	BLM	Ridgecrest FO	Inyo County, CA	Existing 34.5 kV transmission line	MP 214.1 to 215.6; MP 218.4 to 221.2; MP 222.3 to 223.1	GIS Analysis	
18-23 .003	BLM	Ridgecrest FO	Inyo County, CA	Los Angeles Dept. of Water & Power Haiwee hydroelectric power plant with two substations	MP 223.1	GIS Analysis	
18-23 .004	BLM	Ridgecrest FO	Inyo County, CA	Existing 10 kV transmission line; connects Haiwee power plant to substation	MP 223.1	GIS Analysis	
18-23 .005	BLM	Ridgecrest FO	Inyo County, CA	Los Angeles Dept. of Water & Power Coso 1, 2, and 3 power plants with substations, currently	MP 235.2	GIS Analysis	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
				non-operational			
WWEC Purpose							
18-23 .006				**Alternative routes, renewable energy**		RFI/ Interest expressed in reviewing appropriate alternatives, such as a corridor through southwestern Nevada. It appears that such a corridor would transverse land less sensitive both environmentally and visually, coincide with other infrastructure including a major state highway, and potentially provide better transmission connectivity from the developing renewable energy resources of central Nevada to the rapidly growing population centers of the Southwest.	
18-23 .007				Redundant with Corridor 18-224	Entire corridor	Settlement Agreement	
ENERGY PLANNING CONCERNS							
Location-Specific Physical Barrier							
18-23 .008	BLM		Mono County, CA	Rugged terrain	Priority Region 5	RFI/ The northern portion of the corridor in Mono County crosses rugged terrain through which pipeline development would be difficult	
18-23 .009	BLM	Ridgecrest FO	Inyo County, CA	Unknown structure in corridor	MP 211.7	GIS Analysis	
18-23 .010	BLM	Ridgecrest FO	Inyo County, CA	Unknown structures in corridor	MP 227.5	GIS Analysis	
Jurisdictional Concern							

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
18-23 .011	BLM	Ridgecrest FO		Inconsistent with same corridor in CA Desert Plan		Corridor Study/ Unclear why the Section 368 corridor is inconsistent with same corridor in CA Desert Plan	
18-23 .012	BIA		Mono County, CA	BLM jurisdiction	Priority Region 5: The parcel is located in Section 11, Township 2 South, Range 31 East MDM at http://corridoreis.anl.gov. In feature classes: sec368zone_070715_080905_changes - OBJECTID 1396 sec368zone_att - OBJECTID 2621 sec368zone - OBJECTID 365	RFI / Since the completion of the PEIS, one specific parcel indicated as BLM lands are now under the administrative jurisdiction of the BIA, near Benton, California.	
Corridor Alignment and Spacing							
18-23 .014	BLM	Ridgecrest FO	Inyo County, CA	Bonneville Power Administration 1,000 kV DC line and Los Angeles Dept. of Water & Power 230 kV line	MP 210.9 to 238.9 (entire length of Region 1 corridor)	GIS Analysis/ Bonneville Power Administration 1,000 kV DC line and Los Angeles Dept. of Water & Power 230 kV line meander across corridor width in the same path. May limit potential for additional projects	
18-23 .013	BLM	Ridgecrest FO	Inyo County, CA	Existing infrastructure	MP 221.8 to 238.9	GIS Analysis/ Existing infrastructure meanders across corridor width. May limit potential for additional projects	
LAND MANAGEMENT RESPONSIBILITIES AND ENVIRONMENTAL CONCERNS							
Ecology: Special Status Animal Species							
18-23 .015	BLM		Mono County, CA	Bi-State Distinct Population Segment (DPS) of Greater sage-grouse habitat and habitat for the Townsend Long Eared Bat.	Priority Region 5	RFI/ Land the corridor traverses contains habitat for the Bi-State Distinct Population Segment (DPS) of Greater sage-grouse and habitat for the Townsend	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
						Long Eared Bat.	
18-23 .016	BLM			Owens Valley	MP 90 to 238.9 (all of the portion of the corridor in Priority Region 1, the rest in Priority Region 5)	RFI/ The corridor passes through the Owens Valley, a highly scenic area of national significance that contains habitat for a range of sensitive, threatened, endangered and endemic species, including many avian species.	
18-23 .017				MGS habitat	Data needed, not sure in which Priority Region the MGS habitat occurs – gray out if in Priority Region 5.	RFI/ Limit expansion of transmission and limit additional road construction that would lead to OHV route proliferation in MGS modeled habitat. Consult the Desert Manager's Group regarding parcels that are priority habitat for MGS due to their designation as "core" or "linkage" areas, and reroute to avoid impacts on these parcels. Within MGS habitat, minimize the area of disturbance and avoid clearing of vegetation and grading where possible.	
18-23 .018				Greater sage-grouse PACs	Priority Region 5	RFI/ Reroute or exclude new infrastructure ROWs and avoid all new energy infrastructure development within greater sage-grouse PACs (14% overlap), and within all breeding areas of the bi-state distinct population	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
						segment. It is essential that agencies use the full mitigation hierarchy to avoid, minimize, and compensate for impacts within 4 mi of all bi-state sage-grouse breeding areas.	
18-23 .019				Greater sage-grouse (bi-state distinct population segment) and Sierra Nevada bighorn sheep designated critical habitat.	Priority Region 5	RFI/ Consult with USFWS to avoid adverse modification to greater sage-grouse (bi-state distinct population segment) and Sierra Nevada bighorn sheep designated critical habitat.	
18-23 .020				Greater Sage-Grouse Bi-State Distinct Population Segment (DPS)	Priority Region 5	RFI/The Bi-State Action Plan for Conservation of the Greater Sage-Grouse Bi-State Distinct Population Segment (DPS),--It should be noted that the Action Plan identifies the existing linear infrastructure such as Corridor 18-23 as a threat to sage-grouse	
18-23 .021	BLM	Ridgecrest FO	Inyo County, CA	Sierra Nevada bighorn sheep critical habitat	MP 210.9 to 213.0	GIS Analysis/ Within 0.5 mile of Sierra Nevada bighorn sheep critical habitat	
18-23 .022	BLM	Ridgecrest FO	Inyo County, CA	Desert tortoise connectivity area	MP 221.3 to 238.9	GIS Analysis	
Ecology: Terrestrial Wildlife, Big Game, Non-Migratory Birds, and Aquatic Biota							
18-23 .023	BLM			Priority 1 and 2 Connectivity Habitat	Data needed – Note: Desert Tortoise connectivity area in Priority Region 1 identified above; no assessment of Priority Region 5 yet	RFI/ Reroute to avoid siting new facilities in Priority 1 and 2 Connectivity Habitat without existing transmission, and minimize additional transmission	

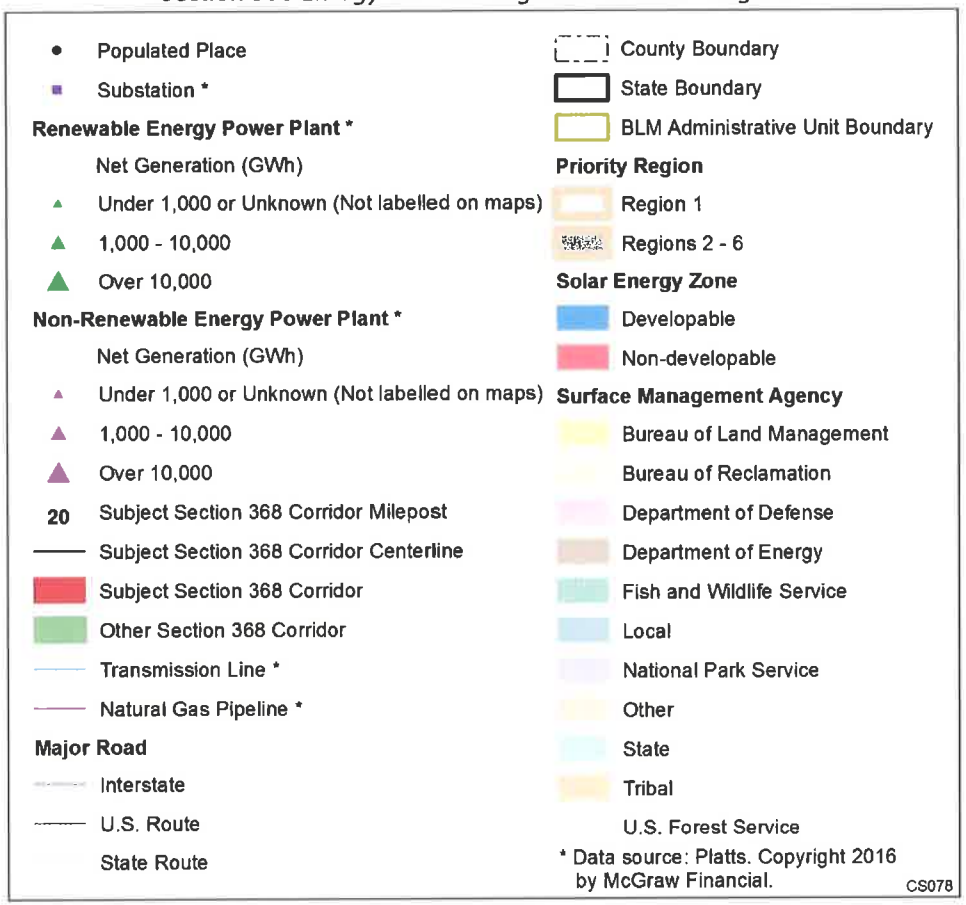
ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
						siting in these areas. If additional transmission is permitted, site as close together as possible and with as little ground disturbance and vegetation clearing as possible. Use full mitigation hierarchy to avoid, minimize, and compensate for impacts within 4 mi of Priority 1 and 2 habitat	
18-23 .024				Wildlife connectivity	Data needed	RFI/Follow locally specific connectivity recommendations, such as those for the Southern California Wildlands Linkages and Arizona Missing Linkages, to avoid connectivity impacts on desert bighorn sheep in the Mojave Desert	
18-23 .025				Southern California Wildlands Linkage	Data needed	This corridor segment intersects a Southern California Wildlands Linkage	
Hydrology: Surface Water							
18-23 .026	BLM	Ridgecrest FO	Inyo County, CA	Los Angeles Aqueduct	MP 222.2 to 226.4	GIS Analysis/ Los Angeles Aqueduct intersects corridor	
Lands and Realty: Rights-of-Way and General Land Use							
18-23 .027	BLM	Ridgecrest FO	Inyo County, CA	BLM jurisdiction	MP 223.1 to 223.2, 231.4 to 232.7, and 234.8	GIS Analysis/ A total of 148 acres which were originally designated as part of this corridor are no longer on federal land according to the 5/12/15 version of BLM Surface Management Agency data	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
Lands and Realty: Military and Civilian Aviation							
18-23 .028	BLM	Ridgecrest FO	Inyo County, CA	Military Training Route – Visual Route	Entire corridor	GIS Analysis	
Lands and Realty: Transportation							
18-23 .029	BLM	Ridgecrest FO	Inyo County, CA	U.S. Highway 395	Entire corridor	GIS Analysis/ U.S. Highway 395 runs adjacent to and through the corridor	
18-23 .030	BLM	Ridgecrest FO	Inyo County, CA	Railroad	Entire corridor	GIS Analysis/ Railroad runs adjacent to and through the corridor	
Public Access and Recreation							
18-23 .031	BLM			Eastern Sierra region	Priority Region 5 - MP 65.9 to 159.7	RFI/The Eastern Sierra region which Corridor 18-23 traverses is a national and international tourist destination that provides abundant wild land and non-wild land based recreational opportunities to hundreds of thousands of visitors annually	
Specially Designated Areas							
18-23 .032	BLM	Ridgecrest FO	Inyo County, CA	California Desert Conservation Area	Entire corridor	GIS Analysis	
18-23 .033	BLM	Ridgecrest FO	Inyo County, CA	South Sierra inventoried roadless area	MP 210.9 to 226.4	GIS Analysis/ South Sierra inventoried roadless area is adjacent to corridor	
18-23 .034	BLM	Ridgecrest FO	Inyo County, CA	Golden Trout Wilderness	MP 210.9 to 211.2	GIS Analysis/ Golden Trout Wilderness is adjacent to corridor	
18-23 .035	BLM	Ridgecrest FO	Inyo County, CA	Inyo National Forest	MP 210.9 to 226.6	GIS Analysis/ Inyo National Forest is adjacent to corridor	
18-23 .036	BLM	Ridgecrest FO	Inyo County,	Rose Spring ACEC	MP 221.6 to 223.7	GIS Analysis	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
			CA				
18-23 .037	BLM	Ridgecrest FO	Inyo County, CA	Sacatar Trail Wilderness	MP 225.9 to 238.9	GIS Analysis/ Corridor is adjacent to Sacatar Trail Wilderness	
18-23 .038	BLM	Ridgecrest FO	Inyo County, CA	China Lake Naval Weapons Center	MP 227.2 to 238.9	GIS Analysis/ China Lake Naval Weapons Center is adjacent to corridor	
18-23 .039	BLM	Ridgecrest FO	Inyo County, CA	Fossil Falls ACEC	MP 232.5 to 235.6	GIS Analysis	
18-23 .040	BLM			BLM Wilderness Study Areas	Priority Region 5	RFI/ The corridor bisects several BLM Wilderness Study Areas on the Volcanic Tablelands that contain sensitive archaeological and natural resources	
18-23 .041	BLM			Fish Slough ACEC	Priority Region 5	RFI/ The corridor is near the Fish Slough ACEC which is of particular importance to resident and migratory birds	
18-23 .042	BLM		Kern County, CA	Jawbone-Butterbrecht ACEC	Priority Region 5	RFI/ The corridor traverses the Jawbone-Butterbrecht ACEC in Kern County, which is managed to protect wildlife habitat and Native American values as well as to provide for off-highway recreation	
18-23 .043	BLM		Mono County, CA	Important cultural resources and several designated roadless and wilderness study areas.	Priority Region 5	RFI/ The corridor passes through and is adjacent to important cultural resources and several designated roadless and wilderness study areas. These areas provide essential connectivity corridors and seasonal migratory habitat for a	

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity *Priority Region 1 Only*	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
						variety of wildlife including mule deer and important habitat for species that are particularly sensitive to disturbance and require very large ranges.	
Visual Resources							
18-23 .044	BLM	Ridgecrest FO	Inyo County, CA	VRM Class III	MP 210.9 to 231.1 and 233.3 to 238.9	GIS Analysis	
18-23 .045	BLM	Ridgecrest FO	Inyo County, CA	VRM Class II	MP 212.6 to 237.7	GIS Analysis/ VRM Class II areas are adjacent to and intersect the corridor	
18-23 .046	BLM		Mono County, CA	Visually sensitive terrain, several designated scenic highways, locally designated scenic routes and wilderness areas	Priority Region 5	The corridor passes through visually sensitive terrain and is visible from several designated scenic highways, locally designated scenic routes and wilderness areas	

Abbreviations: ACEC = Area of Critical Environmental Concern; BLM = Bureau of Land Management; BOR = Bureau of Reclamation; CPW = Citizens Proposed Wilderness; DPS = Distinct Population Segment; FO = Field Office; FS = Forest Service; IOP = Interagency Operating Procedures; GIS = geographic information system; MGS = Mohave Ground Squirrel; MP = milepost; NPS = National Park Service; NWR = National Wildlife Refuge; PEIS = Programmatic Environmental Impact Statement; RFI = Request for Information; SEZ = Solar Energy Zone; TCA = Tortoise Conservation Area; USFWS = U.S. Fish and Wildlife Service; VRM = Visual Resource Management; WECC = Western Energy Coordinating Council; WWEC = West-wide Energy Corridor.


Populated Place
Substation *
Renewable Energy Power Plant *
Net Generation (GWh)
Under 1,000 or Unknown (Not labelled on maps)
1,000 - 10,000
Over 10,000
Non-Renewable Energy Power Plant *
Net Generation (GWh)
Under 1,000 or Unknown (Not labelled on maps)
1,000 - 10,000
Over 10,000
20
Subject Section 368 Corridor Milepost
Subject Section 368 Corridor Centerline
Subject Section 368 Corridor
Other Section 368 Corridor
Transmission Line *
Natural Gas Pipeline *
Major Road
Interstate
U.S. Route
State Route
County Boundary
State Boundary
BLM Administrative Unit Boundary
Priority Region
Region 1
Regions 2 - 6
Solar Energy Zone
Developable
Non-developable
Surface Management Agency
Bureau of Land Management
Bureau of Reclamation
Department of Defense
Department of Energy
Fish and Wildlife Service
Local
National Park Service
Other
State
Tribal
U.S. Forest Service
* Data source: Platts. Copyright 2016 by McGraw Financial.
CS078

Key

Corridor 23-25

Little Lake - Adelanto

Introduction

Corridor 23-25 extends north-south along State Route 395, between the junction of Corridors 18-23 and 23-106 at Little Lake and Adelanto, in southern California. Federally designated portions of this corridor are entirely on BLM-administered land, with a 10,560-ft width over most of its extent (consistent with an existing resource management plan prior to Section 368 designation), but with a narrow variable-width section from Milepost (MP) 4.9 to 23.3 at the north end along the border of China Lake Weapons Center where BLM-administered land is not present. It is designated as a multi-modal corridor that can accommodate both electrical transmission and pipeline projects. The corridor spans an 83.6-mile distance, with 42.3 designated centerline miles. The designated area is 54,849 acres/85.7 square miles. This corridor is in Inyo, Kern, and San Bernardino Counties in California, and in the BLM Barstow and Ridgecrest Field Office jurisdictions. It is entirely in Priority Region 1.

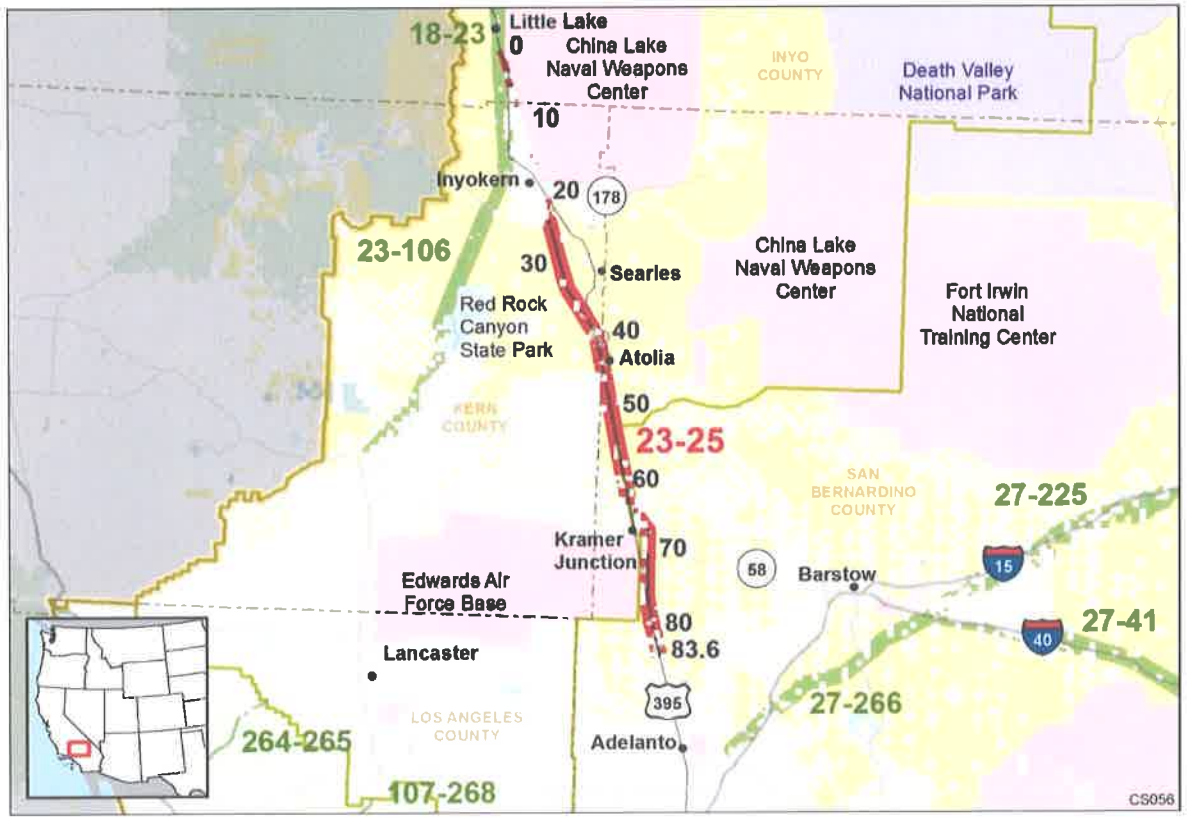


Figure 1. Corridor 23-25 *(Key for Figures 1-2 can be found on the last page of the abstract)*

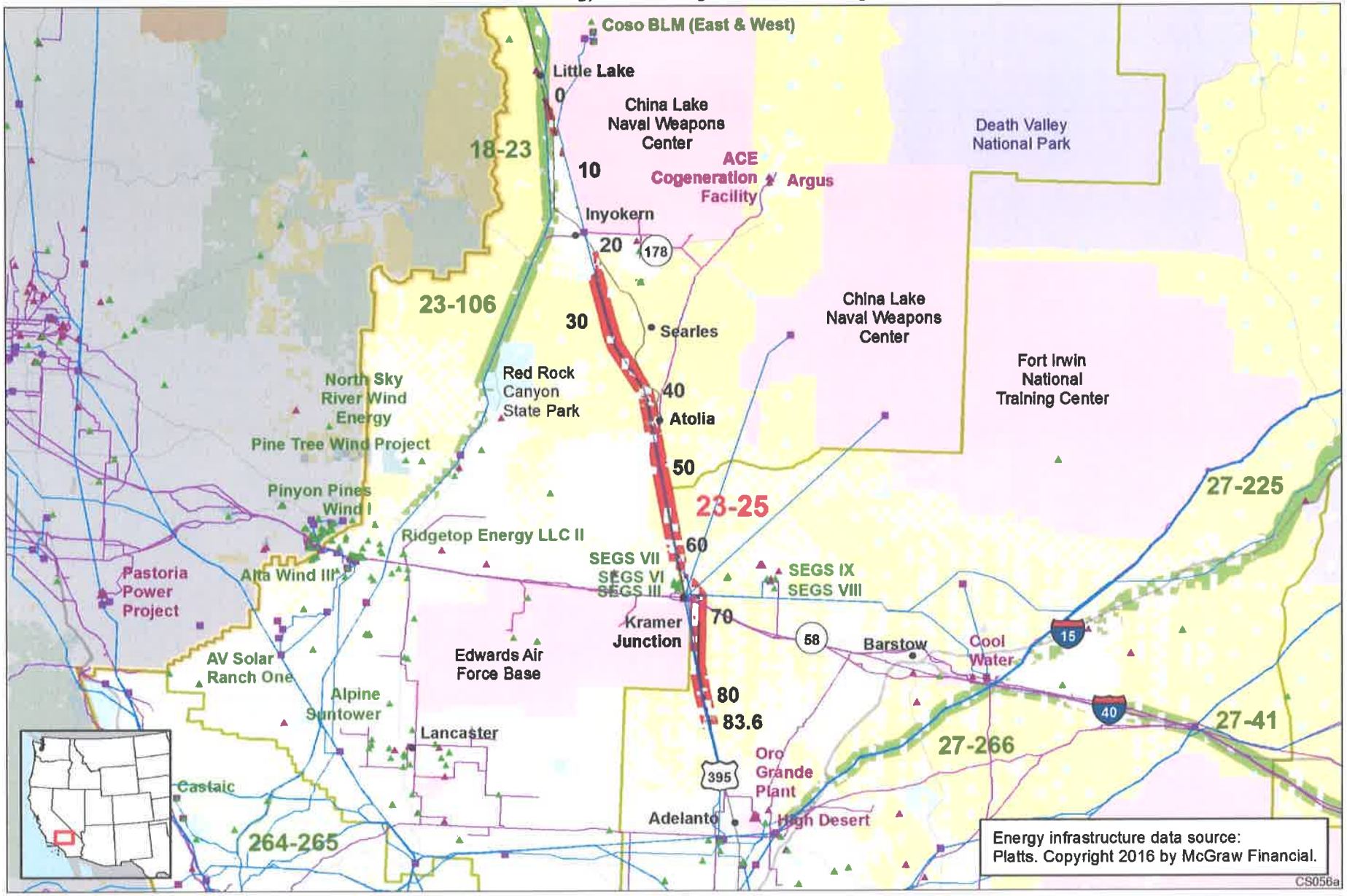


Figure 2. Corridor 23-25, including existing energy infrastructure

Corridor Rationale

During scoping for the WWEC PEIS, a route generally following this route was suggested by the Western Utility Group. The corridor is occupied in some locations by two electric transmission lines and a gas pipeline. Current electrical transmission infrastructure occupying parts of the corridor are operated by the Los Angeles Department of Water and Power (500 kV), the Southern California Edison Company (many lines ranging from 115 kV to 230 kV), and an unidentified operator (230 kV). Natural gas pipelines operated by Kern River Gas Transmission Company, Pacific Gas and Electric Company, and Southern California Gas Company also occupy portions of the corridor. No pending applications or planned projects have been identified in the corridor. The Platts data do not show any planned projects near this corridor. Many solar power plants and the U.S. Borax natural gas power plant are in the vicinity of the corridor between MP 60 and 70, and near the southern end.

Corridor of Concern Status

Corridor 23-25 is a Corridor of Concern. Concerns regarding critical habitat, a National Conservation Area, and Areas of Critical Environmental Concern (ACECs) were identified in the Settlement Agreement. These issues are highlighted in yellow in the Corridor Analysis table below.

Corridor Analysis

- ☐ **Energy Planning Opportunities**
  - ☐ Appropriate and acceptable uses
  - ☐ WWEC Purpose (e.g., renewable energy)
  - ☐ Transmission and pipeline capacity opportunity
- ☐ **Energy Planning Concerns**
  - ☒ Physical barrier
  - ☒ Jurisdictional concern
  - ☐ Corridor alignment and spacing
  - ☒ Transmission and pipeline capacity concern
- ☐ **Land Management Responsibilities and Environmental Concerns**
  - ☐ Acoustics
  - ☐ Air quality
  - ☐ Climate change
  - ☐ Cultural resources
  - ☒ Ecological resources
  - ☐ Environmental Justice
  - ☒ Hydrological resources
  - ☒ Lands and Realty
  - ☐ Lands with wilderness characteristics
  - ☐ Livestock Grazing
  - ☐ Paleontology
  - ☐ Public Access and Recreation
  - ☐ Socioeconomics
  - ☐ Soils/erosion
  - ☒ Specially designated areas
  - ☐ Tribal concerns
  - ☒ Visual resources
  - ☐ Wild horses and burros
- ☐ **Interagency Operating Procedures**

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
ENERGY PLANNING CONCERNS							
Location-Specific Physical Barrier							
23-25 .001	BLM	Ridgecrest FO, CA	Kern, CA	Corridor gap	MP 5.0 to 20.0	GIS Analysis/Corridor gap along China Lake Naval Weapons Center has center-pivot agriculture, an airport, and other development	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .002	BLM	Ridgecrest FO, CA	Kern and San Bernardino Counties, CA	Corridor gap	MP 39.0 to 41.5	GIS Analysis/Corridor gap is in line with towns of Randsburg and Johannesburg, and rugged terrain limits the options for additional projects	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .003	BLM	Barstow FO, CA	San Bernardino, CA	Existing infrastructure	MP 62.8 to 70.0	GIS Analysis/At least ten transmission lines and pipelines occupy and cross the corridor, limiting the options for additional projects	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .004	BLM	Barstow FO, CA	San Bernardino, CA	Corridor abruptly ends without further designation	After MP 83.59	Abstract review	Yes, this is a constraint. Although there is more public land past this MP, there is no corridor designation south to Victorville. Recommend future LUPs analyze further public land for corridor designation.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
Jurisdictional Concern							
23-25 .005	DOD	China Lake Naval Weapons Center	Kern County, CA	Discontinuous section of corridor	MP 0.0 to 19.5	GIS Analysis/Discontinuous section of corridor includes acres of DOD-administered lands that were studied in the WWEC PEIS as part of this corridor, but were not designated. This 580-ft wide strip is occupied by three transmission lines.	Not a constraint. This would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law. However, recommend adjusting designation in future land use plans to current jurisdiction (omit DoD administered lands from the designated corridor), possibly through LUP amendment during future project implementation.
23-25 .006	DOD/BLM	Boundary of Ridgecrest and Barstow FOs, CA	Boundary of Kern and San Bernardino Counties, CA	Edwards Air Force Base	MP 67.5 to 79.6	GIS Analysis/Corridor abuts Edwards Air Force Base on the west side.	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Transmission Capacity							
23-25 .007	BLM	Barstow FO, CA	San Bernardino County, CA	Existing infrastructure	MP 62.8 to 70.0	GIS Analysis/At least ten transmission lines and pipelines occupy and cross the corridor, limiting the options for additional projects	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
LAND MANAGEMENT RESPONSIBILITIES AND ENVIRONMENTAL CONCERNS							
Ecology: Special Status Animal Species							
23-25 .008				MGS habitat	Data needed	RFI/Limit expansion of transmission and limit additional road construction that would lead to OHV route proliferation in MGS modeled habitat. Consult the Desert Manager's Group regarding parcels that are priority habitat for MGS due to their designation as "core" or "linkage" areas, and reroute to avoid impacts on these parcels. Within MGS habitat, minimize the area of disturbance and avoid clearing of vegetation and grading where possible	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .009	BLM	Barstow FO, Ridgecrest FO	Kern, San Bernardino, CA	Desert tortoise designated critical habitat	MP 35.1 to 83.6	Settlement Agreement/ Consult with USFWS to avoid adverse modification to desert tortoise designated critical habitat	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .010	BLM	Barstow FO, Ridgecrest FO	Kern, San Bernardino, CA	Desert tortoise connectivity area	MP 37.3 to 83.6	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.

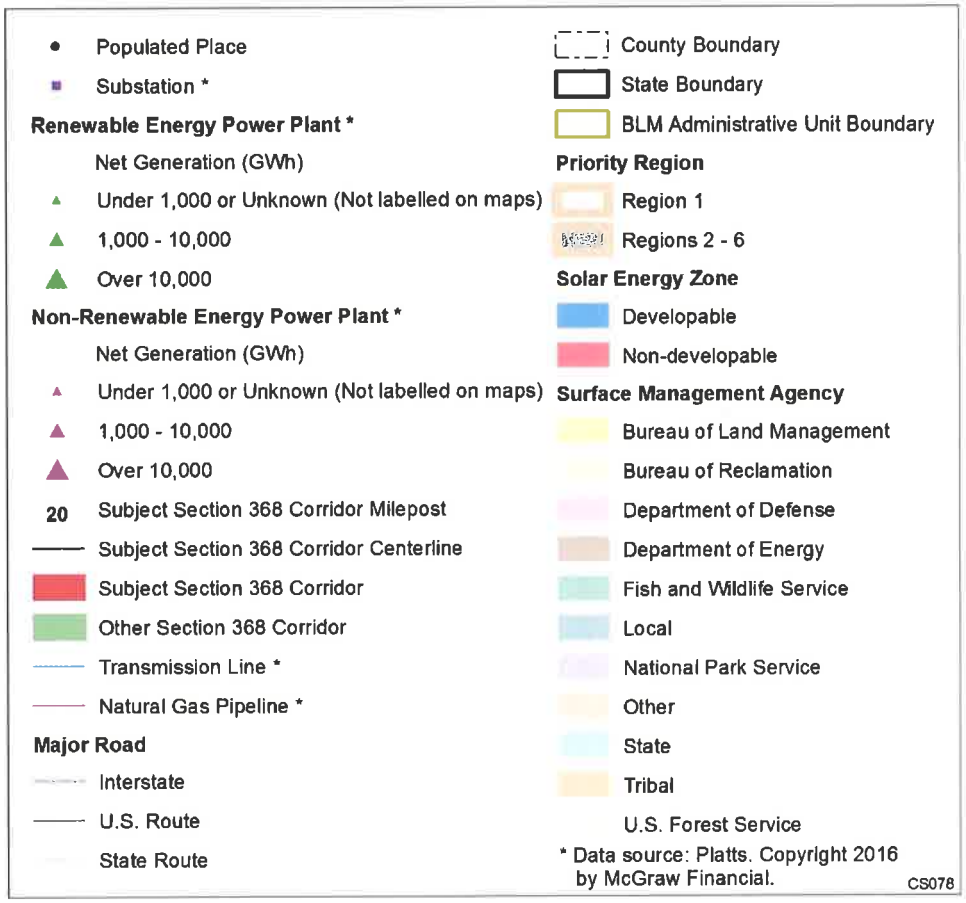
ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
Ecology: Terrestrial Wildlife, Big Game, Non-Migratory Birds, and Aquatic Biota							
23-25 .011				Desert tortoise connectivity area	Data needed	RFI/Reroute to avoid siting new facilities in TCAs without existing transmission, and minimize additional transmission siting in TCAs. If additional transmission is permitted, site as close together as possible and with as little ground disturbance and vegetation clearing as possible. Reroute to avoid siting new facilities in Priority 1 and 2 connectivity habitat without existing transmission, and minimize additional transmission siting in these areas. Use full mitigation hierarchy to avoid, minimize, and compensate for impacts within 4 mi of TCAs and Priority 1 and 2 habitat	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .012				Wildlife connectivity	Data needed	RFI/Follow locally specific connectivity recommendations, such as those for the Southern California Wildlands Linkages and Arizona Missing Linkages, to avoid connectivity impacts on desert bighorn sheep in the Mojave Desert	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law. The Ridgecrest Portion of this corridor does not impact any desert bighorn sheep habitat or connectivity.
23-25 .013				Southern California Wildlands Linkage	Data needed	RFI/This corridor segment intersects a Southern California Wildlands Linkage	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Hydrology: Surface Water							
23-25 .014	BLM	Ridgecrest FO	Kern, CA	Intermittent Stream: Dixie Wash	MP 19.5	GIS Analysis/Intermittent Stream: Dixie Wash crosses the corridor in non-federal gap	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
							under NEPA and other federal law.
Lands and Realty: Rights-of-Way and General Land Use							
23-25 .015	BLM	Ridgecrest FO, Barstow FO	Inyo, Kern, and San Bernardino, CA	BLM jurisdiction	Scattered over full corridor extent.	GIS Analysis/A total of 64 acres which were originally designated as part of this corridor are no longer on federal land according to the 5/12/2015 version of BLM Surface Management Agency data. These are all edge/sliver polygons probably due to revising BLM/non-BLM boundaries	Not a constraint. This would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law. However, recommend adjusting designation in future land use plans to current jurisdiction, possibly through LUP amendment during future project implementation.
Lands and Realty: Military and Civilian Aviation							
23-25 .016	BLM	Ridgecrest FO	Kern, CA	Military Training Route – Instrument Route	MP 30.4 to 40.7	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .017	BLM	Ridgecrest FO, Barstow FO	Kern and San Bernardino, CA	Military Training Route – Slow Speed Route	MP 30.7 to 75.3	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Lands and Realty: Transportation							
23-25 .018	BLM	Ridgecrest FO, Barstow FO	Inyo, Kern, and San Bernardino, CA	U.S. Highway 395	Entire length of corridor except MP 23.2 to 34.6	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .019	BLM	Barstow FO	San Bernardino, CA	State Highway 58	MP 67.3	GIS Analysis/State Highway 58 in non-federal gap	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .020	BLM	Ridgecrest FO	Kern, CA	State Highway 178	MP 17.9	GIS Analysis/State Highway 178 in non-federal gap	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
							State Highway 178 is not located in the corridor at this portion.
23-25 .021	BLM	Ridgecrest FO, Barstow FO	Inyo, Kern, and San Bernardino, CA	Railroad	MP 0.0 to 27.7, 33.9 to 34.9, 67.2 to 67.3	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Specially Designated Areas							
23-25 .022	BLM	Barstow FO	San Bernardino, CA	West Mojave Desert Ecological Reserve	MP 61.9 to 63.4	GIS Analysis/West Mojave Desert Ecological Reserve is in line with corridor in non-federal gap	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .023	BLM	Ridgecrest FO, Barstow FO	Inyo, Kern, and San Bernardino, CA	California Desert Conservation Area	Entire length of corridor MP 0.0 to 83.6	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .024	BLM	Ridgecrest FO	Kern, CA	Western Rand Mountains ACEC	MP 33.9 to 37.9	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-25 .025	BLM	Ridgecrest FO, Barstow FO	Kern and San Bernardino, CA	Fremont-Kramer DWMA ACEC	MP 33.9 to 38.8, 44.2 to 83.6	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
DRECP Proposed Specially Designated Areas							
23-25 .026	BLM	Ridgecrest FO	Kern, CA	El Paso to Golden Wildlife Corridor	data	BLM	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Visual Resources							
23-25 .027	BLM	Ridgecrest FO	Kern, CA	VRM Class II	Abuts corridor on either side, MP 24.3 to 33.9	GIS Analysis	Not a constraint. However, restrictions would be applied commensurate with designated VRM class; development must be in conformance with VRM objectives outlined in BLM Manual

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
							8400.
23-25 .028	BLM	Ridgecrest FO	Inyo, Kern, and San Bernardino, CA	VRM Class III	MP 0.0 to 2.9, 3.9 to 5.2, 6.7 to 7.9, 20.1 to 62.8,	GIS Analysis	Not a constraint. However, restrictions would be applied commensurate with designated VRM class; development must be in conformance with VRM objectives outlined in BLM Manual 8400.

Abbreviations: ACEC = Area of Critical Environmental Concern; BLM = Bureau of Land Management; BOR = Bureau of Reclamation; DoD = Department of Defense; DWMA = Desert Wildlife Management Area; FO = Field Office; FS = Forest Service; IOP = Interagency Operating Procedures; GIS = geographic information system; LUP = Land Use Plan; LWC = Lands with Wilderness Characteristics; MGS = Mohave ground squirrel; MP = milepost; MTR = Military Training Route; OHV = off-highway vehicle; PEIS = Programmatic Environmental Impact Statement; PFYC = Potential Fossil Yield Classification; RFI = Request for Information; SUA = Special Use Area; TCA = Tortoise Conservation Area; USFWS = U.S. Fish and Wildlife Service; VRI = Visual Resource Inventory; VRM = Visual Resource Management; WWEC = West-wide Energy Corridor.


Populated Place
Substation *
Renewable Energy Power Plant *
Net Generation (GWh)
Under 1,000 or Unknown (Not labelled on maps)
1,000 - 10,000
Over 10,000
Non-Renewable Energy Power Plant *
Net Generation (GWh)
Under 1,000 or Unknown (Not labelled on maps)
1,000 - 10,000
Over 10,000
20
Subject Section 368 Corridor Milepost
Subject Section 368 Corridor Centerline
Subject Section 368 Corridor
Other Section 368 Corridor
Transmission Line *
Natural Gas Pipeline *
Major Road
Interstate
U.S. Route
State Route
County Boundary
State Boundary
BLM Administrative Unit Boundary
Priority Region
Region 1
Regions 2 - 6
Solar Energy Zone
Developable
Non-developable
Surface Management Agency
Bureau of Land Management
Bureau of Reclamation
Department of Defense
Department of Energy
Fish and Wildlife Service
Local
National Park Service
Other
State
Tribal
U.S. Forest Service
* Data source: Platts. Copyright 2016 by McGraw Financial.
CS078

Key

Corridor 23-106

Little Lake to Mojave

Introduction

Corridor 23-106 extends north-southwest along State Route 14 and U.S. Highway 395, between the junction of Corridors 18-23 and 23-25 at Little Lake and Mojave, in southern California. Federally designated portions of this corridor are entirely on BLM-administered land, with a 10,560-ft width extent (consistent with an existing resource management plan prior to Section 368 designation), however, at the southern end, the BLM-administered land has a checkerboard pattern from Milepost (MP) 37.7 to 56.5. Corridor 23-106 is designated as a multi-modal corridor that can accommodate both electrical transmission and pipeline projects. The corridor spans a 56.5-mile distance, with 37.3 designated centerline miles. The designated area is 42,650 acres/66.6 square miles. This corridor is in Inyo and Kern Counties in California and under BLM Ridgecrest Field Office (FO) jurisdiction. It is located entirely in Priority Region 1.

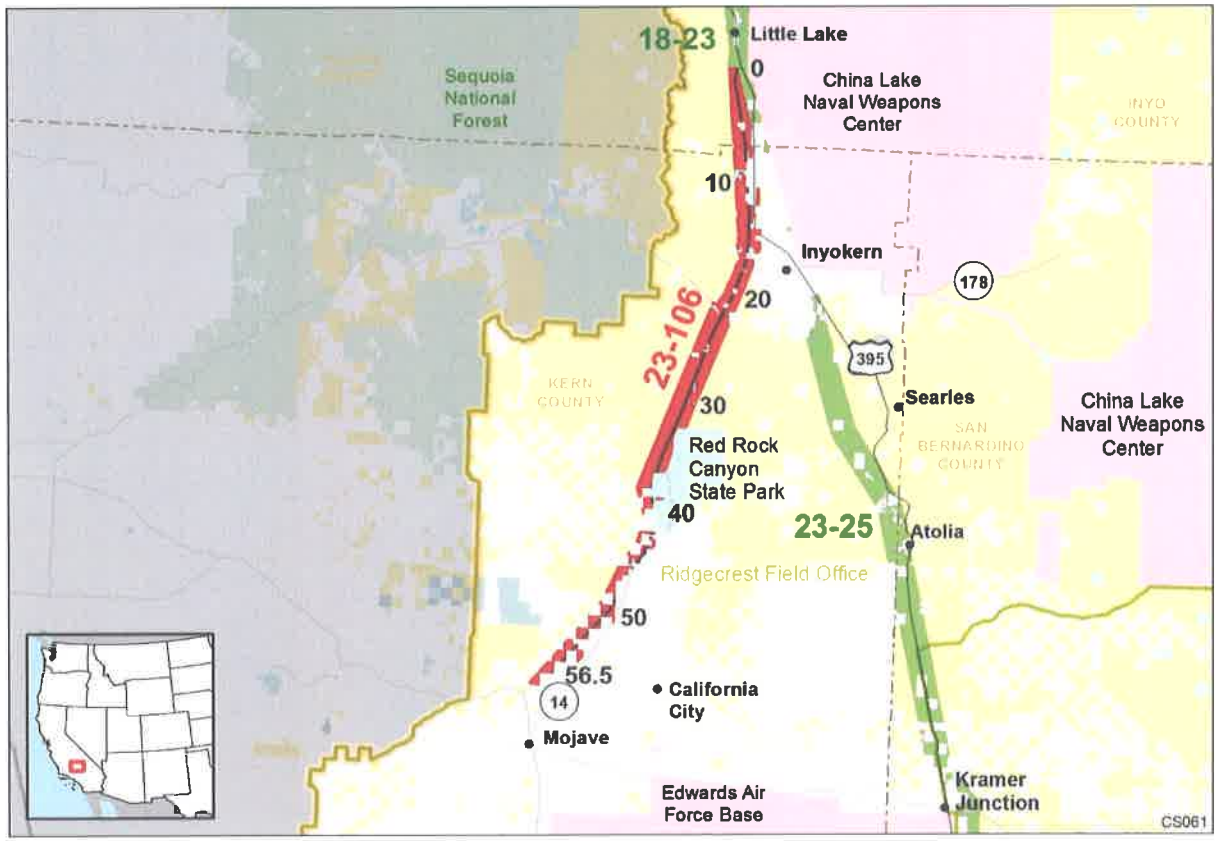


Figure 1. Corridor 23-106 *(Key for Figures 1-2 can be found on the last page of the abstract)*

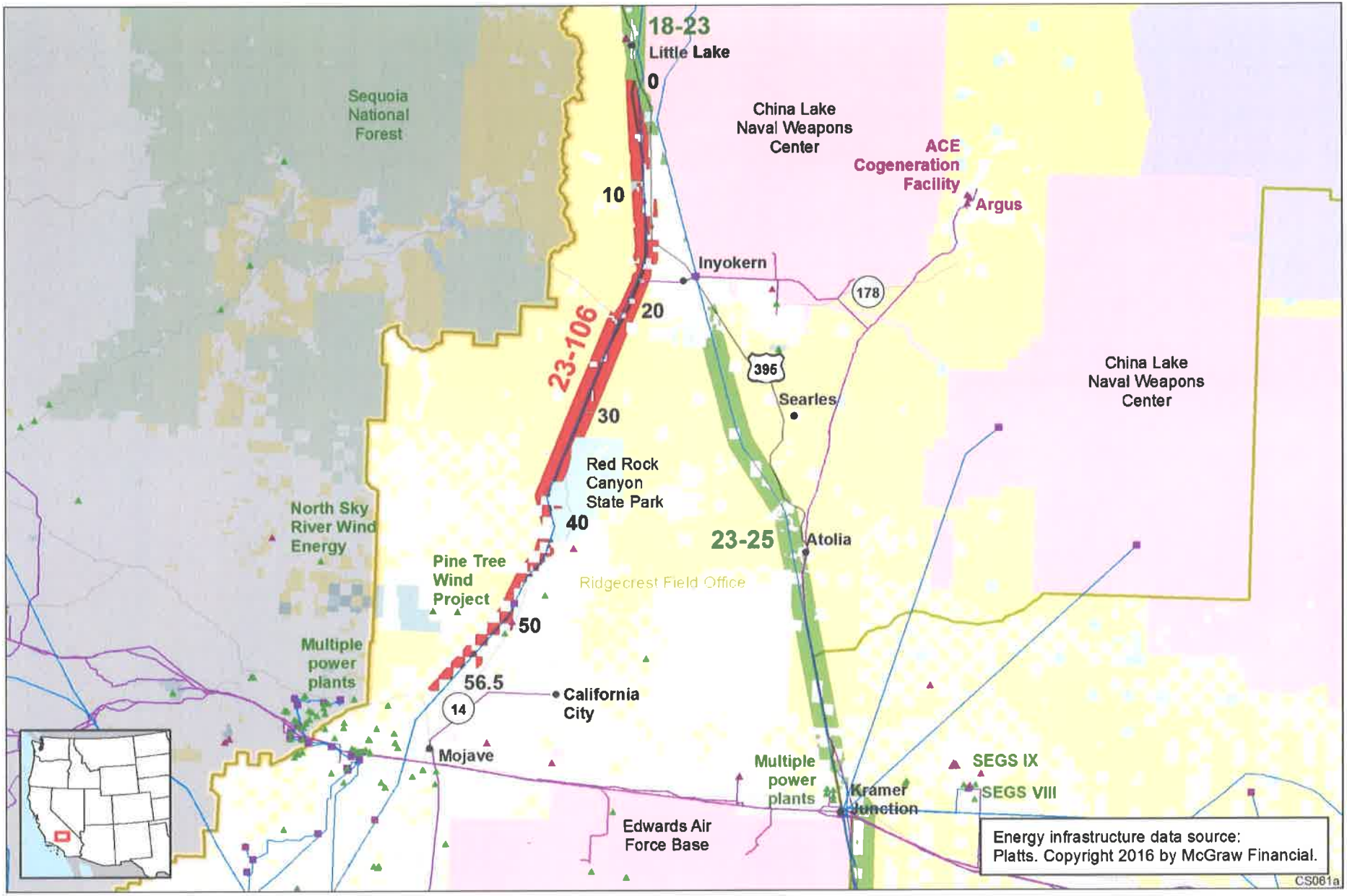


Figure 2. Corridor 23-106, including existing energy infrastructure

Corridor Rationale

During scoping for the WWEC PEIS, a route generally following this route was suggested by the American Association of Wind Energy and Western Interconnect Transmission Paths. The corridor follows two electric transmission lines: Bonneville Power Administration (1000 kV DC) and Los Angeles Department of Water and Power (230 kV). Current electrical transmission infrastructure occupying parts of the corridor are operated by the Los Angeles Department of Water and Power (500 kV). During interviews for the Corridor Study the Ridgecrest FO indicated there are two pending rights-of-way (ROWs) for this corridor. The Platts data do not show any planned projects near this corridor. Many wind power plants exist near Mojave at the southern end of the corridor, some are west of the corridor between MP 40 and 50.

Corridor of Concern Status

Corridor 23-106 is a Corridor of Concern. Concerns regarding a National Conservation Area and Areas of Critical Environmental Concern (ACECs) were identified in the Settlement Agreement. These issues are highlighted in yellow in the Corridor Analysis table below.

Corridor Analysis

☐ **Energy Planning Opportunities**
- ☐ Appropriate and acceptable uses
- ☐ WWEC Purpose (e.g., renewable energy)
- ☐ Transmission and pipeline capacity opportunity

☒ **Energy Planning Concerns**
- ☐ Physical barrier
- ☒ Jurisdictional concern
- ☐ Corridor alignment and spacing
- ☐ Transmission and pipeline capacity concern

☒ **Land Management Responsibilities and Environmental Concerns**
- ☐ Acoustics
- ☐ Air quality
- ☐ Climate change
- ☐ Cultural resources
- ☒ Ecological resources
- ☐ Environmental Justice
- ☒ Hydrological resources
- ☒ Lands and Realty
- ☐ Lands with wilderness characteristics
- ☐ Livestock Grazing
- ☐ Paleontology
- ☐ Public Access and Recreation
- ☐ Socioeconomics
- ☐ Soils/erosion
- ☒ Specially designated areas
- ☐ Tribal concerns
- ☒ Visual resources
- ☐ Wild horses and burros

☐ **Interagency Operating Procedures**

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
ENERGY PLANNING CONCERNS							
Jurisdictional Concern							
23-106 .001	State (CA)	Ridgecrest FO, CA	Kern County, CA	Red Rock Canyon State Park	MP 32.0 to 41.8	GIS Analysis/ Red Rock Canyon State Park is in line with part of the corridor width	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
LAND MANAGEMENT RESPONSIBILITIES AND ENVIRONMENTAL CONCERNS							
Ecology: Special Status Animal Species							
23-106 .002				Mohave ground squirrel (MGS) modeled habitat.	Data needed	RFI/Limit expansion of transmission and limit additional road construction that would lead to OHV route proliferation in MGS modeled habitat. Consult the Desert Manager's Group regarding parcels that are priority habitat for MGS due to their designation as "core" or "linkage" areas, and reroute to avoid impacts on these parcels. Within MGS habitat, minimize the area of disturbance and avoid clearing of vegetation and grading where possible.	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
23-106 .003	BLM	Ridgecrest FO	Inyo, Kern, CA	Desert tortoise	Entire length is tortoise habitat	BLM/Consult with USFWS to avoid adverse modification to desert tortoise	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Ecology: Terrestrial Wildlife, Big Game, Non-Migratory Birds, and Aquatic Biota							
23-106 .004				Priority 1 and 2 connectivity habitat	Data needed	RFI/Reroute to avoid siting new facilities in Priority 1 and 2 connectivity habitat without existing transmission, and minimize additional transmission siting in these areas. If additional transmission is permitted, site as close together as possible and with as little ground disturbance and vegetation clearing as possible.	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .005				Priority 1 and 2 habitat	Data needed	RFI/Use full mitigation hierarchy to avoid, minimize, and compensate for impacts within 4 mi of Priority 1 and 2 habitat	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .006				Desert bighorn sheep connectivity	Data needed	RFI/Follow locally specific connectivity recommendations, such as those for the Southern California Wildlands Linkages and Arizona Missing Linkages, to avoid connectivity impacts on desert bighorn sheep in the Mojave Desert	Not a constraint. This portion of this corridor does not impact any desert bighorn sheep habitat or connectivity. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.

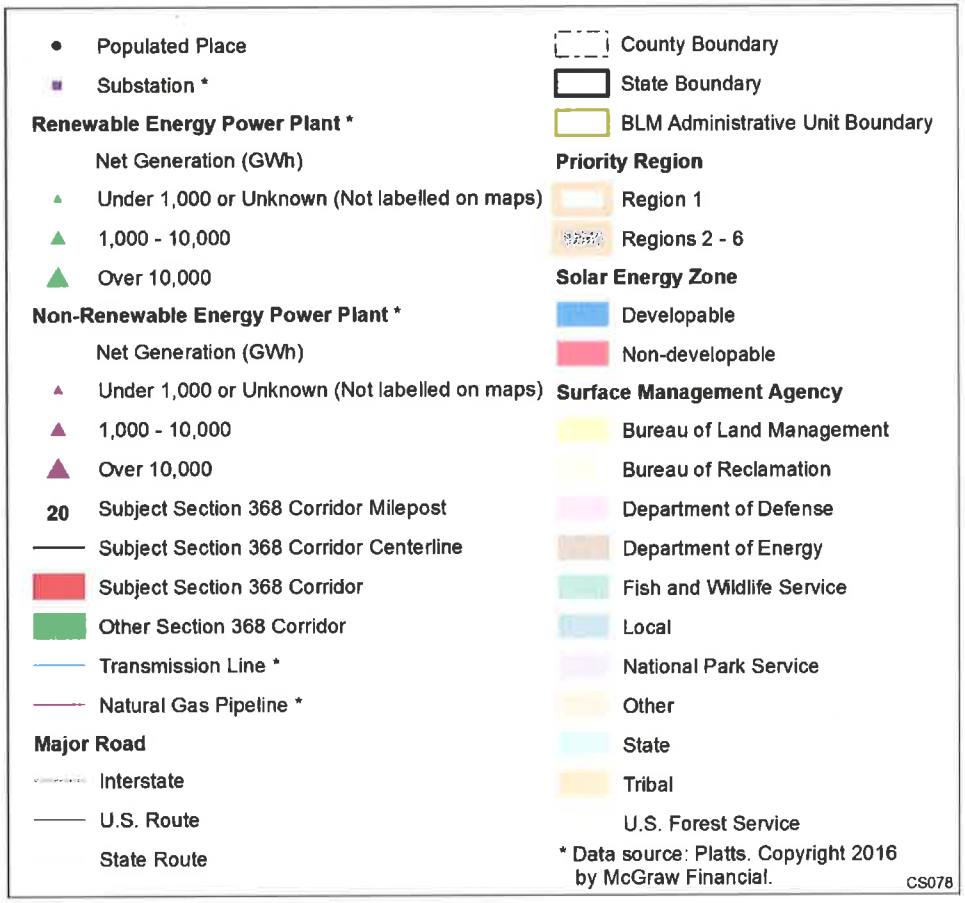
ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
23-106 .007				Southern California Wildlands Linkage	Data needed	RFI/This corridor segment intersects a Southern California Wildlands Linkage	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Hydrology: Surface Water							
23-106 .008	BLM	Ridgecrest FO	Kern, Inyo, CA	Aqueduct: Los Angeles Aqueduct	Runs adjacent to entire corridor and sometimes intersects the corridor	GIS Analysis	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .009	BLM	Ridgecrest FO	Kern, CA	Intermittent Stream: Little Dixie Wash	MP 29.4	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Lands and Realty: Rights-of-Way and General Land Use							
23-106 .010	Private	Ridgecrest FO	Kern, Inyo, CA	BLM jurisdiction	Scattered over full corridor extent	GIS Analysis/Seventeen acres which were originally designated as part of this corridor are on private land according to the 5/12/2015 version of BLM Surface Management Agency data. These are all edge/sliver polygons probably due to revising BLM/non-BLM boundaries.	Not a constraint. This would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law. However, recommend adjusting designation in future land use plans to current jurisdiction, possibly through LUP amendment during future project implementation.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
23-106 .011	State	Ridgecrest FO	Kern County, CA	BLM jurisdiction	MP 36.0 to 38.8	GIS Analysis/242 acres in two parcels which were originally designated as part of this corridor are on state land according to the 5/12/2015 version of BLM Surface Management Agency data	Not a constraint. This would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law. However, recommend adjusting designation in future land use plans to current jurisdiction, possibly through LUP amendment during future project implementation.
Lands and Realty: Military and Civilian Aviation							
23-106 .012	BLM	Ridgecrest FO	Kern, Inyo, CA	Military Training Route – Visual Route	Entire corridor	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .013	BLM	Ridgecrest FO	Kern, CA	Military Training Route – Instrument Route	MP 38.1 to 56.5	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .014	BLM	Ridgecrest FO	Kern, CA	Military Training Route – Slow Speed Route	MP 38.4 to 56.5	GIS Analysis	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Lands and Realty: Transportation							
23-106 .015	BLM	Ridgecrest FO	Kern, CA	U.S. Highway 395 intersects the corridor on federal and non-federal gaps	MP 10.4 to 14.4	GIS Analysis	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .016	BLM	Ridgecrest FO	Kern, CA	State Highway 14	MP 14.1 to 56.5	GIS Analysis/State Highway 14 intersects and runs adjacent to the corridor	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
23-106 .017	BLM	Ridgecrest FO	Kern, CA	State Highway 178	MP 17.5 to 17.9, 20.3 to 20.8	GIS Analysis	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .018	BLM	Ridgecrest FO	Kern, CA	Railroad	MP 44.1 to 45.2	GIS Analysis	Not a constraint. Proposed project siting and collocation alternatives to address impacts would be analyzed as part of the project specific environmental analysis required under NEPA and other federal law.
Specially Designated Areas							
23-106 .019	BLM	Ridgecrest FO	Kern, Inyo, CA	California Desert Conservation Area	Entire corridor	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .020	BLM	Ridgecrest FO	Kern, Inyo, CA	Owens Peak Wilderness Area	MP 3.4 to 21.2	GIS Analysis/Owens Peak Wilderness Area is adjacent to the corridor	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .021	BLM	Ridgecrest FO	Kern, CA	Sand Canyon ACEC	MP 7.9 to 8.8	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .022	BLM	Ridgecrest FO	Kern, CA	Jawbone/Butterbredt ACEC	MP 20.7 to 45.0	Settlement Agreement	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .023	BLM	Ridgecrest FO	Kern, CA	Red Rock Canyon State Park	MP 32.1 to 41.8	GIS Analysis/Red Rock Canyon State Park is adjacent to the corridor	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.

ID	Agency	Agency Jurisdiction	County	Primary Concern/ Opportunity	Length of Affected Corridor (by Milepost [MP])	Source/Context	BLM/FS Review and Analysis
DRECP Proposed Specially Designated Areas							
23-106 .024	BLM	Ridgecrest FO	Kern, Inyo, CA	Sierra Canyons ACEC	Data needed	BLM	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .025	BLM	Ridgecrest FO	Kern, CA	Eagles Flyway ACEC	Data needed	BLM	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
23-106 .026	BLM	Ridgecrest FO	Kern, Inyo, CA	Mohave ground squirrel ACEC	Data needed	BLM	Not a constraint. Impacts would be analyzed and mitigated as part of the project specific environmental analysis required under NEPA and other federal law.
Visual Resources							
23-106 .027	BLM	Ridgecrest FO	Kern, Inyo, CA	VRM Class II	MP 3.4 to 5.5, 6.8 to 16.0, 21.2 to 22.7, 35.2 to 53.9	GIS Analysis/VRM Class II areas are adjacent to the corridor	Not a constraint. However, restrictions would be applied commensurate with designated VRM class; development must be in conformance with VRM objectives outlined in BLM Manual 8400.
23-106 .028	BLM	Ridgecrest FO	Kern, Inyo, CA	VRM Class III	Entire corridor	GIS Analysis	Not a constraint. However, restrictions would be applied commensurate with designated VRM class; development must be in conformance with VRM objectives outlined in BLM Manual 8400.

Abbreviations: ACEC = Area of Critical Environmental Concern; BLM = Bureau of Land Management; FO = Field Office; FS = Forest Service; IOP = Interagency Operating Procedures; GIS = geographic information system; MGS = Mohave ground squirrel; MP = milepost; NEPA = National Environmental Policy Act; LUP = Land Use Amendment; OHV = off-highway vehicle; PEIS = Programmatic Environmental Impact Statement; RFI = Request for Information; ROW = right-of-way; VRM = Visual Resource Management; WECC = Western Energy Coordinating Council; WWEC = West-wide Energy Corridor.


Populated Place
Substation *
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Net Generation (GWh)
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Over 10,000
Non-Renewable Energy Power Plant *
Net Generation (GWh)
Under 1,000 or Unknown (Not labelled on maps)
1,000 - 10,000
Over 10,000
20
Subject Section 368 Corridor Milepost
Subject Section 368 Corridor Centerline
Subject Section 368 Corridor
Other Section 368 Corridor
Transmission Line *
Natural Gas Pipeline *
Major Road
Interstate
U.S. Route
State Route
County Boundary
State Boundary
BLM Administrative Unit Boundary
Priority Region
Region 1
Regions 2 - 6
Solar Energy Zone
Developable
Non-developable
Surface Management Agency
Bureau of Land Management
Bureau of Reclamation
Department of Defense
Department of Energy
Fish and Wildlife Service
Local
National Park Service
Other
State
Tribal
U.S. Forest Service
* Data source: Platts. Copyright 2016 by McGraw Financial.
CS078

Key

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: Planning Department

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Environmental Assessments for the Bishop Paiute Hotel and Business Incubator Project and the Bishop Paiute Casino Project

DEPARTMENTAL RECOMMENDATION: Review the Environmental Assessments for the Bishop Paiute Hotel and Business Incubator Project and the Bishop Paiute Casino Project, draft correspondence in regards thereto, and authorize the Chair to sign.

SUMMARY DISCUSSION: The Bishop Paiute Tribe and Bishop Paiute Development Corporation have issued Environmental Assessments (EAs) for the Bishop Paiute Hotel and Business Incubator Project and the Bishop Paiute Casino Project.[1] The Casino proposal involves modernization of the 15,210-square-foot Casino and the addition of 22,360 square feet. The project includes expansion from 300 to a total of 500 slot machines, card and table games, and a new 75-seat restaurant and a 75-seat bar area. In addition to the expansion, the Casino will be modernized and remodeled to include a 150-seat conference hall, newly upgraded offices, and additional service and employee use areas. The project also consists of site improvements for new parking, improved site circulation, new sidewalks along the western perimeter of the Casino, and the relocation of existing utilities. The proposed Hotel and Business Incubator project is a 60-room hotel with a Business Incubator and associated parking south of the Casino. Comments are due October 19.

The EAs identify mitigation measures for noise, traffic, aesthetics, hazards, air quality, cultural resources, and water quality. Planning Department staff is coordinating with other County departments to review the documents and preliminarily has identified environmental issues regarding traffic, public services, and stormwater runoff. Staff continues to review the documents, and will submit draft correspondence for the Board's consideration under separate cover.

***OTHER AGENCY INVOLVEMENT*:** Bishop Paiute Tribe and Bishop Paiute Development Corporation; City of Bishop; Bishop Rural Fire Protection District; Caltrans; Eastern Sierra Community Services District; others involved in permitting.

***ALTERNATIVES*:** The Board could direct modifications to the correspondence or not submit correspondence.

***FINANCING*:** General funds have been utilized to analyze these projects. Long-term financial effects to the County as a result of the projects could result.

---

1 Refer to the attachments and http://bpdcorp.org/ .

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.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

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

Date: 10/13/16

Attachments:

1. Notice of Availability
2. Excerpts of Bishop Paiute Casino Project Tribal Environmental Assessment
3. Bishop Paiute Hotel and Business Incubator Project Tribal Environmental Assessment

Notice of Availability for Environmental Assessment for the Bishop Paiute Hotel and Business Incubator Project and the Bishop Paiute Casino Project Notice of Tribal (Public) Hearing and Request for Comment

The Bishop Paiute Development Corporation is proposing the development of a new Hotel and Business Incubator Project and a Casino Project. These Environmental Assessments (EAs) have been completed pursuant to the Tribal Environmental Policy Ordinance. The EAs are now available for a 30-day public review and comment period.

Copies of the EAs can be reviewed at the Bishop Paiute Development Corporation office (270 See Vee lane, Bishop), the Bishop Paiute Tribe's office (50 Tu Su Lane, Bishop) or on the Bishop Paiute Development Corporation's website at **by clicking here**.

There will also be public meetings held on Tuesday, October 4th from 6:00pm – 7:00pm (Hotel and Business Incubator Project) and 7:00pm – 8:00pm (Casino Project) at the Tribal Community Center (405 North Barlow Lane, Bishop).

The comment period ends on October 19, 2016. Comments must be submitted in writing or via email to:

Gloriana Bailey, Director

Bishop Paiute Development Corporation

270 See Vee Lane, Box 1

Bishop, CA 93514

gloriana.bailey@bishoppaiute.org

For more information, please contact Gloriana Bailey at 760-872-4172

Attachment 1

Bishop Paiute Casino Project
Tribal Environmental Assessment

Prepared For:

Bishop Paiute Development Corporation
270 See Vee Lane
Bishop, CA 93514

Prepared by:

Garcia and Associates
435 Lincoln Way
Auburn, CA 95603

Bishop Paiute Casino Project

Tribal Environmental Assessment

Prepared for:

Bishop Paiute Development Corporation
270 See Vee Lane
Bishop, CA 93514

Prepared by:

Garcia and Associates
435 Lincoln Way
Auburn, CA 95603
530-823-3151

September 2016

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APPENDICES

A. Off-Reservation Impact Checklist
B. TEPO Checklist
C. URBEMIS Air Quality Output Files
D. Geotechnical Investigation
E. Traffic Study
F. Biological Resources Report

1.0 INTRODUCTION

The Bishop Paiute Tribe (Tribe) proposes to expand their existing Paiute Palace Casino (Casino) on the Bishop Paiute Reservation (Reservation) in Inyo County (County), California (Figure 1, Project Location; Figure 2, Regional Location).

This Tribal Environmental Assessment (Tribal EA) has been prepared consistent with Section 10.8 of the Tribal-State Class III Gaming Compact between the Tribe and the State of California (Compact), as well as the Tribal Environmental Policy Ordinance (TEPO) No 98-02. This Tribal EA analyzes the potential for on-Reservation and off-Reservation environmental impacts to occur as a result of implementation of the Bishop Paiute Casino Project (proposed project), and has been conducted pursuant to an Environmental Impact Analysis Checklist for off-Reservation impacts (Appendix A) and the TEPO Environmental Checklist (Appendix B). These checklists provide an initial assessment of the potentially significant on-Reservation and off-Reservation impacts and determine which issue areas to carry forward for further analysis. Potentially significant impacts identified in the checklist have been evaluated in detail in Section 3.

Section 10.8 of the Compact requires the Tribe to adopt an environmental ordinance and prepare an environmental study prior to "any expansion or any significant renovation or modification of an existing Gaming Facility, or any significant excavation, construction, or development associated with the Tribe's Gaming Facility or proposed Gaming Facility." According to the Tribal-State Compact, the Tribe shall:

- "Make a good faith effort to incorporate the policies and purposes of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) consistent with the Tribe's governmental interests."
- "Consult" with local jurisdictions (cities and counties), and if requested, "meet with them to discuss mitigation of significant adverse off-Reservation environmental impacts."
- Make "good faith" efforts to mitigate off-Reservation impacts.

This Tribal EA fulfills the requirements of both the Tribal-State Compact and the TEPO.

1.1 BACKGROUND

The Tribe is a sovereign nation governed by its Tribal Council, which consists of five members elected by the General Council. The Tribe is located at the foot of the Eastern Sierra Nevada Mountains and is the fifth largest tribe in California, with around 2,000 enrolled members.

The Bishop Paiute Reservation consists of approximately 875 acres located in the Owens Valley adjacent to the City of Bishop, Inyo County, California. The Casino is located in the northern portion of the Reservation (see Figure 1). The Casino was established in October of 1995 in a temporary structure. In April of 1996, the current Casino was opened.

The Bishop Paiute Development Corporation (BPDC), an enterprise of the Tribe, has plans to construct a 60-room hotel, business incubator, and associated parking just south of the proposed project. There

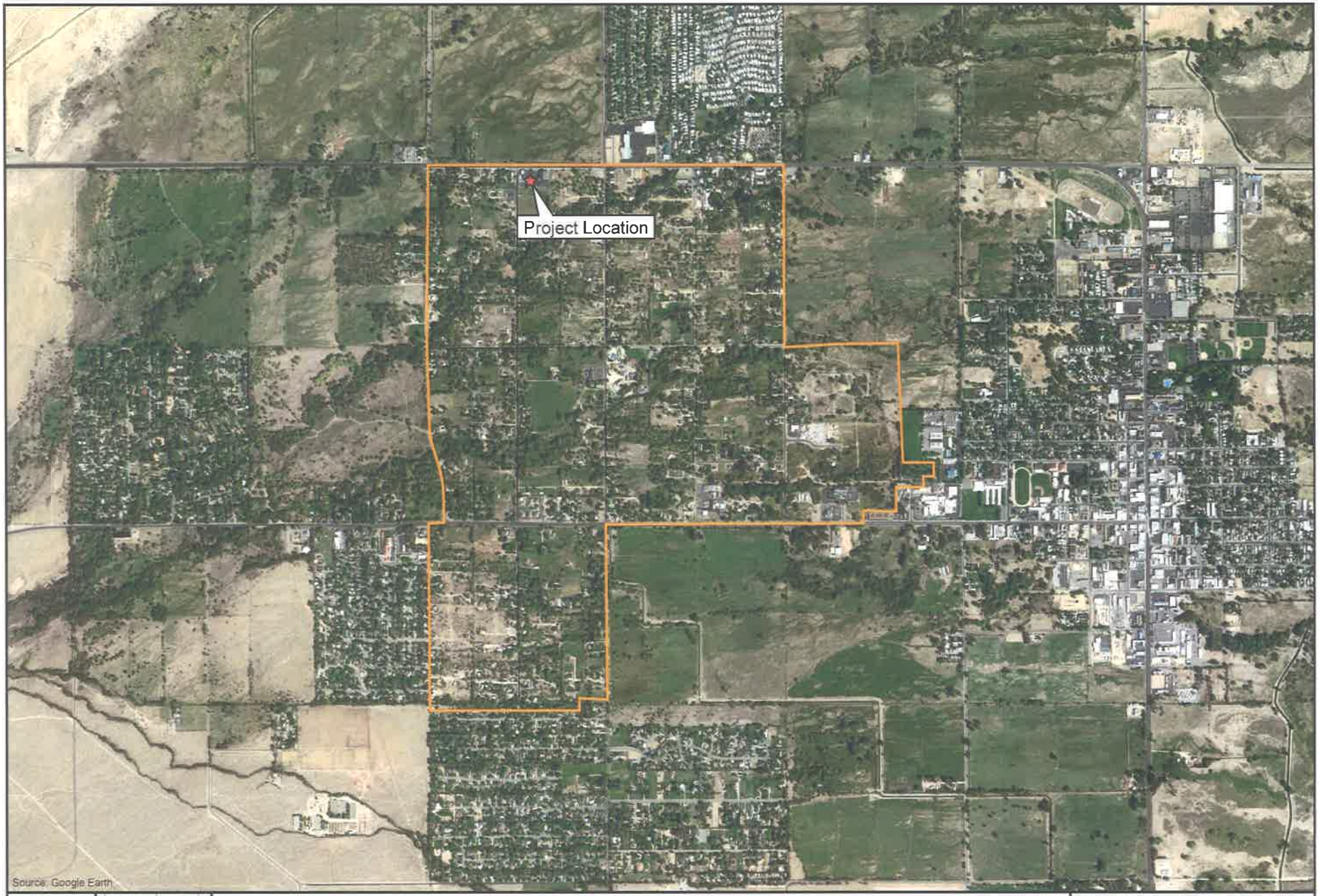
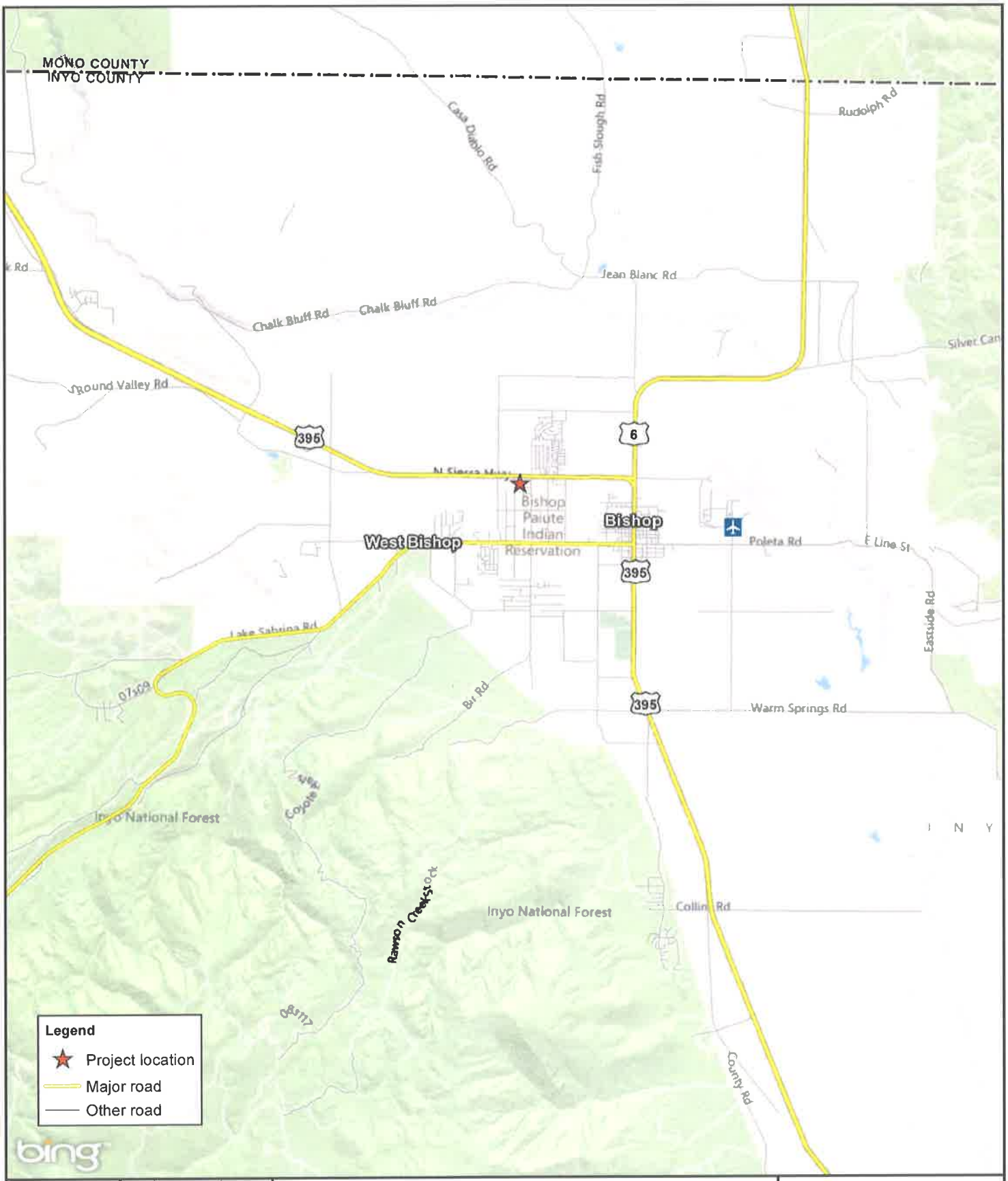


Figure 1: Project Location
Bishop Paiute Reservation,
Bishop, California

Inyo County, CA
October 2015



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Legal Description: NE 1/4 Sec 2, T07S R32E

Figure 2: Regional Location

Inyo County, CA
July 2016

would also be improvements to the existing gas station and convenience store on the west side of the Casino parking area. These projects have been analyzed in accordance with the requirements of the TEPO, and the environmental analysis within this Tribal EA assumes that the hotel and business incubator would be constructed at the same time as the proposed project. This Tribal EA includes a cumulative impacts analysis for each of the issue areas.

1.2 PURPOSE AND NEED FOR THE PROPOSED PROJECT

Implementation of the proposed project would assist in meeting the following objectives:

- Improve the socioeconomic status of the Tribe by providing an augmented revenue source that could be used to strengthen the Tribal government, enhance self-sufficiency, and fund a variety of social, governmental, administrative, educational, health, and welfare services to improve the quality of life of Tribal members.
- Create approximately 75 new jobs for Tribal members and non-Tribal members
- Provide additional amenities to existing patrons
- Allow Tribal members to enhance their economic self-sufficiency.

2.0 PROJECT DESCRIPTION

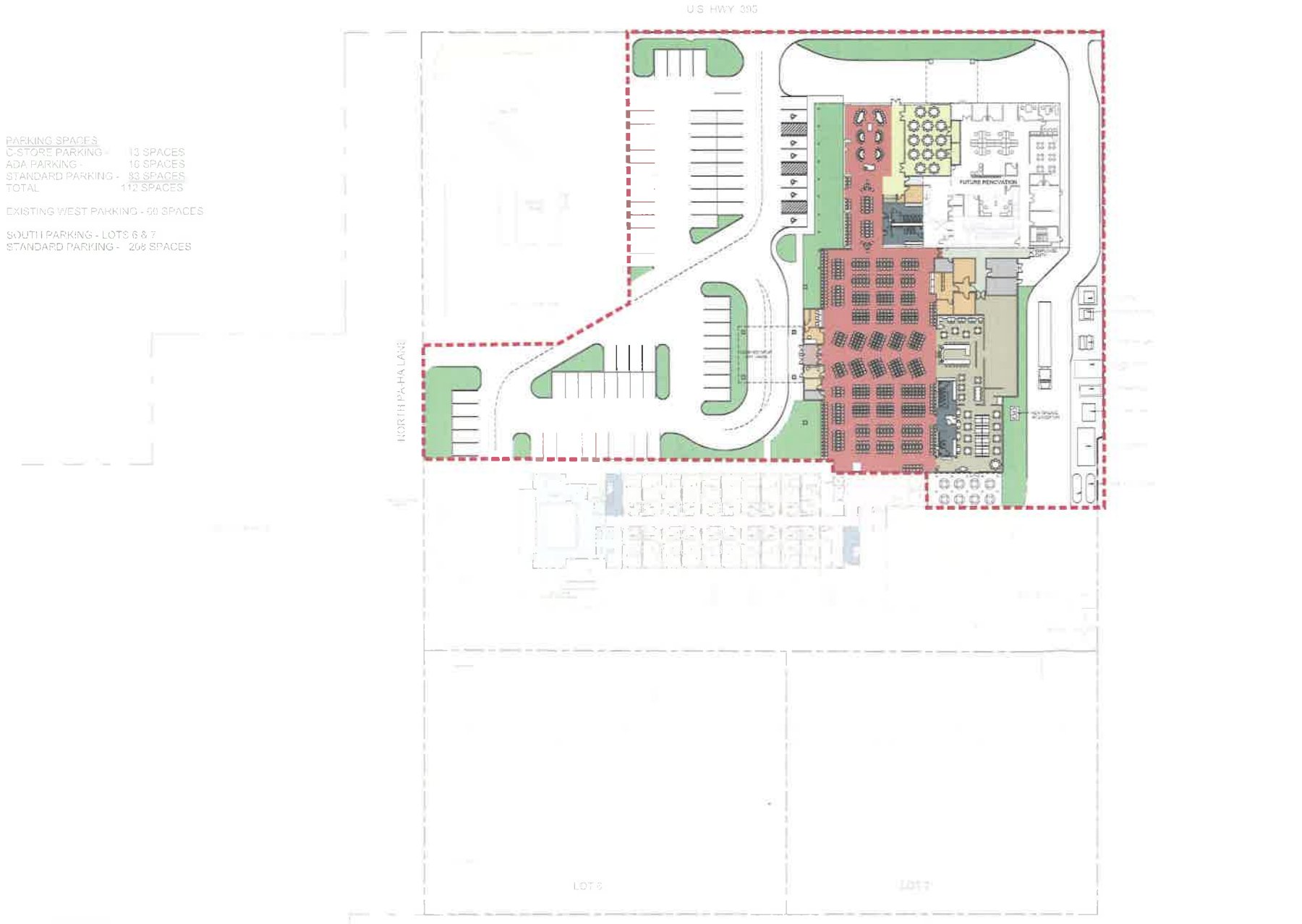
2.1 PROJECT SETTING AND EXISTING CONDITIONS

The Reservation is located in the northern portion of the Owens Valley between the Sierra Nevada and White Mountain ranges, approximately 280 miles north of Los Angeles and 210 miles south of Reno (See Figure 2, Regional Location). The terrain is relatively flat, interrupted only by stream channels. The slope inclines towards the east at a gradient of 12 to 15 feet per 1,000 feet in the northern portions of the Reservation near the north and south forks of Bishop Creek, and about 25 feet per 1,000 feet in the southern part of the Reservation. The highest elevation on the Reservation is 4,288 feet at the southwestern corner. The low point at 4,167 feet, is located in the bed of the south fork of Bishop Creek at the eastern Reservation boundary.

The proposed project is located in the northern portion of the Reservation and consists of approximately 3 acres. Aside from the Casino, no permanent structures occur in the proposed project area. There are several mobile office trailers located on the western half of the proposed expansion. The western boundary of the proposed project area abuts North Winuba Lane. The eastern boundary is situated against residential allotments. An irrigation ditch and fence denote the boundary between the proposed project area and the eastern allotments. The southern boundary of the proposed project area would be the site of the proposed Bishop Paiute Hotel and Business Incubator Project. It is currently a vacant lot. The northern extent of the proposed project area is adjacent to US Highway (Hwy) 395. North Pa-Ha Lane divides the eastern and western halves of the proposed project area. The topography throughout the surveyed area consists of flat, vacant fields, vegetated by short grasses and weeds. A row of cottonwood trees runs along the eastern boundary, and a few other trees grow in the filled-in ditch that runs east–west through the middle of the vacant field. Some of the proposed project area's ground surface shows evidence of recent minor filling and grading activities. Historically the area has been utilized to graze livestock and to grow agricultural crops.

2.2 DESCRIPTION OF THE PROPOSED PROJECT

The Tribe proposes to renovate the Casino and expand the facilities. The proposed project would consist of the modernization of the 15,210 square foot Casino and the addition of 22,360 square feet of new construction. The expansion would increase from 300 to a total of 500 slot machines, of which 349 are class III and 151 are class II machines, as well as card and table games. The Casino expansion would include a new 75-seat restaurant and a 75-seat bar area. In addition to the expansion, the Casino would be modernized and remodeled to include a 150 seat conference hall, newly upgraded offices, and additional service and employee use areas. The proposed project would also consist of site improvements for new parking, improved site circulation, new sidewalks along the western perimeter of the Casino, and the relocation of existing site utilities (Figure 3, Site Plan and Figure 4, Aerial Perspective).



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Project Location

Project Boundary

Figure 3: Site Plan
Bishop Paiute Casino Project

Inyo County, CA
October 2015

OVERALL VIEW OF HOTEL AND CASINO
ILLUSTRATION WITH C-STORE

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Figure 4: Aerial Perspective

Inyo County, CA
October 2015

2.3 CONSTRUCTION SCENARIO

Construction of the proposed project is expected to begin in March 2017. Construction would involve typical activities including site preparation, excavation and grading for the expansion area, foundation building, framing, electrical and mechanical work, finishing and paving. Infrastructure upgrades would occur simultaneously with building construction and it would take approximately 22 months to complete the construction of the expanded facilities and the modernization of the Casino.

3.0 ENVIRONMENTAL ANALYSIS

The Off-Reservation Impact Analysis Checklist (Appendix A) was used to determine the level of impact that the proposed project would have on the off-Reservation environment. In addition, Appendix B contains the TEPO Environmental Assessment Checklist, which includes review of potential on-Reservation impacts. These checklists allow for a brief analysis and dismissal of less-than-significant environmental issues. The following issues were determined to have less-than-significant on and off-Reservation impacts and therefore require no mitigation:

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Land Use
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

Several issues were identified as having potential for causing on and off-Reservation impacts, including the following:

- Aesthetics
- Air Quality/Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Transportation and Traffic
- Cumulative Effects

These issue areas are evaluated in further detail.

3.1 AESTHETICS

3.1.1 Existing Environment

The proposed project is located in an area that is largely rural in character. Approximately 65 percent of Inyo County is designated as wilderness. Federally protected natural areas near Bishop include the John Muir Wilderness, Ansel Adams Wilderness, Monarch Wilderness, Inyo Mountains Wilderness, and Kings

Canyon and Death Valley National Parks. Bishop, Big Pine, Aberdeen, Independence, and Lone Pine are more developed with residential, commercial, retail, and office uses.

Scenic vistas are an important part of the aesthetic nature of an area, and are managed as a valued resource. Scenic vistas can be defined as viewpoints that provide expansive views of a highly valued landscape for the benefit of the general public. Inyo County does not currently have an adopted definition for a scenic vista. However, Inyo County has an adopted a definition for a view corridor, which provides travelers a scenic vista, or public views of expansive open space areas. The Inyo County General Plan (2001) describes a view corridor as a "highway, road, trail, or other linear feature that offers travelers a vista of scenic areas within the County."

View corridors within Inyo County include US Hwy 395, with views of the Sierra Nevada range to the west, Inyo and White mountains to the east, as well as views of the foothills and valley. Additionally, recreationists, climbers, bikers, and hikers who reach elevated vantage points in the mountains are further provided with sweeping views of the Owens Valley and adjacent mountain ranges.

The proposed project area is located in a commercial area along US Hwy 395. Existing uses within the proposed project area include a 15,210-square-foot Casino, parking areas, a gas station and convenience store and undeveloped vacant lots. In addition, there are commercial and some residential uses adjacent to the proposed project area to the west, east and south.

3.1.2 Environmental Consequences

The proposed project would provide a noticeable visual contrast from the existing condition. Currently the site is developed with a 15,210-square-foot Casino built in 1996. The proposed project would include the construction of approximately 22,360 additional square feet of space that would be located just south of the Casino. The new, modern facility would be set back from US Hwy 395 and would be constructed using a combination of wood, metal and glass. The Casino would be modernized to complement the expansion area. The elevations of the proposed project would not exceed the existing height. Therefore, there would be no significant impacts to existing viewsheds of the surrounding area (See Figure 4, Aerial Perspective).

Although implementation of the proposed project may involve short-term construction-related impacts to visual quality, the new facility would be designed to provide consistency with the surroundings and per the industrial/commercial land uses described in the Bishop Paiute's Overall Economic Development Plan for the area (BPDC 1994).

During operation, the proposed project would introduce new lighting sources. The area is currently surrounded with commercial development and limited residential development, and the lighting would be designed to avoid significant increases in nighttime light, as well as increases in glare. See Mitigation below.

3.1.3 Mitigation

Aesthetics – 1: The Casino shall ensure that the proposed new lighting, as well as the renovation of any existing lighting, would not result in excessive glare to nearby residences and drivers or increases in nighttime lighting to adjacent residences.

3.2 Air Quality/Greenhouse Gas Emissions

3.2.1 Existing Environment

The Reservation is located within the Great Basin Unified Air Pollution Control District (GBUAPCD), formed in 1974 in a joint powers agreement between Inyo, Mono and Alpine counties. The District regulates seven criteria pollutants: ozone (03), carbon monoxide (CO), lead, two types of particulate matter (PM-10 and PM-2.5), sulfur oxide (SOx) and nitrogen oxides (NOx). Hydrogen sulfide (H2S) is also monitored under a State standard.

Air pollutant emissions within the Great Basin are primarily generated by the now-dry Owens Lake bed and other dust sources, which are considered stationary sources. Mobile sources such as emissions from motor vehicles, aircraft, and motorized construction equipment are also sources of air pollution in the proposed project area.

The Tribe has started an Air Quality Program in the proposed project area (http://www.bishoptribeemo.com/index_air.htm). The Tribe measures particulate matter and ozone. Data is collected, stored, validated and made publically available through the Tribal Exchange Network (TREX).

Although the GBUAPCD does not have jurisdiction on Tribal lands, GBUAPCD regulates air pollutant emission for all stationary sources in the Great Basin. Therefore, the analysis utilized the values developed by the GBUAPCD Rules 209 – A, 216 and 216 – A. If the thresholds are exceeded, a potentially significant impact could result. The thresholds are listed below in Tables 3.2-1 below.

The criteria pollutants are:

- Ozone (O3)
- Volatile organic compounds (VOCs)
- Nitrogen dioxide (NO2)
- Carbon monoxide (CO)
- Sulfur dioxide (SO2)
- Respirable particulate matter (PM10)
- Fine particulate matter (PM2.5) Lead (Pb)

The Great Basin Valleys Air Basin is designated as having attained State standards for all pollutants except ozone and PM 10 (24-hour), and all federal standards except PM 10 (24-hour).

Sensitive Receptors

Some population groups are more sensitive to air pollution than others. These include children, the elderly, and acutely and chronically ill persons (especially those with cardio-respiratory diseases) who are collectively referred to as sensitive receptors. Sensitive land uses are those most frequently used by sensitive receptors, including homes, schools, hospitals, and care facilities. Residential areas are considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods, resulting in sustained exposure to pollutants. Recreational land uses are considered moderately sensitive to air pollution because exercise places a high demand on respiratory functions, which can be impaired by air pollution.

The on and off-Reservation sensitive receptors that are located near the proposed project area include some residential land use located approximately 200 feet east and approximately 1,000 feet northeast. There are no schools, daycares, or healthcare facilities in the immediate vicinity of the proposed project. The nearest schools are the Bishop Indian Headstart School, located approximately .5 mile south of proposed project area and the Jill Kinmont Boothe Public School, located approximately 1.5 miles southwest from the proposed project area.

3.2.2 Environmental Consequences

The proposed project construction and operation emissions were estimated using Urban Emission (URBEMIS) 9.2 air modeling. The URBEMIS output files are provided as Appendix C. Construction and operation are considered not to overlap and analyzed separately.

Construction

Construction of the proposed project would generate criteria air pollutants from the use of equipment, land disturbance and trip generation from workers. Unmitigated impacts from construction emissions are summarized in Table 3.2-1 below.

Table 3.2-1, Unmitigated Construction Emissions

Year	Pollutants on Concern			
	ROG	NOx	PM_{10}	$PM_{2.5}$
	Pounds per Day			
2017	15.77	98.4	6.15	4.5
2018	13.01	77.53	3.31	3.03
Maximum Mitigated Construction Year Emissions	15.77	98.4	6.15	4.5
GBUAPCD Thresholds	150	150	80	80
Exceeds Thresholds	No	No	No	No

The table above shows that the total construction emissions without implementation of mitigation are below the County's thresholds of significance and therefore would not result in off-Reservation impacts. However, the best management practices (BMPs) listed below will ensure a reduction of criteria pollutant emissions during construction. Therefore on and off-Reservation impacts associated with construction would not result in a significant adverse effect.

Operation

Operation of the proposed project facilitates would result in direct on-site emissions from the use of heating and cooling sources, generators, and other on-site combustion sources. Indirect mobile emissions would result from the increased vehicle trips to and from the proposed project area. The direct area emissions and indirect mobile emissions are summarized below in Table 3.2-2 and the output files are included in Appendix C.

Table 3.2-2, Unmitigated Operational Emissions

Emission Sources	*Pollutants on Concern*			
	ROG	*NOx*	*PM_{10}*	*$PM_{2.5}$*
	Pounds per Day			
Area	.25	.02	.01	.01
Mobile	10.11	14.02	1.89	1.18
Total Mitigated Emissions	10.36	14.04	1.9	1.19
SCAQMD Thresholds	250	250	80	80
Exceeds Thresholds	No	No	No	No

The results above conclude that both the area and mobile emissions would not result in significant off-Reservation impacts related to air quality.

3.2.3 Mitigation

Air - 1: The Tribe will implement the following BMPs, which would periodically be monitored during construction by the Tribe's air quality program to ensure compliance at the site boundary with Great Basin unified Control District's prohibitions 401 for fugitive dust and 400 for visible emissions.

- Water all construction areas at least twice daily;
- Scheduled vacuum sweeping;
- Track-out control at site exit;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Apply non-toxic soil stabilizers to all unpaved parking areas and staging areas at construction sites; and
- Implement the following measures for all construction equipment that uses diesel fuel:
    - Use aqueous diesel fuel, if applicable;
    - Use only equipment with diesel oxidation catalysts;
    - Be properly maintained and minimize idling time to 5 minutes when equipment is not in use.

3.3 HAZARDS AND HAZARDOUS MATERIALS

3.3.1 Existing Environment

Hazardous Materials

The proposed project site currently contains the Casino and uses a variety of hazardous materials and chemicals, including propane, fuel tanks and other maintenance and flammable products.

The California State Water Resources Control Board (SWRCB) Geotracker database was reviewed for potential on-site hazardous materials and listed federal, state, or local sites, including Leaking Underground Storage Tanks (LUSTS). No listed sites were reported for the proposed project site (Geotracker Database: Accessed August 16, 2016).

Sensitive Receptors

Schools, hospitals, day care and elderly care centers are considered sensitive receptors in the proposed project area. There are no schools, daycares, or elderly care facilities in the immediate vicinity of the proposed project area. The nearest schools are the Bishop Indian Headstart School, located approximately .5 mile south of proposed project area and the Jill Kinmont Boothe Public School, located approximately 1.5 miles southwest from the proposed project area.

Fire Hazards

The California Department of Forestry and Fire Protection (CalFire) designates the proposed project area as a Local Responsibility Area (LRA) (CalFire 2016). An LRA is an area where the State of California is not financially responsible for the prevention and suppression of fires. CalFire has determined that no portion of Inyo County is within Very High Fire Hazard Severity Zone in a Local Responsibility Area (LRA) (CalFire 2016).

3.3.2 Environmental Consequences

During construction, hazardous materials, such as solvents, paints, and fuel may be used or stored on-site, which may have the potential to spill or leak. Depending on the hazard of the material, it may pose a hazard to the environment and construction employees, as well as patrons and employees of the Casino. Appropriate BMPs would be in place during construction to reduce impacts from accidental spills and leaks of hazardous materials.

During operation of the proposed project, similar hazardous materials would remain on-site, including fuels and cleaning products. The Tribe would adhere to the typical safety guidelines and standards for the storage and handling of these products and there would not be on or off-Reservation impacts from hazardous materials used during operation of the proposed project. In addition, the Casino has an emergency response plan in place (Paiute Palace Casino 1997), which includes a hazardous materials plan that would be applicable to the proposed expansion facilities.

3.3.3 Mitigation

Hazards – 1: Hazardous materials, such as solvents and fuels, shall be stored in covered containers and protected from accidental release from vandalism, rainfall, and runoff. All stored fuels and solvents shall be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. In addition, spill clean-up kits and materials shall be readily available on site. Construction workers shall be properly trained in spill prevention and clean-up.

3.4 HYDROLOGY AND WATER QUALITY

3.4.1 Existing Environment

Surface Water, Water Supply, and Discharge

The Owens Valley basin drainage encompasses an area of approximately 3,300 square miles, and includes the mountains that extend from the crest of the Sierra Nevada on the west to the crest of the Inyo and the White mountains on the east. The drainage basin includes the Long Valley, the headwaters of the Owens River (USGS 2013). The Owens Valley groundwater basin extends northward from the Haiwee Reservoir and includes Round, Chalfant, Hammil, and Benton valleys. The Owens Valley aquifer system includes the main part of the Owens Valley groundwater basin and extends from the south side of the Alabama Hills to the Volcanic Tableland (Hollett et al. 1991).

Currently, most of the land in the Owens Valley drainage basin area is owned by either the Los Angeles Department of Water and Power (LADWP) or the federal government; considerably less land is owned by the Tribe, municipalities, or private citizens (Hollett et al. 1991; USGS 2015). LADWP constructed a 233-mile-long aqueduct to divert surface water from the Owens River to the city of Los Angeles in 1913. The Owens River–Los Angeles Aqueduct system begins in the Mono Basin and extends southward through the Owens Valley (USGS 2013). In 1970, a second aqueduct to Los Angeles was completed, increasing the total amount of water exported out of the Valley. This additional supply was obtained by increasing surface-water diversions from the Owens Valley and the Mono Basin, by reducing the quantity of water supplied for irrigation on lands owned by the city of Los Angeles in Mono and Inyo counties, and by pumping groundwater from the Owens Valley into the river-aqueduct system (USGS 2013). As of 1988, water use within the valley involved both surface-water diversions and groundwater pumping.

Current and future water supply and aquifer recharge may be impacted by drought conditions. In December 2013, the County of Inyo Water Department (Department) met to discuss groundwater conditions in West Bishop. The Department had received several reports that a number of private domestic wells had become inoperable due to low groundwater levels. The lack of winter snowpack had resulted in reduced surface water flows and consequent lower-than-average groundwater recharge. The Department commissioners determined that the groundwater levels were at the lowest levels in the South Barlow/Highland Drive (West Bishop) area since the early 1970s, and that, based on these data and the historical pumping patterns, surface water management, and water table fluctuations in the

Bishop area, it is probable that the recent declines in the water table are due to lack of recharge from surface water conveyances.

Groundwater

The quantity of groundwater used for export and local consumption in the Owens Valley varies from year to year, and is dependent on the availability of surface water supplies. Natural discharge of groundwater also occurs in the Owens Valley and includes transpiration by native alkaline scrub and meadow plant communities (Sorenson et al. 1989), evaporation from soil in shallow groundwater areas, and discharge from springs. The aquifer system of the Owens Valley includes nearly all the groundwater flowing through the Valley. Lesser quantities flow beneath the Volcanic Tableland, the area south of the Alabama Hills, at depths greater than 1,000 feet below ground level (USGS 2015).

Groundwater levels were depressed near Bishop and Independence during the late 1920s to 1930s because of heavy pumping (California Department of Water Resources [DWR] 1964). Water levels recovered to some extent and remained fairly steady through the early 1960s (DWR 1964). A series of wet years between 1982 and 1986 combined with a relatively low rate of groundwater pumping resulted in generally high water tables. Six years of heavy groundwater pumping followed, resulting in water level declines. During the 1990s, less groundwater was pumped and consequently water tables rose (Inyo County Water Department [ICWD] 2001).

During the geotechnical investigation of the proposed project area, groundwater seeps were observed ranging from 6 feet to 7 feet (Appendix D: Sierra Geotechnical Services 2015).

Groundwater elevations are expected to seasonally fluctuate due to precipitation, irrigation and snowmelt. During the time of the investigation, the Eastern Sierras were in the third year of a drought and the proposed project area experienced extreme groundwater fluctuations.

Water Quality

Water quality on the Reservation is being monitored and managed based on the Bishop Paiute Tribe Water Quality Control Plan (BPT EPA 2008). The plan, "describes and outlines the Bishop Paiute Tribe Reservation waters, the quality and quantity problems, and the water quality standards (existing, potential and historical beneficial uses of the Reservation's waters as well as criteria for the protection of the Reservation waters). It also includes plans and policies which describe the basis for the control of water quality on the Reservation." The plan sets out standards and guidelines for monitoring groundwater for arsenic, bacteria, coliform, chemical constituents, radioactivity, and taste and odor. The DWR has concluded that, in general, the overall water quality is good (Danskin 1998), and groundwater in most parts of the Owens Valley basin shows no distinct changes in quality over time (Danskin 1998).

Floodplains

The Owens Valley, including the Reservation, is a huge drainage basin and historically was the site of a large, shallow, inland lake. The basin, now drained by water exports and agricultural irrigation demands, has many rivers and creeks that flow from higher surrounding elevations into what is now a floodplain. A

floodplain is an area of low-lying ground adjacent to a river, formed mainly of river sediments and subject to flooding. In years of high mountain snowpack and spring runoff, rivers may overflow their banks and flow into the floodplain. When this occurs, the Owens Valley could be subject to flooding. Tributaries such as Bishop Creek present the City of Bishop and surrounding areas with their greatest flood potential. All principal sources of flooding in Bishop, which include North Fork Bishop Creek, South Fork Bishop Creek, and Bishop Creek Canal, ultimately drain into the Owens River (City of Bishop General Plan Safety Element 2001). Bishop Creek drains a 104-square-mile portion of the steep eastern slopes of the Sierra Nevadas. Runoff from this watershed is significantly affected by a system of dams and reservoirs operated by the Southern California Edison Company for purposes of water storage and/or electrical power generation (Federal Emergency Management Agency [FEMA] 2011). Flood management is incidentally provided to the Bishop area by these dams. The principal dams are Sabrina Dam (Lake Sabrina), Hillside Dam (South Lake), and Bishop Creek Dam, with storage capacities of 7,350 acre-feet, 13,191 acre-feet, and 115 acre-feet, respectively (FEMA 2011). Inyo County contains eight major reservoirs, with a combined storage capacity of approximately 69,655 acre-feet. Flash floods caused by monsoon moisture have been reported in some years near Death Valley National Park and other areas in Inyo County. These events generally resulted in localized flooding and rockslides and mudslides that closed roads and forced evacuations (FEMA 2011). To provide a national standard without regional discrimination, the 1-percent-annual-chance flood has been adopted by FEMA as the base flood for floodplain management purposes. The 0.2-percent-annual-chance flood is employed to indicate additional areas of flood risk in the community. The proposed project lies directly on areas designated areas of minimal flooding (U.S. Army Corps of Engineers 2002; City of Bishop 1985).

3.4.2 Environmental Consequences

Surface Water, Water Supply and Drainage

The proposed project would not significantly increase impervious surfaces compared to what is currently exists on the proposed project area. The expansion area would be located south of the Casino, on an area that is currently a combination of an existing paved parking area and some vacant land. Therefore, there would be some increases in impervious surfaces from the expansion of the Casino, as well as parking areas west of the proposed project area. Use of the proposed project property would change from an empty lot to buildings, paved parking lots, and associated water, sewer and electricity infrastructure. Rooftops and parking lots would increase the imperviousness of the proposed project site.

Construction and operation of the proposed project are not anticipated to result in long-term impacts to surface water. During construction, BMPs would prevent impacts to surface water quality from runoff during precipitation events. In addition, all proposed sediment and erosion control measures would be installed prior to initiating soil-disturbing activities, as well as incorporation of storm drains and oil water separation. A stormwater pollution prevention plan would be prepared that will identify potential sources of pollution and specify runoff controls, or BMPs, during construction for the purpose of minimizing the discharge of pollutants in storm water from the construction area.

Groundwater

The proposed project area has been determined to have relatively high groundwater (Sierra Geotechnical Services 2015). Based on the depth of groundwater encountered during test pits, and general knowledge of the proposed project area's history, dewatering may be required. The construction contractor will be responsible for the selection, design, permitting, and construction of the dewatering system. In addition, the Preliminary Geotechnical Investigation (Sierra Geotechnical Services 2015) recommended that a permanent subdrain or footing drain system be installed along the building perimeters to mitigate against moisture intrusion. With the incorporation of the recommendations for groundwater management, the construction and operation of the proposed project would not result in permanent impacts to groundwater levels.

Drinking Water Quality

At the proposed project site, the Tribe would continue monitoring water quality for arsenic, bacteria, coliform, chemical constituents, radioactivity, and taste and odor. Due to the location and the lack of water features at the site, it is not expected that impacts to water quality would occur during construction and operation of the proposed project. BMPs including sediment and erosion control measures would be installed prior to ground-disturbing activities. Therefore, development at the proposed project would not result in short- and long-term on and off-Reservation impacts to drinking water quality.

Floodplains

The proposed project site is located within the Owens Valley floodplain. Drainage is similar to the entire region as water moves from the eastern face of the Sierra Mountains to the Owens River. In addition, there is a relatively high groundwater level in the area. Therefore, in years of high mountain snowpack and spring runoff, rivers may overflow their banks and flow into the floodplain. When this occurs, areas would be subject to flooding. However, the distance from the proposed project area to the nearest source of significant flooding (South Fork, Bishop Creek) is great enough to warrant no significant risk from flooding (U.S. Army Corps of Engineers 2002; Bishop Paiute Tribe 2010). In addition, the proposed project would be designed with storm water drainage systems that would manage storm water by infiltration into drainage swells or discharged into local drainage channels with adequate capacity and would not result in on and off-Reservation impacts related to placement of structures in floodplains.

3.4.3 Mitigation

Hydrology – 1: U.S. Environmental Protection Agency (USEPA) Region 9 has authority to permit stormwater discharges to waterways through the Clean Water Act section 402 National Pollutant Discharge Elimination System (NPDES) program and should be contacted prior to construction to determine what level of permitting is required. If permitting requires certification of Tribal waters this can be obtained by contacting the Bishop Paiute Tribe Environmental Management Office, which has been granted Clean Water Act Section 401 programmatic authorization from the USEPA.

3.5 NOISE

3.5.1 Existing Environment

Noise is generally defined as unwanted sound, and can be intermittent or continuous, steady or impulsive, stationary or transient. Noise levels heard by humans and animals are dependent on several variables, including distance between the source and receiver, altitude, temperature, humidity, wind speed, terrain, and vegetation. Human and animal perception of noise is affected by intensity, frequency, pitch and duration, as well as the auditory system and physiology of the animal. Noise can influence humans or animals by interfering with normal activities or diminishing the quality of the environment. Response to noise is subjective, and therefore, the perception of noise can vary from person to person or among animals.

Many different metrics can be used to describe and quantify noise levels, including using units of decibels (dB). Humans typically have reduced hearing sensitivity at low frequencies compared with their response at high frequencies. The "A-weighting" of noise levels, or A-weighted decibels (dBA), closely correlates to the frequency response of normal human hearing (250 to 4,000 hertz). By utilizing A-weighted noise levels in an environmental study, a person's response to noise can typically be assessed. However, low frequency sounds are measured using the "C-weighted" scale, or C-weighted decibels (dBC), which gives equal emphasis to sounds of most frequencies. Because decibels are logarithmic values, the combined noise level of two 50 dBA noise sources is 53 dBA, not 100 dBA.

The equivalent noise levels (Leq) during a certain time period uses a single number, similar to an average, to describe the constantly fluctuating instantaneous ambient noise levels at a receptor location during a period of time. The Leq accounts for all of the noises and quiet periods that occur during that time period.

Some land uses are considered to be more sensitive to ambient noise levels that others due to the amount of noise exposure and the types of activities typically involved. Residences, schools, libraries, health care facilities, and parks are generally considered more sensitive to noise than are commercial and industrial land uses. Adjacent residents and visitors of the gas station, convenience store and Casino are the primary noise-sensitive receptors of the proposed project. These uses are considered to be on-Reservation. The nearest off-Reservation sensitive receptors are residences located approximately 1,000 feet northeast of the proposed project area, across US Hwy 395.

The land uses surrounding the proposed project site consist of commercial, some residential and US Hwy 395. The noise environment currently surrounding the proposed project site is influenced primarily by parking lot noise and vehicle noise on US Hwy 395.

3.5.2 Environmental Consequences

Construction

Construction of the proposed project would consist of grading, erection of foundations and buildings and the finishing work. The construction noise would be intermittent and temporary. The construction

activity noise levels at and near the proposed project area would fluctuate depending on the particular type, number, duration of uses of various pieces of construction equipment.

As stated above, the nearest off-Reservation noise receptor to construction activities would be residences located approximately 1,000 feet to the northeast of the proposed project area, across US Hwy 395. The nearest on-Reservation noise receptors include residences located approximately 200 feet to the east of the proposed project area. Therefore, certain construction activities could impact those residences adjacent to the Casino. The typical noise levels from construction equipment are listed below.

Table 3.5-1, Typical Noise Levels from Construction Equipment

Construction Equipment	**Noise Level (dBA, L_{eq} at 50 feet from source)[b]**
Stationary Equipment	
Air Compressor	81
Generator	81
Mobile Equipment	
Dump Truck	84
Concrete Mix Truck	85
Scraper	89
Jackhammer	88
Dozer	85
Paver	89
Backhoe	80

Source: FHWA, Construction Noise Handbook, 2006.

Construction noise can have noise measured at 50 feet of up to 89 dBA. Noise from construction generally attenuates at a rate of 6-7.5 dBA per doubling of distance. The nearest on-Reservation sensitive receptors are residents located approximately 200 feet east of the construction activity, thereby resulting in approximately 75 dBA at the highest degree of noise level. The nearest off-Reservation sensitive receptors are approximately 1,000 feet northeast, therefore resulting in a discernable noise level.

Inyo County has adopted Policy NOI-1.1, which states that the County shall utilize certain noise levels for evaluating project compatibility related to noise. Residential Land Uses has an acceptable range of up to 70dBA. Therefore, residents on-site may experience levels of noise over 70dB that would be temporary in nature. In addition, construction noise would only occur during the weekdays from 7am to 7pm. There would not be any weekend or evening construction. Therefore, impacts from noise would be less than significant in relation to construction on both on and off-Reservation sensitive noise receptors.

Operation

The primary source of noise from the proposed project would be the increase in vehicle noise and parking lot noise during operation. The Casino operates 24 hours a day, seven days a week, and generates traffic on nearby streets and US Hwy 395. The proposed project would add trips and therefore, would increase noise levels from the additional trip generation along US Hwy 395. The additional noise generated would not be considered significant given the nature of the noise generated from major roadways. The increase in additional traffic that would be generated would not be considered significant and therefore would not significantly increase the noise levels on and off-Reservation.

3.5.3 Noise Mitigation

Noise – 1: Construction activities are limited to 7 am - 7pm weekdays.

3.6 TRANSPORTATION AND TRAFFIC

This section summarizes the results of the Paiute Palace Destination Resort and Casino Traffic Study (Appendix E: Solaegui Engineers 2015). This report was prepared for a previously designed project that included both Casino renovation and expansion and an 80-room hotel. This was revised and now would only include the Casino expansion. The proposed Bishop Paiute Hotel and Business Incubator Project is a separate project (now a 60-room hotel) that would be constructed concurrently with the proposed project. However, as this report was used for purposes of the EA analysis to determine on-and off-Reservation impacts from implementation of the proposed project it represents a conservative approach.

3.6.1 Existing Environment

The proposed project site is located south of US Hwy 395 and east and west of Pa Ha Lane. The portion of the site located east of Pa Ha Lane contains the existing Casino, gas station, convenience store, and parking lot along with some vacant land to the south. The portion of the site located west of Pa Ha Lane contains an existing parking lot, some structures, and vacant land. The gas station and convenience store would remain and be renovated at a later date. The Casino building would be modernized. The existing parking lots would be demolished with development of the proposed project. Adjacent properties generally include residential uses to the east and west, vacant parcels to the south and pasture land to the north (See Figure 1, Project Location).

Surrounding Roadways and Intersections

US Hwy 395 is a five-lane east/west roadway with two through lanes in each direction and a center two-way left turn lane within the proposed project's study area. The speed limit is posted for 35 miles per hour adjacent to the site and increases to 45 miles per hour west of Pa Ha Lane. Roadway improvements generally include curb, gutter, and sidewalk on the south side of the street and a paved shoulder on the north side of the street between Brockman Lane and Barlow Lane. Additional curb, gutter, and sidewalk improvements exist in developed areas west of Brockman Lane and east of Barlow Lane.

Barlow Lane is a two-lane north/south roadway with one through lane in each direction in the vicinity of the site. The speed limit is posted for 25 miles per hour. Roadway improvements generally include paved travel lanes and graded shoulders. Curb, gutter, and sidewalk improvements exist in developed areas and bike lanes exist on both sides of the street north of US Hwy 395.

Pa Ha Lane is a two-lane north–south roadway with one through lane in each direction south of US Hwy 395. The speed limit is posted for 35 miles per hour. Roadway improvements generally include paved travel lanes and graded shoulders.

Winuba Lane is a two-lane north–south roadway with one through lane in each direction south of US Hwy 395. The speed limit is posted for 25 miles per hour. Roadway improvements generally include paved travel lanes and graded shoulders.

Brockman Lane is a two-lane north–south roadway with one through lane in each direction in the vicinity of the site. The speed limit is posted for 35 miles per hour. Roadway improvements generally include paved travel lanes and graded shoulders.

The US- Hwy 395/Barlow Lane intersection is a signalized four-leg intersection with protected left turn phasing for the east and west approaches and permissive left turn phasing for the north and south approaches. The north and south approaches each contain one shared left turn through lane and one right turn lane. The east and west approaches each contain one left turn, one through lane, and one shared through/right turn lane. Crosswalks exist at the north, south, and east approaches.

The US Hwy 395/Pa Ha Lane intersection is an unsignalized three-leg intersection with stop sign control at the south approach. The east approach contains one left turn lane and two through lanes. The west approach contains one through lane and one shared through/right turn lane. The south approach contains one shared left turn/right turn lane.

The US Hwy 395/Brockman Lane intersection is an unsignalized four-leg intersection with stop sign control at the north and south approaches. The north and south approaches each contain one shared left turn/through/right turn lane. The east and west approaches each contain one left turn, one through lane, and one shared through/right turn lane.

Existing Access

Access to the Casino, gas station, and convenience store is provided from three driveways on US Hwy 395 and three driveways on Pa Ha Lane. All existing driveways operate with inferred stop control at the driveway approaches and contain single ingress and egress lanes. The most southerly driveway on Pa Ha Lane is a wide access to the employee parking lot on the west side of the street. Access would continue to be provided from three driveways on US Hwy 395 and three driveway intersections on Pa Ha Lane with development of the proposed project. The three driveways on US Hwy 395 and the north driveway on Pa Ha Lane would continue to be three-leg intersections with inferred stop control at the driveway approaches. The remaining two driveway intersections on Pa Ha Lane would be reconstructed as four-leg intersections with stop sign control at the driveway approaches.

3.6.2 Environmental Consequences

Trip generation was calculated based on an increase of approximately 22,000 square feet of Casino floor area. A net increase in floor area was used due to the fact that traffic generated by the Casino is already accounted for in the existing intersection and driveway counts. Table 3.6-1 shows a summary of the average weekday traffic (ADT) volumes and weekday peak hour volumes generated by the proposed development.

Table 3.6-1 Trip Generation

Land Use	ADT	AM Peak Hour*			PM Peak Hour*		
		IN	OUT	TOTAL	IN	OUT	TOTAL
Casino (22,000 Square feet)	2,930	164	129	293	164	129	293

*Institute of Transportation Engineers (ITE) Casino land use does not include trip generation rates for non-typical AM and PM peak hours. Per Caltrans staff, US Hwy 395 does not have usual urban commute peak hours. The trip generation produced added to the highest adjacent street traffic volumes to get a conservation analysis (see Appendix E: Traffic Impact Analysis for more information).

The Highway Capacity Manual defines level of service for stop-controlled intersections in terms of computed or measured control delay for each minor movement. Level of service is not defined for the intersection as a whole. The level of service criteria for unsignalized intersections is shown in Table 3.6-2.

Table 3.6-2 Level of Service Criteria for Unsignalized Intersections

Level of Service	Delay Range (SEC/VEH)
A	≤10
B	>10 and ≤15
C	>15 and ≤25

D	>25 and ≤35
E	>35 and ≤50
F	>50

Level of service for signalized intersections is stated in terms of the average control delay per vehicle for a peak 15-minute analysis period. The level of service criteria for signalized intersections is shown in Table 3.6-2 below.

Table 3.6-2 Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay Per Vehicle (SEC)
A	≤10
B	>10 and ≤20
C	>20 and ≤35
D	>35 and ≤55
E	>55 and ≤80
F	>80

The Traffic Study (Appendix E) concluded that even with the incorporation of both the adjacent Bishop Hotel and Business Incubator project and the proposed project, no significant on and off-Reservation impacts to any of the surrounding roadways or intersections would occur, as summarized below.

The US Hwy 395/Barlow Lane intersection was analyzed as a signalized four-leg intersection with protected left turn phasing for the eastbound and westbound movements for all scenarios. The intersection currently operates at LOS B with a delay of 17.2 seconds per vehicle during the AM peak hour and 17.6 seconds per vehicle during the PM peak hour and would continue to operate at LOS B with the incorporation of the proposed project.

The US Hwy 395/Brockman Lane intersection was analyzed as an unsignalized four-leg intersection with stop sign control at the north and south approaches for all scenarios. The intersection minor movements currently operate at LOS C or better during the AM and PM peak hours and would continue to operate at LOS C or better with the incorporation of the proposed project.

The US Hwy 395/Pa Ha Lane intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the south approach for all scenarios. The minor movements currently operate at LOS B or better during the AM and PM peak hours. The intersection would operate at LOS C or better during

the AM and PM peak hours with project incorporation. However, the Manual on Uniform Traffic Control Devices (MUTCD) peak hour traffic signal warrant is not met at the intersection.

The US Hwy 395/West Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the south approach for all scenarios. The minor movements currently operate at LOS B or better during the AM and PM peak hours and would continue to operate at LOS B or better with implementation of the proposed project.

The US Hwy 395/Middle Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the south approach for all scenarios. The minor movements currently operate at LOS B or better during the AM and PM peak hours and would continue to operate at LOS B or better with implementation of the proposed project.

The US Hwy 395/East Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the south approach for all scenarios. The minor movements currently operate at LOS B or better during the AM and PM peak hours and would continue to operate at LOS B or better with implementation of the proposed project.

The Pa Ha Lane/North Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the east approach for all scenarios. The intersection minor movements currently operate at LOS A during the AM and PM peak hours and would continue to operate at LOS A with implementation of the proposed project.

The Pa Ha Lane/Middle Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the east approach for the existing and 2020 cumulative scenarios and as an unsignalized four-leg intersection with stop sign control at the east and west approaches for the existing plus project and 2020 cumulative plus project scenarios. The intersection minor movements currently operate at LOS A during the AM and PM peak hours and would operate at LOS B or better with implementation of the proposed project.

The Pa Ha Lane/South Driveway intersection was analyzed as an unsignalized three-leg intersection with stop sign control at the east approach for the existing and 2020 cumulative scenarios and as an unsignalized four-leg intersection with stop sign control at the east and west approaches for the existing plus project and 2020 cumulative plus project scenarios. The intersection minor movements currently operate at LOS A during the AM and PM peak hours and would operate at LOS B or better with implementation of the proposed project.

Although there would be impacts to the adjacent street network, there would not be anything significant. However, the traffic study suggested some recommendations to mitigate the impacts to traffic on and off-Reservation.

3.6.3 Traffic and Transportation Mitigation Measures

The following recommended improvements will be incorporated to reduce impacts from traffic on and off-Reservation.

1. Any required signing, striping, or traffic control improvements comply with Caltrans requirements.
2. US Hwy 395/Middle Driveway intersection be constructed with stop sign control at the south approach and contain one ingress lane and separate left and right turn egress lanes.
3. US Hwy 395/East Driveway intersection be constructed with stop sign control at the south approach and contain one ingress lane and one shared left/right turn egress lane.
4. Pa Ha Lane/Middle Driveway intersection be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn-through-right turn lane at all approaches.
5. Pa Ha Lane/South Driveway intersection be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn-through-right turn lane at all approaches.
6. Interior roadways and parking lots conform to Tribal standards.
7. Crosswalks be installed at the south leg of the Pa Ha Lane/Middle Driveway intersection and north leg of the Pa Ha Lane/South Driveway intersection in order to provide pedestrian access between the west parking lot and the hotel/casino.
8. It is recommended that if any site plan modifications be made in the gas station and convenience store area that the site civil engineering plans include design elements for turning movements of various design vehicles such as fuel trucks, RV's, car and trailers, and buses.

3.7 CUMULATIVE IMPACTS

3.7.1 Cumulative Setting

The following outlines relevant past, current and probable actions considered in the cumulative scenario.

County of Inyo

The current projects within the County of Inyo have been reviewed. There are no relevant past, present or future projects proposed that would result in cumulative impacts when combined with the proposed project (County of Inyo Planning Department http://inyoplanning.org/projects.htm, accessed August 23, 2016)

City of Bishop

The current projects with the City of Bishop have been reviewed.

The Kingston Subdivision Project would be located approximately 2.5 miles east of the proposed project and would include removal of the existing Bishop Nursery, followed by infrastructure improvements (including a main access roadway, drainage improvements, and extension of utilities to serve the individual parcels), site grading and preparation, and construction and sale of 15 single family dwellings.

The Bishop Nursery plans to relocate its facilities to another site in Bishop; formal plans have not yet been finalized. Vehicle access to the project site would be provided by a private roadway accessed from Home Street that would terminate in a hammer head dead-end configuration.

Tribal Projects

The BPDC, a subdivision of the Tribe, has plans to construct a 60-room hotel, business incubator and associates parking just south of the proposed project area. This project has been analyzed in accordance with the requirements of the TEPO. In addition, there would also be future improvements to the existing gas station and convenience store on the west side of the Casino parking area. The environmental analysis within this Tribal EA assumes that the hotel and business incubator would be constructed at the same time as the proposed project.

In addition, there are tentative plans to construct a new gas station and retail space on lots 8, 9, and 10 within the Bishop Paiute Commercial Park. This project is still in the planning phases and would not be constructed at the same time as the proposed project.

Currently, the Bishop Toiyabe Healthcare Facility Project is being constructed on Lots 4 and 7 of the Bishop Paiute Commercial Park. The healthcare facility is expected to be constructed and in operation prior to construction of the proposed project.

3.7.2 Environmental Consequences

Aesthetics

The Tribe has designed the proposed project to complement the existing development within the area and would be working together with the hotel project to provide complementary planning. Mitigation measures presented in Section 3.1 would ensure that off-Reservation impacts related to light and glare from the proposed project would be less than significant. Lighting plans for the hotel development would take into account the lighting proposed for the Casino and include mitigation measures for ensuring that there would be no significant impacts from increased lighting. Therefore, cumulative effects of this foreseeable development would be less than significant.

There are future plans for the modernization of the gas station and convenience store. However, the analysis has not been undertaken. Similar measures would be required to be in place.

Air Quality

Air quality standards would not be violated due to the proposed project nor would the proposed project contribute to an existing or projected air quality violation. Mitigation measures presented in Section 3.2 would ensure that off-Reservation air quality impacts related to construction and operation of the proposed project would be less than significant. In addition, the Proposed Bishop Hotel and Business Incubator project includes air quality measures during construction. Since the two projects would be constructed at the same time and both would have measures in place, cumulative air quality impacts would be less then significant.

Hazards and Hazardous Materials

Construction and operation of the proposed project would have potential impacts related to hazards and hazardous materials and therefore includes measures in place during construction and operation that would reduce these impacts. Construction and operation of the proposed Bishop Hotel and Business Incubator project would have similar impacts and also includes the incorporation of similar measures to ensure impacts are reduced. Since the two projects would be constructed at the same time and both would have measures in place, cumulative hazards and hazardous materials impacts would be less then significant.

Hydrology and Water Quality

The proposed project, coupled with the proposed Bishop Paiute Hotel and Business Incubator project, would contribute to increased stormwater drainage impacts that could result in the transport of pollutants and the increased drainage could result in localized flooding. As the Tribe would utilize independent on-site water and wastewater systems subject to federal regulation, there would be no cumulative impacts to off-site water and wastewater systems. In addition, both projects would comply with the requirements of the Tribe for the adherence of construction BMPs and acquiring permits prior to construction. Therefore, cumulative impacts related to hydrology and water quality would be less than significant.

Noise

Increased traffic and development would increase noise in the area. As discussed in Section 3.5, development of the project would remain within acceptable noise standards during construction and operation. Construction equipment noise attenuating devices and adherence to weekday work hours would be required for both projects. In addition, the increased traffic noise during operation would also be distributed throughout the day. Noise impacts are anticipated to be less than significant.

Traffic

The traffic analysis that was completed for the proposed project included construction and operation of the proposed Bishop Paiute Hotel and Business Incubator project, as well (Solaegui Engineers 2015). The cumulative (year 2020) plus project volumes were calculated and future County growth anticipated by the year 2020 (cumulative conditions), both with and without both projects being developed. Under the cumulative plus project scenario, all intersections would continue to operate at an acceptable LOS.

No cumulatively significant impacts to local bicycle and pedestrian networks or transit systems are anticipated as a result of the development of the projects, as the projects would include improvements to local pedestrian and bicycle networks. Therefore, all cumulative traffic impacts would be less than significant.

3.7.3 Mitigation Measures

No additional mitigation measures would be necessary.

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APPENDIX A. OFF-RESERVATION IMPACTS CHECKLIST

OFF-RESERVATION ENVIRONMENTAL IMPACT ASSESSMENT CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	X	☐
b) Substantially damage off-Reservation scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	X
c) Create a new source of substantial light or glare which would adversely affect day or nighttime views of historic buildings or views in the area?	☐	X	☐	☐
The proposed project includes the expansion of an existing casino. Although there may be short-term construction related impacts related to aesthetics, the operation of the proposed project would not result in off-Reservation impacts on scenic vistas. *The proposed project would create new sources of light and/or glare, which may have the potential to affect views of the area. Discussions of potential adverse effects and appropriate mitigation measures are included in Section 3.1 of the Tribal Environmental Assessment.*				
II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:				
a) Involve changes in the existing environment which, due to their location or nature, could result in conversion of off-Reservation farmland, to non-agricultural use?	☐	☐	☐	X
The proposed project is not located on land used for agriculture, nor would it require use of agricultural land during the construction or operation of the proposed project.				
III. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	X
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	X	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	X	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose off-Reservation sensitive receptors to substantial pollutant concentrations?	☐	X	☐	☐
e) Create objectionable odors affecting a substantial number of people off-Reservation?	☐	☐	X	☐
The proposed project would generate short-term construction related impacts, including dust. The proposed project would not generate a significant increase in traffic that would result in long-term emissions that would contribute to air quality impacts. Section 3.2 of the Tribal Environmental Assessment includes a discussion of the potential adverse effects and mitigation with appropriate Best Management Practices.				
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	X	☐
b) Have a substantial adverse effect on any off-Reservation riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	X
c) Have a substantial adverse effect on federally protected off-Reservation wetlands as defined by Section 404 of the Clean Water Act?	☐	☐	☐	X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	X	☐
e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	X
The proposed project area is located in an urbanized area and the site is currently either developed or vacant disturbed lots. A biological survey was completed and determined that construction and operation of the proposed project would not result in impacts to biological resources (Garcia and Associates 2016a). In addition, construction and operation of the proposed project would not result in impacts off-site since the project would not require the use of other land during construction.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of an off-Reservation historical or archeological resource as defined in § 15064.5?	☐	☐	☐	X
b) Directly or indirectly destroy a unique off-Reservation paleontological resource or site or unique geologic feature?	☐	☐	☐	X
c) Disturb any off-site human remains, including those interred outside of formal cemeteries?	☐	☐	☐	X
The proposed project would not include any grading or other construction activities outside the footprint of the proposed project site. Therefore, the proposed project would not impact known off-Reservation cultural resources or uncover human remains off-Reservation.				
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose off-Reservation people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	X
ii) Strong seismic ground shaking?	☐	☐	☐	X
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	X
iv) Landslides?	☐	☐	☐	X
b) Result in substantial off-Reservation soil erosion or the loss of topsoil?	☐	☐	☐	X
Although the proposed project site is located in an area that is subject to earthquake activity, construction and operation of the proposed project would not result in exposure to people or structures off-Reservation to risks associated with strong seismic ground shaking, liquefaction, or landslides. The proposed project area is relatively flat and is not within a liquefaction zone. Nor would the proposed project require the use of other lands during construction and operation. *Construction and Operation of the proposed project would not result in substantial off-*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Reservation erosion or loss of topsoil as well. Construction activities would be required to include the incorporation of best management practices, including erosion control measures that would reduce potential impacts on erosion on-site, therefore eliminating possibility of erosion and loss of topsoil off-Reservation, as well.				
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the off-Reservation public or the off-Reservation environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	X	☐
b) Create a significant hazard to the off-Reservation public or the off-Reservation environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	X	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed off-Reservation school?	☐	☐	X	☐
d) Expose off-Reservation people or structures to a significant risk of loss, injury or death involving wildland fires?	☐	☐	X	☐
The proposed project may potentially result in significant adverse impacts to the off-Reservation public or environment. Section 3.3 of the Tribal Environmental Assessment includes a discussion of the potential effects and best management practices to avoid potential impacts.				
VIII. Water Resources. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	X	☐	☐
b) Substantially deplete off-Reservation groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	X	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation off-site?	☐	X	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding off-site?	☐	☐	X	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff off Reservation?	☐	X	☐	☐
f) Place within a 100-year flood hazard area structures which would impede or redirect off-Reservation flood flows?	☐	☐	X	☐
g) Expose off-Reservation people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	X	☐
Implementation of the proposed project would result in an increase in impervious surfaces, which would result in increased runoff that could impact off-Reservation water resources. Section 3.4 of the Tribal Environmental Assessment includes a discussion of the potential impacts, and best management practices that would be followed that mitigate and reduce potential off-Reservation impacts.				
IX. LAND USE. Would the project:				
a) Conflict with any off-Reservation land use plan, policy, or regulation of an agency adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	X
b) Conflict with any applicable habitat conservation plan or natural community conservation plan covering off-Reservation lands?	☐	☐	☐	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project would not result in any off Reservation changed in land use or conflict with any off-Reservation habitat conservation plans.				
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known off-Reservation mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state?	☐	☐	☐	X
b) Result in the loss of availability of an off-Reservation locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	X
The proposed project would not include the use of land outside the Reservation boundary during constriction or operation. In addition, the proposed project is not located in an areas with significant mineral resource deposits. Therefore, there would be no impact on any known off-Reservation mineral resources.				
XI. NOISE -- Would the project result in:				
a) Exposure off-Reservation persons to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	X	☐	☐
b) Exposure off-Reservation persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	X	☐	☐
c) A substantial permanent increase in ambient noise levels in the off-Reservation vicinityof the project?	☐	X	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the off-Reservation vicinity of the project?	☐	X	☐	☐
The proposed project may increase off-Reservation noise levels during construction. Section 3.5 of the Tribal Environmental Assessment assesses the off-Reservation impacts.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING. **Would the project:**				
a) Induce substantial off-Reservation population growth?	☐	☐	☐	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere off-Reservation?	☐	☐	☐	X
The proposed project would not result in substantial increase in off-Reservation population growth. The proposed project would generate jobs that would be served by the existing community.				
XIII. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered off-Reservation governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☐
Fire protection?	☐	☐	X	☐
Police protection?	☐	☐	X	☐
Schools?	☐	☐	☐	X
Parks?	☐	☐	☐	X
Other public facilities?	☐	☐	☐	X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Implementation of the proposed project would not result in an increase in the need for additional staff or services. The Bishop Fire Department is a cooperation between the Bishop Rural Fire Protection District and the City of Bishop that provides fire protection and other emergency services in the Bishop area. The Bishop Fire Department also serves the Bishop Paiute Reservation under agreement with the Tribe. The Tribe has an agreement with the Bishop Rural Fire Protection District (BRFPD) for the purpose of fire protection and fire suppressions services, which includes serving the Casino, and its expansion under the proposed project. *The Casino currently has a security force staffed by over 14 professionals. The Paiute Tribal Police serves to ensure the safety and rights of the Bishop Paiute Tribal members, acts as the liaison between the Bishop Paiute Tribal Council and Law Enforcement, enforces Bishop Paiute Tribal Ordinances as directed by the Bishop Paiute Tribal Council, and enforce Bishop Paiute Tribal Court Orders. The Inyo County Sheriff's Department provides law enforcement services and will continue to provide these services for the Casino.* *In addition, the proposed project would not result in a need for additional schools, parks or other public facilities.*				
XIV. RECREATION.				
a) Would the project increase the use of existing off-Reservation neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	X
The proposed project would not result in impacts to off-Reservation parks or recreation facilities that would result in deterioration. The proposed project would not result in an increase in population. Visitor use of the Casino would increase.				
XV. TRANSPORTATION/TRAFFIC. **Would the project:**				
a) Cause an increase in off-Reservation traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersection?	☐	X	☐	☐
b) Exceed, either individually or cumulatvely, a level of service standard established by the county congestion management agency for designated off-Reservation roads or highways?	☐	X	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards to an off-Reservation design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	X	☐
d) Result in inadequate emergency access for off-Reservation responders?	☐	☐	X	☐
Section 3.6 of the Tribal Environmental Assessment includes a discussion of the potential off-Reservation impacts related to traffic and transportation.				
XVI. UTILITIES AND SERVICE SYSTEMS. **Would the project:**				
a) Exceed off-Reservation wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	X	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant off-Reservation environmental effects?	☐	☐	X	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant off-Reservation environmental effects?	☐	☐	X	☐
d) Result in a determination by an off-Reservation wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	X	☐
There is adequate capacity at the wastewater treatment facilities and sold waste facilities to serve the proposed project. Therefore, no potential off-Reservation impacts would occur.				
XVII. CUMULATIVE EFFECTS. **Would the project:**				
b) Have impacts that are individually limited, but cumulatively considerable off-Reservation? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of	☐	X	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
past , current, or probable future projects)?				
A discussion of potential cumulative off-Reservation impacts is provided in Section 3.7 of the Tribal Environmental Assessment.				

APPENDIX B. TEPO EA CHECKLIST

BISHOP PAIUTE TRIBE
Environmental Management Office
50 Tu Su Lane
Bishop, California 93514

Phone: (760) 873-3584
Fax: (760) 873-4614

I. BACKGROUND

1. Name of Project Applicant(s): Bishop Paiute Development Corporation (BPDC)

2. Applicant's Address and Phone Number: 270 See Vee Lane, Box 1
Bishop, CA 93514
760-872-4172 (office) 760-873-3982 (fax)

3. Lead Agency and Contact Person: Gloriana Bailey

4. Lead Agency Address and Phone Number: 270 See Vee Lane, Box 1
Bishop, CA 93514

5. Date Checklist Completed: 9/13/16

6. Party Completing Checklist: Garcia and Associates
435 Lincoln Way
Auburn, CA 95603

7. Project Location: Block 3, lot 1 - 3 of the Bishop Paiute Reservation in Bishop, California, in the northeast quarter of the northeast quarter of Section 2, of Township 7 South, Range 32 East, as shown on the Bishop, California USGS 7.5-minute quadrangle map (See Project Location Map)

8. General Plan Designation: Tribal Lands

9. Zoning Classification: Tribal Lands

10. Description of Project *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):*

The Bishop Paiute Casino Project (proposed project) will involve the expansion of the existing Casino and associated parking. The proposed project will consist of the modernization of the 15,210 square foot existing Casino and the addition of 22,360 square feet of new construction. The new Casino will contain a total of 500 slot machines, of which 349 are class III and 151 are class II machines, as well as card and table games. The proposed project will include a new 75 seat restaurant and 75 seat bar area. In addition to the expansion, the existing Casino facility will be modernized and remodeled to include a 150 seat conference hall, newly upgraded offices, and additional service and employee use areas. The project will also consist of site improvements for new parking, improved site circulation, new sidewalks, and the relocation of existing site utilities.

11. Surrounding Land Uses and Settings *(Briefly describe the project's surroundings):*

The proposed project area is located in the upper Owens Valley. The Owens Valley is located in eastern California and covers an area about 70 miles long and 15 miles wide, sandwiched between the Sierra Nevada range to the west and the Inyo and White Mountain ranges to the east. The area is within the western part of the Great Basin, a region of isolated ranges separated by basins, and the valley is watered by the Owens River and its numerous tributaries.

The proposed project area contains low quality, grazed and compacted non-native grassland habitat with no extensive riparian habitat. The proposed project area is largely bordered by residential and small commercial development. North of the existing Casino, across US 395, is a disturbed field dominated by rubber rabbit bush. This is likely a former agricultural field but doesn't appear to currently support any crops.

The western and eastern boundary is situated against residential assignments. An irrigation ditch and fence denote the boundary between the proposed project area and the eastern assignments. The southern boundary of the proposed project area is another residential assignment. The northern extent of the proposed project area is adjacent to the existing Paiute Palace Casino parking lot, which is immediately south of the existing Casino.

12. Other Agencies Whose Approval is Required *(e.g., project approval, permits, rights of way, etc.,: BIA, EPA, HUD, IHS, Tribal Environmental Protection Agency, Tribal Environmental Management Office, Bishop Paiute Tribe Public Works Department, Cal-Trans, Inyo County Road Department, etc.)*:

Bishop Paiute Development Corporation
Bishop Paiute Tribe Public Works Department
Tribal Environmental Management Office
Cal-Trans
County of Inyo
Tribal Historic Preservation Office

II. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

3. "Potentially Significant Impact" is appropriate if there is *substantial evidence* that an effect is significant.

4. Mitigation Identified: *Negative Declaration* applies where the incorporation of mitigation measures has reduced an effect from potentially significant to less than significant. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level.

5. No Mitigation Identified: Environmental Impact Report (EIR) applies where there is substantial evidence that an effect is significant and no mitigation is identified or more analysis is needed. When this determination is made, an EIR is required.

6. If approved in advance by the Tribal Environmental Management Office, an earlier analysis may be used where, pursuant to the tiering, program EIR, or other National Environmental Policy Act (NEPA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

7. References to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) should be provided. *Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.* A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

III. ENVIRONMENTAL ANALYSIS

REQUIREMENT: Include explanations to all answers by adding text to form.

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
1. Land Use and Planning. Would the project:				
a. conflict with applicable environmental plans or policies adopted by the Tribe or other agencies with jurisdiction over the project? No. The proposed project falls within the designated scope of current land uses in these parcels of the Reservation as described in the Bishop Paiute Tribes 1994 Overall Economic Development Plan (OEDP 1994). In addition, the proposed project is situated on Tribal lands adjacent to those currently used for commercial uses such as a gas station, convenience store and parking.	X	☐	☐	☐
b. conflict with general plan designation or zoning? No. The proposed project is consistent with the general plan designation and zoning within the Reservation for commercial and industrial development as described in the OEDP.	X	☐	☐	☐
c. conflict with open space, low-income housing, or other adopted land use goals applicable to the project location? No. The area is not designated for housing or open space as described in the OEDP.	X	☐	☐	☐
d. conflict with established recreational, educational, or religious uses at the project location? No. The area expands the existing use and is consistent with current land uses as described in the OEDP.	☐	X	☐	☐
e. convert agricultural land to a non-agricultural use within an area designated as prime farmland by the Tribe or USDA Natural Resource Conservation Service? No. The proposed project area is not located on agricultural land and is consistent with land uses described in the OEDP.	X	☐	☐	☐
f. cause a nuisance to existing or planned land uses or residents of the project location? No. The proposed project is consistent with the existing land uses described in the OEDP. In addition, the proposed project would not significantly increase human use to areas that are currently unoccupied.	X	☐	☐	☐
1. Population, Employment, and Housing. Would the project:				
a. conflict with population, employment, or housing policies or projections established by Tribe or other government agencies with jurisdiction over the project? No. The proposed project would employ from the existing community and would not create a significant increase in population. There may be a short-term increase in population during construction that would be accommodated with the existing housing available in the area.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. directly or indirectly cause substantial growth or concentration in the population beyond current levels? No. The proposed project would employ from the existing community and would not create a significant increase in population. There may be a short-term increase in population during construction that would be accommodated with the existing housing available in the area.	☐	X	☐	☐
c. directly or indirectly cause a net loss in the number of jobs for Bishop tribal members and for the community in general or cause substantial job or income losses by changing the employment opportunities for tribal members or the community? No. The proposed project will increase jobs temporarily during construction and permanently during operation. What is the estimated number of jobs, permanent and part-time, expected to be created by this project? Permanent: 75 Short-term (construction): 50	X	☐	☐	☐
d. displace existing tribal member and other residences or otherwise create or exacerbate a housing shortage? No. The proposed project will not displace residents as it will develop on areas currently used as a Casino that is not proposed for residential development per the OEDP.	X	☐	☐	☐
3. Geology, Soils and Seismicity. Would the project:				
a. Conflict with applicable legal requirements regarding geo-hazards and soil conservation? No. The Bishop Paiute tribe has not established any legal requirements regarding geo-hazard or soil conservation. The Reservation is located on a Seismic Zone 4, which is subject to earthquake activity. The proposed project site is an existing Casino and will continue to be used as one. The development will comply with all applicable building and safety standards and storm drainage requirements, as per the uniform building codes for facilities situated in Seismic Zone 4 areas. In addition, a site-specific geotechnical investigation was prepared (Sierra Geotechnical Services [SGS], Inc. 2014) by a registered engineering professional that included measures that will be incorporated into the project design to ensure impacts related to seismic ground shaking and related hazards are less than significant.	X	☐	☐	☐
b. expose people or structures to significant geo-hazards? In particular, is the project located within an Alquist-Priolo Special Studies Zone, within a known activity fault zone, in an area designated as geologic hazard area or subject to geo-hazard safety measures in a local plan or ordinance? No. The proposed project site is not located within an Alquist–Priolo Special Studies Zone (SGS 2014) or within a known active fault zone (SGS 2014), or within a geological hazard designation area (SGS 2014).	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
c. site substrate be subject to liquefaction in the event of ground-shaking? No. The site is not within a liquefaction zone (SGS 2014). However, the site does contain shallow groundwater and the potential for liquefaction is prevalent through-out the Bishop area where relatively loose to medium dense granular soils and shallow groundwater exist (SGS 2014). In addition, a site-specific geotechnical investigation was prepared (SGS 2014) by a registered engineering professional that included measures that will be incorporated into the project design to ensure potential impacts related to liquefaction are greatly reduced.	☐	X	☐	☐
d. be subject to static hazards, such as landsliding or slopes in excess of 15% that could result in slope failure? No. The proposed project site area topography is generally flat and there are no slopes in excess of 15% in the proposed project area.	X	☐	☐	☐
e. be located on or in the vicinity of soil that are likely to collapse or subside, as might be the case with fill, old mining properties, or areas of subsidence caused by groundwater drawdown? Shallow groundwater exists in the region. A site-specific geotechnical investigation (SGS 2014) was conducted where groundwater seepage was observed between 6 and 7 feet below grade. An updated report included design recommendations for development in areas of shallow groundwater to mitigate against moisture intrusion (SGS 2014). In addition, the proposed project will comply with all applicable building and safety standards and storm drainage requirements, as per the uniform building codes for facilities situated in Seismic Zone 4 areas.	☐	X	☐	☐
f. result in substantial soil erosion or loss of topsoil? No, the proposed project site area topography is generally flat. The site-specific geotechnical investigation (SGS 2014) was conducted and topsoil/alluvium was encountered within all the test pits. It was concluded that the alluvium below approximately 2 feet would be suitable for both fill and foundation support with incorporation of the recommendations outlined in the updated report (SGS 2014). Therefore there would be no significant impacts related to soil erosion and loss of topsoil.	☐	X	☐	☐
g. result in loss of (or loss of access to) mineral resources, including rock/sand/gravel resources, or other known resources? No. There are no known mineral resources in the proposed project site.	X	☐	☐	☐
h. result in loss of a unique geographical feature of tribal or national significance? No. The proposed project would expand the existing Casino on previously disturbed area. There are no unique geographic features on or adjacent to the proposed project area.	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
4. Hydrology and Water Quality. Would the project:				
a. conflict with applicable legal requirements relating to hydrology and water quality? No. The proposed project will be in compliance with all applicable legal requirements related to hydrology and water quality, including compliance with Tribal water quality standards and obtaining the necessary permits prior to construction, as described below. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared that will identify potential sources of pollution and specify runoff controls and Best Management Practices during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area. See Hydrology and Water Quality Mitigation Measures below.	☐	☐	X	☐
b. cause direct or indirect wastewater discharges that would result in exposure to hazardous materials that would adversely affect human health, wildlife, or plant species? Would the project substantially degrade surface water quality? Use of the proposed project property would change areas from empty lots to parking areas and expanded Casino facilities. Rooftops and parking lots would increase the imperviousness of the proposed project site. Construction and operation of the proposed project are not anticipated to result in long-term impacts to surface water. During construction, best management practices (BMPs) would prevent impacts to surface water quality from runoff during precipitation events. In addition, all proposed sediment and erosion control measures would be installed prior to initiating soil-disturbing activities, as well as incorporation of storm drains and oil water separation. Storm water from the site will either be infiltrated in drainage swells or treated and discharged into the local drainage channels. In addition, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared that would identify potential sources of pollution and specify runoff controls, or BMPs, during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area.	☐	☐	X	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
c. substantially degrade groundwater quality, interfere substantially with groundwater recharge or deplete groundwater resources in a manner that would cause water-related hazards such as subsidence? Groundwater is presently at 6 to 7 feet below the ground surface in the Casino area. However, seepage was noted in previous studies to occur between 3-6 feet below grade. Therefore, groundwater and/or saturated soils may be encountered during construction and site-specific design requirements would be implemented that would mitigate for groundwater intrusion (SGS 2015) and reduce potential impacts that would result. In addition, the tribe would continue monitoring water quality. The water level of the uppermost, unconfined aquifer is monitored at numerous shallow wells scattered across the Reservation. Two deeper wells are monitored to determine the water level of a deep aquitard and even deeper confined aquifer. Groundwater is sampled on a regular basis and analyzed for bacteria (*E. coli*), chemical constituents, and radioactivity to monitor potential sources of contamination. A SWPPP would be prepared that would identify potential sources of pollution and specify runoff controls and BMPs during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area. Therefore, development at the proposed project would not result in short- or long-term impacts to water quality. Water would be provided by the Bishop Paiute Tribe Public Works Department, a Tribal department that operates and maintains the domestic water system. Thus there will be no depletion of groundwater at the proposed site.	☐	☐	X	☐
d. alter existing drainage patterns of the site in a manner that results in flooding, erosion, or siltation, on- or off-site? No. Use of the proposed project property would change some areas from empty lots to parking areas and expanded Casino facilities. Design and construction of these features will follow requirements for proper grading and drainage. During construction, BMPs would prevent impacts to surface water quality from runoff during precipitation events. In addition, all proposed sediment and erosion control measures would be installed prior to initiating soil-disturbing activities, as well as incorporation of storm drains and oil water separation. Storm water from the site will either be infiltrated in drainage swells or treated and discharged into the local drainage channels.	☐	☐	X	☐
e. be located in a flood-prone area, based on either historical flood records or potential risks relating to existing or planned changes to flood control measures? No. The proposed project site is in an area of minimal flood hazard according to the Federal Emergency Management Agency (US Army Corp of Engineers 2002; FEMA 2016).	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
5. Biological Resources. Would the project:				
a. violate any environmental law or regulation designed to protect wildlife, fisheries, plant species, or habitat areas? No. The proposed project is located in an urbanized area and the site is currently either developed or vacant disturbed lots. A biological survey was conducted and determined that the area does not contain any significant biological resources that would be impacted from Implementation of the proposed project (Garcia and Associates 2016a).	☐	X	☐	☐
b. directly harm a sensitive species or cause a net loss to the habitat of the species? No. A biological survey was conducted and determined that the area does not contain any significant biological resources that would be impacted from implementation of the proposed project (Garcia and Associates 2016a). In addition, the proposed project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
c. interfere substantially with the movement of any resident or migratory fish or wildlife species, or with established resident or migratory corridors? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that would be impacted from implementation of the proposed project (Garcia and Associates 2016a). In addition, the proposed project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
d. cause any fish or wildlife population to drop below self-sustaining levels? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that would be impacted from implementation of the proposed project (Garcia and Associates 2016a). In addition, the proposed project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
e. cause a net loss of any riparian lands, wetlands, marshes, or other environmentally sensitive habitat areas? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that would be impacted from implementation of the proposed project (Garcia and Associates 2016a).	☐	X	☐	☐
f. result in the loss of any "specimen tree"? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that would be impacted from implementation of the proposed project (Garcia and Associates 2016a). In addition, the tribe has not adopted a policy protecting specimen trees.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts		
		Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
6. Historical, Cultural & Archeological Resources. Would the project:				
a. conflict with historical, cultural and protection laws or regulations established by the Tribe or federal government? No. There are no known historic or cultural sites in the proposed project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
b. cause the physical disturbance of, or prevent access to, a prehistoric, historic, cultural, religious, or archeological site that is listed or eligible for listing on the National Register of Historic places, or a Register of Historic Resources established by the federal government or the Tribe? No. There are no known historic or cultural sites in the proposed project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
c. cause the physical disturbance of, or prevent access to, a structure, parcel, site or other feature of historic, cultural or religious significance to the Tribe or social or religious group? No. There are no known historic or cultural sites in the proposed project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
d. cause the physical disturbance of, or prevent access to, a unique paleontological site? No. There are no known historic or cultural sites in the proposed project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
e. cause the disturbance of any human remains? No. There are no known historic or cultural sites in the proposed project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
7. Traffic and Transportation. Would the project:				
a. cause a violation, or exacerbate an existing violation, of an applicable legal standard or goal relating to traffic levels of service (LOS) or volume/capacity (V/C) ratios, of the Tribe or any agency with jurisdiction over the project? [*In California, LOS ratings range from "A" to "F", with many California agencies ranking "E" and "F" as unacceptable. V/C ratios range from 0 to 1.0 with many California agencies ranking an incremental worsening of 0.02 as unacceptable for intersections already operating at LOS "E" or "F." These thresholds may be used to evaluate average and peak-hour project traffic impacts, if the local agency with jurisdiction has not adopted any particular significance standards for the project area.*] The expansion of Casino facilities would not result in a significant increase in traffic. Preliminary traffic analysis (Solaegui Engineers 2015) has been completed for the expansion, which concluded that the proposed project would result in approximately 3,000 average daily trips a day (600 of which would occur during AM and PM peak times). The traffic impact analysis concludes the project would not result in significant reductions in LOS (Solaegui Engineers LLC 2015). However, recommended measures would be implemented that would ensure that significant impacts will not occur as a result of the proposed project.	☐	☐	X	☐
b. conflict with an applicable congestion management plan, air quality plan, or other plan or policy relating to automobiles or transit systems, adopted by the Tribe or other agency with jurisdiction over the project? No. The proposed project will not be located in an area with a relevant congestion management plan, air quality plan or other policy relating to automobiles or transit systems.	☐	X	☐	☐
c. add traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or supports uses that would be incompatible with substantial increases in traffic (e.g., rural roads used by farm equipment, livestock, horseback riders, or pedestrians) that would result in safety problems with the addition of project-related traffic? No. The proposed project would be located along Hwy 395 and adjacent local roadways, which currently operate at an acceptable level during AM and PM peak hours. Hwy 395 or the adjacent roadways do not have any design features or incompatible uses that would conflict with added trips on the roadway.	☐	X	☐	☐
d. have adequate internal circulation capacity including entrance and exit routes, to safely accommodate average and peak-hour traffic loads? The proposed project is designed to have adequate circulation capacity to accommodate traffic loads along Hwy 395 and North Pa-Ha Lane.	☐	X	☐	☐
e. provide for safe pedestrian and bicycle circulation? The proposed project includes the development of pedestrian walkways and sidewalks.	☐	X	☐	☐
f. provide sufficient parking capacity for the projected numbers of automobiles and bicycles? If not, is sufficient commercial parking capacity available in the immediate project vicinity? If not, will unmet project parking demand worsen parking availability for existing residents or commercial enterprises? The proposed project includes sufficient parking for Casino expansion, which may be up to approximately 300 spaces.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
g. be served by a community transit program? Is there sufficient capacity on the existing transit system for the project? Is not, is there an adopted plan to increase transit capacity to meet project demand? Yes. The area is serviced by the Bishop Dial-a-Ride transit system.	☐	X	☐	☐
8. Visual Quality and Aesthetics. Would the project:				
a. conflict with any applicable vista protection standards, scenic resource protection requirements, and design criteria of the Tribe? No. The proposed project would not conflict with any existing vista standards, scenic resource protection requirements or design criteria. The tribe has not adopted any criteria at this time. The expansion of the Casino will not increase heights or significantly increase square footage. In addition, the design of the expansion will be consistent with the current Casino and also include renovations to the existing Casino. Therefore, the new development would not obstruct the views such as those of the Sierra Nevada Mountains from Hwy 395 or views from the residences located to the south.	X	☐	☐	☐
b. alter or obstruct existing public view-sheds from or across the project site, including scenic features associated with any designated scenic highway? No. The proposed project would not conflict with any existing vista standards, scenic resource protection requirements or design criteria. The tribe has not adopted any criteria at this time. The expansion of the Casino will not increase heights or significantly increase square footage. Therefore, the new development would not obstruct the views such as those of the Sierra Nevada Mountains from Hwy 395 or views from the residences located to the south. The nearest designated scenic highway is Hwy 168 located west of the proposed project area. The development of the proposed project would not impact scenic features associated with Hwy 168.	X	☐	☐	☐
c. change the existing visual quality and character at the project site in a manner that is inconsistent with other existing or approved uses for the area? Are such changes attributable to project size, massing, density, landscaping, or other physical factors of the project? The proposed project includes the expansion of the existing Casino and associated parking. There will be short-term, construction-related impacts to visual quality. However, once built, the proposed project would be designed to provide consistency with the surroundings, consistent with the land uses described in the Tribe's OEDP.	☐	X	☐	☐
d. increase light and glare in the project vicinity so as to cause a hazard or nuisance condition? The proposed project would introduce new lighting sources. The area currently contains vacant, undeveloped area and the proposed project includes expansion of Casino facilities and associated parking lots. The proposed project area is currently surrounded with roadways, vacant lots, a gas station and some residential use. However, the residential areas would not be impacted by the new lighting sources and the new lighting would be designed to avoid direct exposure to the residential areas. See Mitigation Measures below.	☐	☐	X	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
e. Significantly reduce sunlight or introduce shadows in public areas? The implementation of the proposed project would not significantly reduce sunlight or introduce shadows to public areas. The public areas in the vicinity of the proposed project include the existing Casino and the parking areas, which would not be affected by reduction of sunlight and introduction of shadows as the proposed project would expand the current facility with overall design taken into consideration.	X	☐	☐	☐
9. Air Quality. Would the project:				
a. violate any law or regulation designed to achieve or maintain compliance with ambient air quality standards or to protect against adverse health effects caused by air pollution? The Tribe has adopted air quality standards per the state of California. The state of California air quality standards are more stringent than the corresponding federal standards for the same pollutants, known as the National Ambient Air Quality Standards. Therefore it has been determined that adoption of standards that are at least as stringent as the state of California ambient air quality standards is the best method to protect the health and general well-being of Reservation residents. The proposed project is located within the Great Basin Valley Air Basin (GBVAB), which includes Alpine, Mono, and Inyo counties. The tribe's air quality program monitors ambient particulates (PM_{10} and $PM_{2.5}$) and ozone. Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs will minimize any potential impact. Operation and maintenance of the proposed project would not have significant effects on particulate concentrations. Other criteria pollutants regulated by the EPA are ground-level ozone, carbon monoxide, sulfur oxides, nitrogen oxides, and lead. The proposed project is not expected to have a significant increase in these pollutants compared to existing conditions.	☐	☐	X	☐
b. violate any approved air quality or management plan or policy of the Tribe, or other agency with jurisdiction, regarding applicable air quality standards or air pollution? The Tribe has adopted air quality standards per the state of California. The state of California air quality standards are more stringent than the corresponding federal standards for the same pollutants, known as the National Ambient Air Quality Standards. Therefore it has been determined that adoption of standards that are at least as stringent as the state of California ambient air quality standards is the best method to protect the health and general well-being of Reservation residents. The proposed project is located within the Great Basin Valley Air Basin (GBVAB), which includes Alpine, Mono, and Inyo counties. The tribe's air quality program monitors ambient particulates (PM10 and PM2.5) and ozone. Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs will minimize any potential impact. Operation and maintenance of the proposed project would not have significant effects on particulate concentrations. Other criteria pollutants regulated by the EPA are ground-level ozone, carbon monoxide, sulfur oxides, nitrogen oxides, and lead. The proposed project is not expected to have a significant increase in these pollutants compared to existing conditions.	☐	☐	X	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
c. result in a net increase of any criteria pollutant for which the project area has not attained applicable tribal or federal ambient air quality standards? Would such a net increase exceed any of the specific parameters listed below? The GBVAB is designated as having attained all federal standards except PM_{10} (24-hour). Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs will minimize any potential impact. Operation and maintenance of the proposed project would not have significant effects on particulate concentrations.	☐	☐	X	☐
d. Using the approved or established risk assessment methodologies of the air quality control agencies, would project toxic air contaminant (TAC) emissions cause a significant short- or long-term health risk? Would project TAC emissions cause an increased cancer risk of greater than ten per million? No. The only source of TAC would be from diesel trucks during construction. Mitigation during construction would include Best Management Practices, which include reducing idling time of trucks not being used.	☐	☐	X	☐
e. require the removal or demolition of building components containing asbestos, or the excavation or crushing of serpentine rock containing asbestos? There will be no removal or demolition of buildings as part of the proposed project.	☐	X	☐	☐
f. require the removal or movement of soils contaminated by hazardous materials that can cause adverse health impacts if airborne? During the site-specific geotechnical investigation, undocumented fill was encountered. The fill observed was approximately 2.5 feet thick. This fill will be removed during construction and properly disposed of and will cause no adverse health impacts.	☐	X	☐	☐
g. concentrate vehicle trips or vehicle-related emissions in a localized area (e.g., intersections, parking areas), which would cause a violation of the carbon monoxide ambient air quality standard? No. The proposed project will generate approximately 3000 average weekday trips. The proposed project is in a developed area with few other concentrated sources of carbon monoxide. In comparison to emissions associated with traffic to the existing Casino, the proposed project would not significantly increase emissions.	☐	X	☐	☐
h. cause a significant, ongoing odor, visibility, or other problem that would create a public nuisance condition? No. The development of the proposed project is not expected to affect odor or visibility or other public nuisance conditions.	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts		
		Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
10. Noise and Vibration. Would the project:				
a. violate any established noise or vibration law, regulation, or standard of the Tribe or other agency with jurisdiction over the project? No. The tribe does not currently have regulations or standards for noise or vibration. The proposed project would generate short-term construction-related noise impacts. However, the proposed project is located along North Pa-Ha Lane and Hwy 395 near a developed area and the construction would not result in significant noise impacts to adjacent residential land uses, as the construction would only occur during weekdays 7am to 7pm. In addition, all equipment will be equipped with sound-attenuating technology.	☐	☐	X	☐
b. cause a permanent increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development in the project area? The proposed project would expand the Casino in an already developed area. Therefore, there would be a permanent increase in ambient noise levels, including from mobile sources. However, the proposed project is located adjacent to developed commercial areas along Hwy 395. Therefore, the increase in noise would not result in a significant increase compared to current noise levels.	☐	X	☐	☐
c. cause a temporary or periodic increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development and activity in the project area? The proposed project would generate short-term construction-related noise impacts. However, the proposed project would be adjacent to developed commercial areas along Hwy 395 and the construction would not result in significant noise impacts to adjacent land uses, as the construction would only occur during weekdays 7am to 7pm. In addition, all equipment will be equipped with sound-attenuating technology.	☐	☐	X	☐
d. Can the project noise and vibration level during construction activities be limited to daylight, weekday hours and be comparable to that required for construction of existing development in the project area? Yes. The proposed project construction schedule is Monday through Friday, from 7am to 7pm.	☐	X	☐	☐
11. Utilities and Infrastructure.				
a. ***Electricity***: Will the project require expansion of existing electrical generating facilities and existing high-power transmission lines? No. Electrical power will be from existing power supplies that are adequate to serve the expansion facilities.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. ***Water***: Will the project comply with water conservation and supply requirements imposed by tribal or federal agencies? Will the project require expansion of existing water treatment facilities or trunk conveyance lines? Has the water purveyor determined that it has adequate treatment facilities, conveyance capacity, and water supplies to serve project demand? Will the water supply be drawn from a ground water basin that is overdrawn in relation to demand and historical levels? No. The proposed project will comply with all applicable Tribal and federal water supply and conservation regulations and requirements. Existing water treatment facilities, storage and distribution systems are adequate to serve the needs of the proposed project. The estimated amount of water required for the proposed project is approximately a maximum of an additional 10,000 gallons per day and will not significantly impact current groundwater supplies.	☐	X	☐	☐
c. ***Wastewater Treatment***: Will the project comply with wastewater pretreatment standards of tribal, federal agencies or other local entities? Will the project require expansion of the wastewater treatment facilities and/or trunk conveyance lines? Has the wastewater treatment provider determined that it has adequate treatment and conveyance capacity to serve project demands? Wastewater service is provided through the Eastern Sierra Community Services District (Bishop Paiute Tribe 2010). Per conversations with the Wastewater facility manager, the tribe is well under the daily allotment by about 40-70,000 gallons/day. The proposed project would generate approximately 5,000 – 10,000 gallons/day. Therefore, the proposed project should not exceed that allotment. The facility has capacity to serve the proposed project's demands.	☐	X	☐	☐
d. ***Solid Waste***: Will the project comply with tribal, federal agencies or other local entity requirements relating to recycling, litter control, and solid waste handling? Is a landfill available with sufficient capacity to accommodate long-term (10 or more years) solid waste disposal generated by the project? Waste generated during construction of the proposed Casino expansion (clearing and grubbing from site preparation) will be used on the Reservation as directed. During operation, the Inyo County landfill will receive all solid waste generated. The landfill has sufficient capacity to accommodate the solid waste (Bishop Paiute Reservation 2009).	☐	X	☐	☐
12. Public Services.				
a. ***Law Enforcement***: Will the project require additional law enforcement staff or equipment to maintain acceptable service ratios, response times, or other performance objectives? The proposed project would be served by the Inyo County Sheriff's Department, which has adequate staff to serve the proposed facilities, as well as the Bishop Paiute Tribe's Police Department.	☐	X	☐	☐
b. ***Fire Protection***: Will the project require additional fire protection staff or equipment to maintain an acceptable level of service (i.e., response time, equipment capacity)? The Tribe has an agreement with the Bishop Rural Fire Protection District (Bishop Paiute Tribe 2013) for the purpose of fire protection and fire suppressions services. The development of the proposed project would not require additional staff or equipment to maintain acceptable levels of service.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
c. ***Emergency/Hospital***: Will the project require additional medical emergency and/or hospital staff, equipment, or facilities to maintain an acceptable level of service (i.e., response time, equipment capacity, special treatment)? No. The existing medical facilities should be adequate to address any emergency health issues that may arise for people patronizing the proposed project (e.g., Toiyabe Indian Health Project facility, Northern Inyo Hospital).	☐	X	☐	☐
d. ***Schools***: Will the project increase the population of school-age children in a K-12 school district that is currently (or will be) operating without adequate staff, equipment, or facilities? Implementation of the proposed project would not result in a permanent increase in population. During construction, there would be a short-term increase in population that would be temporary in nature. Once the proposed project is in operation, employment would be filled by the existing work force in the area. Therefore, the proposed project would not result in an increase in population that would potentially increase the population of school-aged children, requiring the development of new school facilities or require an increase in staff or equipment.	☐	X	☐	☐
e. ***Parks and Recreation***: Will the project increase use of existing park and recreation facilities, or require the creation of new facilities to comply with applicable tribal park and recreation service standards? The implementation of the proposed project would not result in increases of existing park or recreation facilities. The proposed project would include the expansion of the existing Casino. However, the expected increase in patrons is not significant enough to require in the development of new parks and recreational facilities.	☐	X	☐	☐
13. Energy. Does the project:				
a. comply with applicable laws and regulations regarding energy conservation? The development of the proposed project would increase energy use; However, the proposed project would include implementing energy-saving technologies both during construction and operation of the proposed facilities.	☐	X	☐	☐
b. require quantities of nonrenewable sources of energy in excess of quantities required by recent, similar projects? No. The proposed project would not require excessive resources to construct and operate the proposed project.	☐	X	☐	☐
c. energy suppliers have the capacity to supply the project's energy needs with existing and planned energy sources and conveyance systems? Yes, existing energy sources and conveyance systems are adequate.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
14. Hazardous Materials.				
a. Will the project comply with applicable tribal and federal laws, regulations and standards relating to hazardous materials? Yes, the proposed project will comply with all applicable laws, regulations and standards. Inyo County has policies and procedures for disposal of asbestos, contaminated soil, and hazardous waste. In addition, the existing Casino has an emergency response plan in place that would not need additional updating (Bishop Paiute Palace Casino 2007).	X	☐	☐	☐
b. Is the soil or groundwater at the project site contaminated by hazardous materials? Is such contamination known to exist at another location that is within 2,000 feet of the project site? No. The proposed project site does not contain known contaminated soils or groundwater, and none exists within 2,000 feet of the proposed project location (Geotracker, Assessed September 8, 2016).	X	☐	☐	☐
c. Does the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No. The proposed project would not routinely transport, use, or dispose of hazardous materials.	X	☐	☐	☐
d. Does the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? No. The proposed project does not create a significant hazard. The Casino currently has an Emergency Response Plan. If hazardous materials are used during construction or operation of the proposed project, a Spill Prevention and Control Plan included in the existing Casino Emergency Response Plan would be adhered to (Bishop Paiute Palace Casino 2007).	☐	X	☐	☐
e. Will the project interfere with tribal emergency response plans or emergency evacuation plans in the event of a reasonably foreseeable emergency situation involving a hazardous material exposure or release? No, the proposed project would not interfere with such plans (Bishop Paiute Palace Casino 2007).	☐	X	☐	☐
f. Are there hazardous material re-use, or one or more hazardous waste treatment or disposal, facilities available to lawfully accept and handle hazardous wastes generated by the project? Yes. Inyo County landfills receive low-level household hazardous waste. The proposed project will not generate substantial amounts of hazardous waste (Bishop Paiute Tribe 2009).	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
Mandatory Findings of Significance				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of tribal history or prehistory? No. There is no fish habitat. Because the area is already disturbed, plant and wildlife habitat is poor to marginal. There is no habitat for state or federally listed plant or animal species. A possible ground stone fragment was identified on the ground surface in the southwestern portion of the Area of Potential Affect. Native American consultation revealed that recent road construction adjacent to the southwestern boundary of the proposed project area had uncovered buried archaeological deposits (obsidian flakes). Thus the potential for subsurface artifacts to be present in the southwestern portions of the proposed project area exists (Garcia and Associates 2016b).	☐	X	☐	☐
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) No.	X	☐	☐	☐
c. Does the project have impacts that are individually limited, but cumulatively significant when placed in the context of other reasonably foreseeable projects? No. There are no outstanding significant individual impacts, nor are there significant cumulative impacts. Mitigation Measures are in place that reduce any potentially significant impacts.	X	☐	☐	☐
d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? No. There are no project-caused substantial direct or indirect effects on human beings.	X	☐	☐	☐

IV. ALTERNATIVES TO THE PROPOSED ACTION:

1. Alternatives and Project Modifications Considered (*Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting* it.)

Additional alternatives were considered, including a complete demolition of the existing Casino and construction of a new Casino. This alternative was not economical and was eliminated from further consideration.

2. No Action Alternative *(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).*

If the proposed project were not implemented, the current site would remain vacant and a portion would remain a parking lot for the existing Casino.

3. Mitigation Measures Recommended (*Recommend feasible ways in which the proposal or external factors relating to the proposal should be modified in order to eliminate or minimize adverse environmental impacts).*

Aesthetics – 1: The Casino shall ensure that the proposed new lighting, as well as the renovation of any existing lighting, would not result in excessive glare to nearby residences and drivers or increases in nighttime lighting to adjacent residences.

Air - 1: The Tribe will implement the following Best Management Practices, which would periodically be monitored during construction by the Tribe's air quality program to ensure compliance at the site boundary with Great Basin Unified Air Pollution Control District's prohibitions 401 for fugitive dust and 400 for visible emissions:

- Water all construction areas at least twice daily;
- Scheduled vacuum sweeping;
- Track-out control at construction site exit;
- Cover all trucks hauling soil, sand, and other loose materials or require all truck to maintain at least 2 feet of freeboard;
- Apply non-toxic soil stabilizers to all unpaved parking areas and staging areas at construction sites; and
- Implement the following measures for all construction equipment that use diesel fuel:
    - Use aqueous diesel fuel;
    - Use only equipment with diesel oxidation catalysts.
    - Be properly maintained and minimize idling time to 5 minutes when equipment is not in use.

Cultural – 1: A Certified Tribal Monitor will be present during ground-disturbing, construction-related activities to monitor for cultural resources.

Hazards – 1: Hazardous Materials, such as solvents and fuels, shall be stored in covered containers and protected from accidental release from vandalism, rainfall, and runoff. All stored fuels and solvents shall be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. In addition, spill clean-up kits and materials shall be readily available on site. Construction workers shall be properly trained in spill prevention and clean-up.

Noise – 1: Construction shall occur only during weekdays, Monday through Friday, from 7am to 7pm.

Transportation – 1: The following recommended improvements will be incorporated to reduce impacts from Traffic on and off-Reservation.

- Any required signing, striping, or traffic control improvements comply with Caltrans requirements.
- US-395/Middle Driveway intersection be constructed with stop sign control at the south approach and contain one ingress lane and separate left and right turn egress lanes.
- US-395/East Driveway intersection be constructed with stop sign control at the south approach and contain one ingress lane and one shared left/right turn egress lane.
- Pa Ha Lane/Middle Driveway intersection be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn- through-right turn lane at all approaches.
- Pa Ha Lane/South Driveway intersection be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn- through-right turn lane at all approaches.
- Interior roadways and parking lots conform to Tribal standards.
- Crosswalks be installed at the south leg of the Pa Ha Lane/Middle Driveway intersection and north leg of the Pa Ha Lane/South Driveway intersection in order to provide pedestrian access between the west parking lot and the hotel/Casino.
- It is recommended that if any site plan modifications be made in the gas station and convenience store area that the site civil engineering plans include design elements for turning movements of various design vehicles such as fuel trucks, RV's, car and trailers, and buses.

Water Quality – 1: US EPA Region 9 has authority to permit stormwater discharges to waterways through the Clean Water Act Section 402 NPDES program which should be contacted prior to construction to determine what level of permitting is required. If permitting requires certification of Tribal waters this can be obtained by contacting the Bishop Paiute Tribe Environmental Management Office which has been granted Clean Water Act Section 401 programmatic authorization from the USEPA.

4. Additional Studies Performed (*Attach studies or summaries)*

Garcia and Associates. 2016a *Biological Survey of Bishop Paiute Casino Project Area and Bishop Paiute Hotel Project Area.*

Garcia and Associates. 2016b. *Cultural Resources Survey for the Bishop Paiute Casino Project and Bishop Paiute Hotel Project, Inyo County, California.*

Sierra Geotechnical Services. 2014. *Updated Geotechnical Investigation; Paiute Palace Hotel, Bishop, Inyo County. California.* May 4.

Sierra Geotechnical Services. 2015. *Addendum Geotechnical Investigation; Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project, Bishop, Inyo County. California.* September 15.

Solaegui Engineers. 2015. *Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project Traffic Study*. September.

5. List of Sources, Agencies and Persons Consulted

Bishop Paiute Tribe. 1994. Overall Economic Development Plan.

Bishop Paiute Tribe. 2009. Integrated Solid Waste Management Plan.

Bishop Paiute Tribe. 2010. Agreement between Bishop Paiute Tribe and Eastern Sierra Community Service District.

Bishop Paiute Tribe. 2013. Agreement between Bishop Paiute Tribe and Bishop Rural Fire Protection District.

FEMA 2016. http://www.fema.gov/flood-insurance-rate-map-firm. Accessed July 11, 2016.

Garcia and Associates. 2016a. Biological Survey of Bishop Paiute Casino Project Area and Bishop Paiute Hotel Project Area.

Garcia and Associates. 2016b. Cultural Resources Survey for the Bishop Paiute Casino Project and Bishop Paiute Hotel Project, Inyo County, California.

Geotracker 2016. http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Bishop+CA. Assessed September 8, 2016

Paiute Palace Casino, 1997. Paiute Palace Casino Policy #1000.

Sierra Geotechnical Services. 2014. Updated Geotechnical Investigation; Paiute Palace Hotel, Bishop, Inyo County. California. May 4.

Sierra Geotechnical Services. 2015. Addendum Geotechnical Investigation; Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project, Bishop, Inyo County. California. September 15.

Solaegui Engineers. 2015. Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project Traffic Study. September.

U.S. Army Corps of Engineers. 2002. *Flood Plain Delineation Study, North and South Forks Bishop Creek, Bishop Paiute Indian Reservation, Inyo County, CA.*

U.S. Fish and Wildlife Service. 2009. *Coordination regarding Federally Listed Species on Bishop Paiute Tribal Lands, Bishop, CA.* November.

V. DETERMINATION BASED ON ENVIRONMENTAL EVALUATION

On the Basis of this Assessment:

☐ The proposed project is **CATEGORICALLY EXEMPT** from the Tribal Environmental Policy Ordinance (TEPO), per Section , as well as the National Environmental Policy Act (NEPA) of 1969, as amended, per Section , (Class:), and there are no unusual circumstances or specified statutory conditions present that render reliance on such applicable Categorical Exemption(s) unlawful.-

☐ The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** should be prepared.

X Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described above will be a required condition of project approval, and accordingly a **MITIGATED NEGATIVE DECLARATION** should be prepared.

☐ There is substantial evidence that the proposed project may have a significant adverse impact on the environment, and an **ENVIRONMENTAL IMPACT REPORT** should be required.

PREPARED BY: BPDC **DATE:** 9/15/16
TITLE:

The following ATTACHMENTS must accompany this document:

X Project Location Map
X Site Plan

BISHOP PAIUTE TRIBE
ENVIRONMENTAL MANAGEMENT OFFICE

PROJECT INFORMATION AND DATA SHEET

The Bishop Tribe Environmental Management Office requires all entities proposing to locate and/or develop a project on the Bishop Paiute Reservation to submit the following vital information and data for each proposed project. This information is required for tribal planning purposes and for monitoring compliance with applicable tribal and federal environmental laws.

1. OWNER/DEVELOPER:
   Name: Bishop Paiute Development Corporation
   Address: 270 See Vee Lane Box 1
   Bishop, California 93514

   Date: 9/13/16

   Phone: 760-872-4172
   Fax: 760-873-3982

2. NAME OF PROJECT/BUSINESS: Bishop Paiute Casino Project.

   Type of Project/Business: ☐ Residential ☐ Governmental ☐ Health/Human Services ☐ Educational
   X Commercial ☐ Industrial ☐ Agricultural ☐ Parks & Rec.
   ☐ Other (Describe):

3. SITE LOCATION: Block No. 3 Lot(s) No. 1, 2 and 3

4. LAND USE: Project Total Area: 40,000 Square Feet (S.F.) or 3.2 Acres

   A. Building(s): 22,000 S.F.
   B. Parking Area: 50,000 S.F.
   C. Roads: 20,000 S.F.
   D. Lawns/Landscape: 2,000 S.F.

5. NUMBER OF: Bathrooms: 2 Restrooms: 2 Kitchen Sinks: 3 Lavatories: 14 new
   Showers: 0 Water Closets: 18 new Urinals: 6 new Evaporative Coolers: 0

6. DOMESTIC WATER USE (Estimated Gallons Per Day): 10,000 GPD (9,000 GPD Existing)

7. WASTEWATER (SEWER) FLOWS (Estimated Gallons Per Day): 5-10,000 GPD

8. ELECTRICITY (Estimated Kilowatt Hours Per Month): 40,000KwH/Mo.

9. GAS (Propane / Natural) (Estimated Gallons Per Month): 500 Gal./Mo.

10. NUMBER OF RESIDENTS/EMPLOYEES: 250 EST. CLIENTS/CUSTOMERS: 4000/month

11. HAZARDOUS MATERIALS: ☐ Produced ☐ Used/Stored

12. SOLID WASTE GENERATED AND DISPOSAL (Identify general types of waste generated and proposed disposal site)

    Type: Paper and Cardboard Disposal Site: Inyo County Waste

Please submit completed form to:

Bishop Tribal Environmental Management Office
50 Tu Su Lane
Bishop, CA 93514
Phone: (760) 873-3665 FAX: (760) 873-4614

BISHOP PAIUTE TRIBE
Environmental Management Office
50 Tu Su Lane
Bishop, California 93514

Phone: (760) 873-3584
Fax: (760) 873-4614

I. BACKGROUND

1. Name of Project Applicant(s): Bishop Paiute Development Corporation (BPDC)

2. Applicant's Address and Phone Number: 270 See Vee Lane, Box 1
Bishop, CA 93514
760-872-4172 (office) 760-873-3982 (fax)

3. Lead Agency and Contact Person: Gloriana Bailey

4. Lead Agency Address and Phone Number: 270 See Vee Lane, Box 1
Bishop, CA 93514

5. Date Checklist Completed: 9/13/16

6. Party Completing Checklist: Garcia and Associates
435 Lincoln Way
Auburn, CA 95603

7. Project Location: Block 3, lots 5, 6, and 7 of the Bishop Paiute Reservation in Bishop, California, in the northeast quarter of the northeast quarter of Section 2, of Township 7 South, Range 32 East, as shown on the Bishop, California USGS 7.5-minute quadrangle map (See Site Plan)

8. General Plan Designation: Tribal Lands

9. Zoning Classification: Tribal Lands

10. Description of Project *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):*

The proposed project will involve construction of a 60-room hotel with a Business Incubator and associated parking ("Proposed Hotel and Business Incubator Project").

11. Surrounding Land Uses and Settings *(Briefly describe the project's surroundings):*

The Proposed Hotel and Business Incubator Project area is located in the upper Owens Valley. The Owens Valley is located in eastern California and covers an area about 70 miles long and 15 miles wide, sandwiched between the Sierra Nevada range to the west and the Inyo and White Mountain ranges to the east. The area is within the western part of the Great Basin, a region of isolated ranges separated by basins, and the valley is watered by the Owens River and its numerous tributaries.

The Proposed Hotel and Business Incubator Project area contains low quality, grazed and compacted non-native grassland habitat with no extensive riparian habitat and is largely bordered by residential and small commercial development. North of the existing Casino, across US 395, is a disturbed field dominated by rubber rabbit bush. This is likely a former agricultural field but doesn't appear to currently support any crops.

The western and eastern boundary is situated against residential allotments. An irrigation ditch and fence denote the boundary between the Proposed Hotel and Business Incubator Project area and the eastern assignments. The southern boundary of the Proposed Hotel and Business Incubator Project area is another residential allotment. The northern extent of the Proposed Hotel and Business Incubator Project area is adjacent to the existing Paiute Palace Casino parking lot, which is immediately south of the existing casino.

12. Other Agencies Whose Approval is Required *(e.g., project approval, permits, rights of way, etc.,: BIA, EPA, HUD, IHS, Tribal Environmental Protection Agency, Tribal Environmental Management Office, Bishop Paiute Tribe Public Works Department, Cal-Trans, Inyo County Road Department, etc.)*:

Bishop Paiute Development Corporation
Bishop Paiute Tribe Public Works Department
Tribal Environmental Management Office
Cal-Trans
County of Inyo
Tribal Historic Preservation Office

II. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

3. "Potentially Significant Impact" is appropriate if there is *substantial evidence* that an effect is significant.

4. Mitigation Identified: *Negative Declaration* applies where the incorporation of mitigation measures has reduced an effect from potentially significant to less than significant. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level.

5. No Mitigation Identified: Environmental Impact Report (EIR) applies where there is substantial evidence that an effect is significant and no mitigation is identified or more analysis is needed. When this determination is made, an EIR is required.

6. If approved in advance by the Tribal Environmental Management Office, an earlier analysis may be used where, pursuant to the tiering, program EIR, or other National Environmental Policy Act (NEPA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

7. References to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) should be provided. *Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.* A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

III. ENVIRONMENTAL ANALYSIS

REQUIREMENT: Include explanations to all answers by adding text to form.

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
1. Land Use and Planning. Would the project:				
a. conflict with applicable environmental plans or policies adopted by the Tribe or other agencies with jurisdiction over the project? No. The Proposed Hotel and Business Incubator Project is situated on Bishop Paiute Tribal lands adjacent to those used for commercial uses such as gaming, a gas station, parking and entertainment. It is consistent with Tribal Commercial/Industrial land uses designated as described in the Bishop Paiute Tribes Overall Economic Development Plan (OEDP 1994).	X	☐	☐	☐
b. conflict with general plan designation or zoning? No. The Proposed Hotel and Business Incubator Project is consistent with the general plan designation and zoning within the Bishop Paiute Reservation as described in the OEDP.	X	☐	☐	☐
c. conflict with open space, low-income housing, or other adopted land use goals applicable to the project location? No. The area is not designated for housing or open space as described in the OEDP.	X	☐	☐	☐
d. conflict with established recreational, educational, or religious uses at the project location? No. The area expands the existing use and is consistent with current land uses as described in the OEDP.	X	☐	☐	☐
e. convert agricultural land to a non-agricultural use within an area designated as prime farmland by the Tribe or USDA Natural Resource Conservation Service? No. The Proposed Hotel and Business Incubator Project area is not located on agricultural land and is consistent with land uses described in the OEDP.	X	☐	☐	☐
f. cause a nuisance to existing or planned land uses or residents of the project location? No. The Proposed Hotel and Business Incubator Project is consistent with the existing land uses as described in the OEDP. In addition, the Proposed Hotel and Business Incubator Project will not significantly increase human use to areas that are currently unoccupied.	X	☐	☐	☐
1. Population, Employment, and Housing. Would the project:				
a. conflict with population, employment, or housing policies or projections established by Tribe or other government agencies with jurisdiction over the project? No. The Proposed Hotel and Business Incubator Project will employ from the existing community and will not create a significant increase in population. There may be a short-term increase in population during construction that will be accommodated with the existing housing available in the area.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. directly or indirectly cause substantial growth or concentration in the population beyond current levels? No. The Proposed Hotel and Business Incubator Project will employ from the existing community and will not create a significant increase in population. There may be a short-term increase in population during construction that will be accommodated with the existing housing available in the area.	☐	X	☐	☐
c. directly or indirectly cause a net loss in the number of jobs for Bishop tribal members and for the community in general or cause substantial job or income losses by changing the employment opportunities for tribal members or the community? No. The Proposed Hotel and Business Incubator Project will increase jobs for Tribal members and the local community. What is the estimated number of jobs, permanent and part-time, expected to be created by this project? Permanent: 50 Short Term (construction): 50	X	☐	☐	☐
d. displace existing tribal member and other residences or otherwise create or exacerbate a housing shortage? No. The Proposed Hotel and Business Incubator Project will not displace residents within the Reservation or local community. It will develop on currently vacant areas within the Reservation that are not proposed for residential development per the OEDP.	X	☐	☐	☐
3. Geology, Soils and Seismicity. Would the project:				
a. Conflict with applicable legal requirements regarding geo-hazards and soil conservation? No. The Bishop Paiute Tribe has not established any legal requirements regarding geo-hazard or soil conservation. The Tribe's Reservation is located on a Seismic Zone 4, which is subject to earthquake activity. The Proposed Hotel and Business Incubator Project site is currently vacant. However, adjacent to the site is an existing casino that will continue to be used as one. The development will comply with all applicable building and safety standards and storm drainage requirements, as per the uniform building codes for facilities situated in Seismic Zone 4 areas. In addition, a site-specific geotechnical investigation was prepared (Sierra Geotechnical Services [SGS], Inc 2014; with addenda 2015) by a registered engineering professional that included measures that will be incorporated into the project design to ensure impacts related to seismic ground shaking and related hazards are less than significant.	X	☐	☐	☐
b. expose people or structures to significant geo-hazards? In particular, is the project located within an Alquist-Priolo Special Studies Zone, within a known activity fault zone, in an area designated as geologic hazard area or subject to geo-hazard safety measures in a local plan or ordinance? No. The Proposed Hotel and Business Incubator Project site is not located within an Alquist–Priolo Special Studies Zone (SGS 2014) or within a known active fault zone (SGS 2014), or within a geological hazard designation area (SGS 2014).	X	☐	☐	☐

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c. site substrate be subject to liquefaction in the event of ground-shaking? No. The site is not within a liquefaction zone (SGS 2014). However, the site does contain shallow groundwater and the potential for liquefaction is prevalent through-out the Bishop area where relatively loose to medium dense granular soils and shallow groundwater exist (SGS 2014). In addition, a site-specific geotechnical investigation was prepared (SGS 2014) by a registered engineering professional that included measures that will be incorporated into the project design to ensure potential impacts related to liquefaction are greatly reduced.	☐	X	☐	☐
d. be subject to static hazards, such as landsliding or slopes in excess of 15% that could result in slope failure? No. The Proposed Hotel and Business Incubator Project site area topography is generally flat and there are no slopes in excess of 15% in the Proposed Hotel and Business Incubator Project area.	☐	X	☐	☐
e. be located on or in the vicinity of soil that are likely to collapse or subside, as might be the case with fill, old mining properties, or areas of subsidence caused by groundwater drawdown? Shallow groundwater exists in the region. A site-specific geotechnical investigation (SGS 2014) was conducted where groundwater seepage was observed between 6 and 7 feet below grade. An updated report included design recommendations for development in areas of shallow groundwater to mitigate against moisture intrusion (SGS 2014). In addition, the Proposed Hotel and Business Incubator Project will comply with all applicable building and safety standards and storm drainage requirements, as per the uniform building codes for facilities situated in Seismic Zone 4 areas.	☐	X	☐	☐
f. result in substantial soil erosion or loss of topsoil? No, the Proposed Hotel and Business Incubator Project site area topography is generally flat. The site-specific geotechnical investigation (SGS 2014) was conducted and topsoil/alluvium was encountered within all the test pits. It was concluded that the alluvium below approximately 2 feet will be suitable for both fill and foundation support with incorporation of the recommendations outlined in the updated report (SGS 2014). Therefore there will be no significant impacts related to soil erosion and loss of topsoil.	☐	X	☐	☐
g. result in loss of (or loss of access to) mineral resources, including rock/sand/gravel resources, or other known resources? No. There are no known mineral resources have been identified in the Proposed Hotel and Business Incubator Project area.	☐	X	☐	☐
h. result in loss of a unique geographical feature of tribal or national significance? No. The Proposed Hotel and Business Incubator Project will develop on previously disturbed areas. There are no unique geological features on or adjacent to the Proposed Hotel and Business Incubator Project area.	☐	X	☐	☐

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4. Hydrology and Water Quality. Would the project:				
a. conflict with applicable legal requirements relating to hydrology and water quality? No. The Proposed Hotel and Business Incubator Project will be in compliance with all applicable legal requirements related to hydrology and water quality, including compliance with Bishop Paiute Tribal water quality standards and obtaining the necessary permits prior to construction, as described below. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared that will identify potential sources of pollution and specify runoff controls and Best Management Practices during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area.	☐	☐	X	☐
b. cause direct or indirect wastewater discharges that would result in exposure to hazardous materials that would adversely affect human health, wildlife, or plant species? Would the project substantially degrade surface water quality? Use of the Proposed Hotel and Business Incubator Project area will change the property use from empty lots to a 60-room hotel and business incubator facility, with associated water, sewer and electricity infrastructure. Rooftops and parking lots will increase the imperviousness of the Proposed Hotel and Business Incubator Project site. Construction and operation of the Proposed Hotel and Business Incubator Project are not anticipated to result in long-term impacts to surface water. During construction, best management practices (BMPs) will prevent impacts to surface water quality from runoff during precipitation events. In addition, all proposed sediment and erosion control measures will be installed prior to initiating soil-disturbing activities, as well as incorporation of storm drains and oil water separation. Storm water from the site will either be infiltrated in drainage swells or treated and discharged into the local drainage channels. In addition, a SWPPP will be prepared that will identify potential sources of pollution and specify runoff controls, or BMPs, during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area.	☐	☐	X	☐

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c. substantially degrade groundwater quality, interfere substantially with groundwater recharge or deplete groundwater resources in a manner that would cause water-related hazards such as subsidence? Groundwater is presently at 6 to 7 feet below the ground surface in the Proposed Hotel and Business Incubator Project area. However, seepage was noted in previous studies to occur between 3-6 feet below grade (SGS 2014). Therefore, groundwater and/or saturated soils may be encountered during construction and site-specific design requirements will be implemented that will mitigate for groundwater intrusion (SGS 2015) and reduce any potential impacts that will result. In addition, the Tribe will continue monitoring water quality. The water level of the uppermost, unconfined aquifer is monitored at numerous shallow wells scattered across the Reservation. Two deeper wells are monitored to determine the water level of a deep aquitard and even deeper confined aquifer. Groundwater is sampled on a regular basis and analyzed for bacteria (*E. coli*), chemical constituents, and radioactivity to monitor potential sources of contamination. A SWPPP will be prepared that will identify potential sources of pollution and specify runoff controls and BMPs during construction and operation for the purpose of minimizing the discharge of pollutants in storm water from the construction area. Therefore, development at the Proposed Hotel and Business Incubator Project will not result in short- or long-term impacts to water quality. Water will be provided by the Bishop Paiute Tribe Public Works Department, a Tribal department that operates and maintains the domestic water system. The Proposed Hotel and Business Incubator Project water demand would not significantly reduce groundwater resources due to its current production. Thus there will be no significant depletion of groundwater at the proposed site.	☐	☐	X	☐
d. alter existing drainage patterns of the site in a manner that results in flooding, erosion, or siltation, on- or off-site? No. Use of the Proposed Hotel and Business Incubator Project property will change some areas from empty lots to several buildings and associates paved and gravel parking lots. Design and construction of these features will follow requirements for proper grading and drainage. During construction, BMPs will prevent impacts to surface water quality from runoff during precipitation events. In addition, all proposed sediment and erosion control measures will be installed prior to initiating soil-disturbing activities, as well as incorporation of storm drains and oil water separation. Storm water from the site will either be infiltrated in drainage swells or treated and discharged into the local drainage channels.	☐	☐	X	☐
e. be located in a flood-prone area, based on either historical flood records or potential risks relating to existing or planned changes to flood control measures? No. The Proposed Hotel and Business Incubator Project site is in an area of minimal flood hazard according to the Federal Emergency Management Agency (US Army Corp of Engineers 2002; FEMA 2016).	X	☐	☐	☐

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5. Biological Resources. Would the project:				
a. violate any environmental law or regulation designed to protect wildlife, fisheries, plant species, or habitat areas? No. The Proposed Hotel and Business Incubator Project is located in an urbanized area and the site is currently vacant disturbed lots. A biological survey was conducted and determined that the area does not contain any significant biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a).	☐	X	☐	☐
b. directly harm a sensitive species or cause a net loss to the habitat of the species? No. A biological survey was conducted and determined that the area does not contain any significant biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a). In addition, the Proposed Hotel and Business Incubator Project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
c. interfere substantially with the movement of any resident or migratory fish or wildlife species, or with established resident or migratory corridors? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a). In addition, the Proposed Hotel and Business Incubator Project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
d. cause any fish or wildlife population to drop below self-sustaining levels? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a). In addition, the Proposed Hotel and Business Incubator Project is located outside of noise buffer for the southwestern willow flycatcher & least Bells vireo (USFWS 2009).	☐	X	☐	☐
e. cause a net loss of any riparian lands, wetlands, marshes, or other environmentally sensitive habitat areas? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a).	☐	X	☐	☐
f. result in the loss of any "specimen tree"? No. A biological survey was conducted and determined that the area does not contain any sensitive biological resources that will be impacted from implementation of the Proposed Hotel and Business Incubator Project (Garcia and Associates 2016a). In addition, the Tribe has not adopted a policy protecting specimen trees.	☐	X	☐	☐

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6. Historical, Cultural & Archeological Resources. Would the project:				
a. conflict with historical, cultural and protection laws or regulations established by the Tribe or federal government? No. There are no known historic or cultural sites in the Proposed Hotel and Business Incubator Project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
b. cause the physical disturbance of, or prevent access to, a prehistoric, historic, cultural, religious, or archeological site that is listed or eligible for listing on the National Register of Historic places, or a Register of Historic Resources established by the federal government or the Tribe? No. There are no known historic or cultural sites in the Proposed Hotel and Business Incubator Project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
c. cause the physical disturbance of, or prevent access to, a structure, parcel, site or other feature of historic, cultural or religious significance to the Tribe or social or religious group? No. There are no known historic or cultural sites in the Proposed Hotel and Business Incubator Project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
d. cause the physical disturbance of, or prevent access to, a unique paleontological site? No. There are no known historic or cultural sites in the Proposed Hotel and Business Incubator Project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐
e. cause the disturbance of any human remains? No. There are no known historic or cultural sites in the Proposed Hotel and Business Incubator Project area. However, there is a potential that ground-disturbing activities could uncover unexpected resources. Therefore, a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	☐	X	☐

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7. Traffic and Transportation. Would the project:				
a. cause a violation, or exacerbate an existing violation, of an applicable legal standard or goal relating to traffic levels of service (LOS) or volume/capacity (V/C) ratios, of the Tribe or any agency with jurisdiction over the project? [*In California, LOS ratings range from "A" to "F", with many California agencies ranking "E" and "F" as unacceptable. V/C ratios range from 0 to 1.0 with many California agencies ranking an incremental worsening of 0.02 as unacceptable for intersections already operating at LOS "E" or "F." These thresholds may be used to evaluate average and peak-hour project traffic impacts, if the local agency with jurisdiction has not adopted any particular significance standards for the project area.*] The development of the Proposed Hotel and Business Incubator Project will not result in a significant increase in traffic. A Traffic Impact Study (Solaegui Engineers 2015) has been completed, which concluded that the Proposed Hotel and Business Incubator Project will result in approximately 600 average daily trips a day (30-50 of which will occur during AM and PM peak times) and that the level of service at adjacent intersections and roadways will not be significantly reduced (Solaegui Engineers 2015). However, recommended measures would be implemented that would ensure that significant impacts will not occur as a result of the Proposed Hotel and Business Incubator Project.	☐	☐	X	☐
b. conflict with an applicable congestion management plan, air quality plan, or other plan or policy relating to automobiles or transit systems, adopted by the Tribe or other agency with jurisdiction over the project? No. The Proposed Hotel and Business Incubator Project is not proposed in an area with a relevant congestion management plan, air quality plan or other policy relating to automobiles or transit systems. The development of the Proposed Hotel and Business Incubator Project will not result in a significant increase in traffic as described in the Traffic Impact Study (Solaegui Engineers 2015).	☐	X	☐	☐
c. add traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or supports uses that would be incompatible with substantial increases in traffic (e.g., rural roads used by farm equipment, livestock, horseback riders, or pedestrians) that would result in safety problems with the addition of project-related traffic? No. The Proposed Hotel and Business Incubator Project will be located along North Pa-Ha Lane, which is currently operating at LOS A during AM and PM peak hours. North Pa-Ha Lane does not have any design features or incompatible uses that would conflict with added trips on the roadway.	☐	X	☐	☐
d. have adequate internal circulation capacity including entrance and exit routes, to safely accommodate average and peak-hour traffic loads? The Proposed Hotel and Business Incubator Project is designed to have adequate circulation capacity to accommodate traffic loads along Pa-Ha Lane (Solaegui Engineers 2015).	☐	X	☐	☐
e. provide for safe pedestrian and bicycle circulation? The Proposed Hotel and Business Incubator Project will be located in an area that is currently served by sidewalks and bike lanes. Design features would include adequate pedestrian walkways across Pa-Ha Lane (Solaegui Engineers 2015).	☐	X	☐	☐

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f. provide sufficient parking capacity for the projected numbers of automobiles and bicycles? If not, is sufficient commercial parking capacity available in the immediate project vicinity? If not, will unmet project parking demand worsen parking availability for existing residents or commercial enterprises? The Proposed Hotel and Business Incubator Project includes sufficient parking for both the hotel and the business incubator as there will be over 100 parking spaces developed as part of the Proposed Hotel and Business Incubator Project.	☐	X	☐	☐
g. be served by a community transit program? Is there sufficient capacity on the existing transit system for the project? Is not, is there an adopted plan to increase transit capacity to meet project demand? Yes. The area is serviced by the Bishop Dial-a-Ride transit system. In addition, the implementation of the Proposed Hotel and Business Incubator Project would not demand a significant increase in public transportation as most patrons would be arriving in personal vehicles.	☐	X	☐	☐
8. Visual Quality and Aesthetics. Would the project:				
a. conflict with any applicable vista protection standards, scenic resource protection requirements, and design criteria of the Tribe? No. The Proposed Hotel and Business Incubator Project will not conflict with any existing vista standards, scenic resource protection requirements or design criteria as the Tribe does not have any in place. Furthermore, the hotel will be 3 stories high and therefore, the new development will not obstruct the views such as those of the Sierra Nevada Mountains from Hwy 395 or views from the residences located to the south.	X	☐	☐	☐
b. alter or obstruct existing public view-sheds from or across the project site, including scenic features associated with any designated scenic highway? No. The Proposed Hotel and Business Incubator Project will not conflict with any existing vista standards, scenic resource protection requirements or design criteria as the Tribe does not have any in place. Furthermore, the hotel will be 3 stories high. Therefore, the development will not obstruct the views such as those of the Sierra Nevada Mountains from Hwy 395 or the views from the South. The nearest designated scenic highway is Hwy 168 located just west of the Proposed Hotel and Business Incubator Project area. The development of the Proposed Hotel and Business Incubator Project will not impact scenic features associated with Hwy 168.	X	☐	☐	☐

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c. change the existing visual quality and character at the project site in a manner that is inconsistent with other existing or approved uses for the area? Are such changes attributable to project size, massing, density, landscaping, or other physical factors of the project? The Proposed Hotel and Business Incubator Project includes the construction of a new 3 story, 60 room hotel and business incubator facilities. There will be short-term, construction-related impacts to visual quality. However, once built, the Proposed Hotel and Business Incubator Project will be designed to provide consistency with the surroundings, which include other commercial uses, including a casino, gas station and convenience store and is consistent with the OEDP.	☐	X	☐	☐
d. increase light and glare in the project vicinity so as to cause a hazard or nuisance condition? The Proposed Hotel and Business Incubator Project will introduce new lighting sources. The area currently contains vacant, undeveloped area and the Proposed Hotel and Business Incubator Project includes development of a hotel and associated parking lots. The Proposed Hotel and Business Incubator Project area is currently surrounded with roadways, an existing casino, a gas station and some residential use. However, the residential areas will not be impacted by the new lighting sources and the new lighting will be designed to avoid direct exposure to the residential areas.	☐	☐	X	☐
e. Significantly reduce sunlight or introduce shadows in public areas? The implementation of the Proposed Hotel and Business Incubator Project will not significantly reduce sunlight or introduce shadows to public areas, such as parking lots, roadways or surrounding commercial uses. The proposed hotel will be 3 stories high and the surrounding land uses are not at or near the proposed development area that would cause reduced sunlight or shadows to the areas.	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
9. Air Quality. Would the project:				
a. violate any law or regulation designed to achieve or maintain compliance with ambient air quality standards or to protect against adverse health effects caused by air pollution? The Tribe has adopted air quality standards per the State of California, which are more stringent than the corresponding federal standards for the same pollutants, known as the National Ambient Air Quality Standards. Therefore, it has been determined that adoption of standards that are at least as stringent as the State of California ambient air quality standards is the best method to protect the health and general well-being of Reservation residents. The Proposed Hotel and Business Incubator Project is located within the Great Basin Valley Air Basin (GBVAB), which includes Alpine, Mono, and Inyo counties. The Tribe's air quality program monitors ambient particulates (PM_{10} and $PM_{2.5}$) and ozone. Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs would be in place that will minimize any potential impact. Operation and maintenance of the Proposed Hotel and Business Incubator Project will not have significant effects on particulate concentrations. Other criteria pollutants of concern include ground-level ozone, carbon monoxide, sulfur oxides, nitrogen oxides, and lead. The Proposed Hotel and Business Incubator Project is not expected to have a significant increase in these pollutants compared to existing conditions.	☐	☐	X	☐
b. violate any approved air quality or management plan or policy of the Tribe, or other agency with jurisdiction, regarding applicable air quality standards or air pollution? The Tribe has adopted air quality standards per the State of California, which are more stringent than the corresponding federal standards for the same pollutants, known as the National Ambient Air Quality Standards. Therefore, it has been determined that adoption of standards that are at least as stringent as the State of California ambient air quality standards is the best method to protect the health and general well-being of Reservation residents. The Proposed Hotel and Business Incubator Project is located within the Great Basin Valley Air Basin (GBVAB), which includes Alpine, Mono, and Inyo counties. The Tribe's air quality program monitors ambient particulates (PM10 and PM2.5) and ozone. Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs will minimize any potential impact. Operation and maintenance of the Proposed Hotel and Business Incubator Project will not have significant effects on particulate concentrations. Other criteria pollutants of concern are ground-level ozone, carbon monoxide, sulfur oxides, nitrogen oxides, and lead. The Proposed Hotel and Business Incubator Project is not expected to have a significant increase in these pollutants compared to existing conditions.	☐	☐	X	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
c. result in a net increase of any criteria pollutant for which the project area has not attained applicable tribal or federal ambient air quality standards? Would such a net increase exceed any of the specific parameters listed below? The GBVAB is designated as having attained all federal standards except PM_{10} (24-hour). Heavy equipment used during construction may cause short-term increases in particulates. However standard BMPs will be implemented during construction that will minimize any potential impact. Operation and maintenance of the Proposed Hotel and Business Incubator Project will not have significant effects on particulate concentrations.	☐	☐	X	☐
d. Using the approved or established risk assessment methodologies of the air quality control agencies, would project toxic air contaminant (TAC) emissions cause a significant short- or long-term health risk? Would project TAC emissions cause an increased cancer risk of greater than ten per million? No. The only source of TAC would be from diesel trucks and heavy equipment during construction. Mitigation during construction would include Best Management Practices, which include reducing idling time of trucks and equipment not being used.	☐	☐	X	☐
e. require the removal or demolition of building components containing asbestos, or the excavation or crushing of serpentine rock containing asbestos? There will be no removal or demolition of buildings as part of the Proposed Hotel and Business Incubator Project.	☐	X	☐	☐
f. require the removal or movement of soils contaminated by hazardous materials that can cause adverse health impacts if airborne? During the site-specific geotechnical investigation, undocumented fill was encountered. The fill observed was approximately 2.5 feet thick. This fill will be removed during construction, be properly disposed of, and will cause no adverse health impacts.	☐	X	☐	☐
g. concentrate vehicle trips or vehicle-related emissions in a localized area (e.g., intersections, parking areas), which would cause a violation of the carbon monoxide ambient air quality standard? No. The Proposed Hotel and Business Incubator Project will generate approximately 600 average weekday trips. The Proposed Hotel and Business Incubator Project is in a relatively undeveloped area with few other concentrated sources of carbon monoxide. In comparison to emissions associated with traffic to the existing casino, the Proposed Hotel and Business Incubator Project will not significantly increase emissions.	☐	X	☐	☐
h. cause a significant, ongoing odor, visibility, or other problem that would create a public nuisance condition? No. The development of the Proposed Hotel and Business Incubator Project is not expected to affect odor or visibility or other public nuisance conditions.	X	☐	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts		
		Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
10. Noise and Vibration. Would the project:				
a. violate any established noise or vibration law, regulation, or standard of the Tribe or other agency with jurisdiction over the project? No. The Tribe does not currently have regulations or standards for noise or vibration. The Proposed Hotel and Business Incubator Project will generate short-term construction-related noise impacts. However, the Proposed Hotel and Business Incubator Project is located along North Pa-Ha Lane and Hwy 395 near a developed area and the construction will not result in significant noise impacts to adjacent residential land uses, as the construction will only occur during weekdays 7am to 7pm. In addition, all equipment will be equipped with sound-attenuating technology.	☐	☐	X	☐
b. cause a permanent increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development in the project area? The Proposed Hotel and Business Incubator Project will develop a new hotel in an area that is currently undeveloped. Therefore, there will be a permanent increase in ambient noise levels. However, the Proposed Hotel and Business Incubator Project is located adjacent to developed commercial areas along Hwy 395. Therefore, the increase in noise will not result in a significant increase compared to current noise levels.	☐	X	☐	☐
c. cause a temporary or periodic increase in ambient noise or vibration levels that would be perceptible to humans in the project vicinity, and that is perceptibly greater than the noise or vibration levels caused by existing development and activity in the project area? The Proposed Hotel and Business Incubator Project will generate short-term construction-related noise impacts. However, the Proposed Hotel and Business Incubator Project will be adjacent to developed commercial areas along Hwy 395 and the construction will not result in significant noise impacts to adjacent land uses, as the construction will only occur during weekdays 7am to 7pm. In addition, all equipment will be equipped with sound-attenuating technology.	☐	☐	X	☐
d. Can the project noise and vibration level during construction activities be limited to daylight, weekday hours and be comparable to that required for construction of existing development in the project area? Yes. The Proposed Hotel and Business Incubator Project construction schedule is Monday through Friday, from 7am to 7pm.	☐	X	☐	
11. Utilities and Infrastructure.				
a. ***Electricity***: Will the project require expansion of existing electrical generating facilities and existing high-power transmission lines? No. The Proposed Hotel and Business Incubator Project would not require expansion of facilities for power. Electrical power will be from existing power supplies.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. ***Water***: Will the project comply with water conservation and supply requirements imposed by tribal or federal agencies? Will the project require expansion of existing water treatment facilities or trunk conveyance lines? Has the water purveyor determined that it has adequate treatment facilities, conveyance capacity, and water supplies to serve project demand? Will the water supply be drawn from a ground water basin that is overdrawn in relation to demand and historical levels? No. The Proposed Hotel and Business Incubator Project will comply with all applicable tribal and federal water supply and conservation regulations and requirements. Existing water treatment facilities, storage and distribution systems are adequate to serve the needs of the Proposed Hotel and Business Incubator Project. The estimated amount of water required for the Proposed Hotel and Business Incubator Project is approximately 6,000 gallons per day and will not significantly impact current groundwater supplies.	☐	X	☐	☐
c. ***Wastewater Treatment***: Will the project comply with wastewater pretreatment standards of tribal, federal agencies or other local entities? Will the project require expansion of the wastewater treatment facilities and/or trunk conveyance lines? Has the wastewater treatment provider determined that it has adequate treatment and conveyance capacity to serve project demands? Wastewater treatment service is provided through the Eastern Sierra Community Services District (Bishop Paiute Tribe 2010). Per conversations with the wastewater facility manager, the Tribe is well under the daily allotment by about 40-70,000 gallons/day. The Proposed Hotel and Business Incubator Project would generate approximately 5,000- 10,000 gallons/day. Therefore, the Proposed Hotel and Business Incubator Project should not exceed that allotment. The facility has capacity to serve the Proposed Hotel and Business Incubator Project's demands.	☐	X	☐	☐
d. ***Solid Waste***: Will the project comply with tribal, federal agencies or other local entity requirements relating to recycling, litter control, and solid waste handling? Is a landfill available with sufficient capacity to accommodate long-term (10 or more years) solid waste disposal generated by the project? Waste generated during construction of the Proposed Hotel and Business Incubator Project (clearing and grubbing from site preparation) will be used on the Reservation as directed. During hotel and business incubator operation, the Inyo County landfill will receive all solid waste generated. The landfill has sufficient capacity to accommodate the solid waste (Bishop Paiute Tribe 2009).	☐	X	☐	☐
12. Public Services.				
a. ***Law Enforcement***: Will the project require additional law enforcement staff or equipment to maintain acceptable service ratios, response times, or other performance objectives? The Proposed Hotel and Business Incubator Project will be served by the Inyo County Sheriff's Department, which has adequate staff to serve the proposed facilities, as well as the Bishop Paiute Tribe's Police Department. No additional staff or equipment is necessary.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. ***Fire Protection***: Will the project require additional fire protection staff or equipment to maintain an acceptable level of service (i.e., response time, equipment capacity)? The Tribe has an agreement with the Bishop Rural Fire Protection District (Bishop Paiute Tribe 2013) for the purpose of fire protection and fire suppressions services. The development of the Proposed Hotel and Business Incubator Project will not require additional staff or equipment to maintain acceptable levels of service. The Proposed Hotel and Business Incubator Project will include fire sprinklers and extinguishers and will comply with all applicable Tribal, federal and state laws, regulations and standards.	☐	X	☐	☐
c. ***Emergency/Hospital***: Will the project require additional medical emergency and/or hospital staff, equipment, or facilities to maintain an acceptable level of service (i.e., response time, equipment capacity, special treatment)? No. The existing medical facilities should be adequate to address any emergency health issues that may arise for people patronizing the Proposed Hotel and Business Incubator Project (e.g., Toiyabe Indian Health Project facility, Northern Inyo Hospital).	☐	X	☐	☐
d. ***Schools***: Will the project increase the population of school-age children in a K-12 school district that is currently (or will be) operating without adequate staff, equipment, or facilities? Implementation of the Proposed Hotel and Business Incubator Project will not result in a permanent increase in population. During construction, there will be a short-term increase in population that will be temporary in nature. Once the Proposed Hotel and Business Incubator Project is in operation, employment will be filled by the existing work force in the area. Therefore, the Proposed Hotel and Business Incubator Project will not result in an increase in population that will potentially increase the population of school-aged children, requiring the development of new school facilities or require an increase in staff or equipment.	☐	X	☐	☐
e. ***Parks and Recreation***: Will the project increase use of existing park and recreation facilities, or require the creation of new facilities to comply with applicable tribal park and recreation service standards? The implementation of the Proposed Hotel and Business Incubator Project will not result in increases of existing park or recreation facilities. The Proposed Hotel and Business Incubator Project will include the development of a new 60-bed hotel that will provide accommodations for visitors in the area. A business incubator space will be included in the hotel for new business creation and support in terms of shared costs by participating businesses. However, the expected increase in visitors to the area is not significant enough to require in the development of new parks and recreational facilities.	☐	X	☐	☐
13. Energy. Does the project:				
a. comply with applicable laws and regulations regarding energy conservation? The development of the Proposed Hotel and Business Incubator Project will increase energy use; However, the Proposed Hotel and Business Incubator Project will include implementing energy-saving technologies both during construction and operation of the proposed facilities.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
b. require quantities of nonrenewable sources of energy in excess of quantities required by recent, similar projects? No. The Proposed Hotel and Business Incubator Project will not require excessive resources to construct and operate.	☐	X	☐	☐
c. energy suppliers have the capacity to supply the project's energy needs with existing and planned energy sources and conveyance systems? Yes, existing energy sources and conveyance systems are adequate.	☐	X	☐	☐
14. Hazardous Materials.				
a. Will the project comply with applicable tribal and federal laws, regulations and standards relating to hazardous materials? Yes, the Proposed Hotel and Business Incubator Project will comply with all applicable laws, regulations and standards. Inyo County has policies and procedures for disposal of asbestos, contaminated soil, and hazardous waste.	X	☐	☐	☐
b. Is the soil or groundwater at the project site contaminated by hazardous materials? Is such contamination known to exist at another location that is within 2,000 feet of the project site? No. The Proposed Hotel and Business Incubator Project site does not contain known contaminated soils or groundwater, and none exists within 2,000 feet of the Proposed Hotel and Business Incubator Project location (Geotracker, Assessed September 8, 2016).	X	☐	☐	☐
c. Does the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? No. The Proposed Hotel and Business Incubator Project will not routinely transport, use, or dispose of hazardous materials.	X	☐	☐	☐
d. Does the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? If hazardous materials are used during construction or operation of the Proposed Hotel and Business Incubator Project, a Spill Prevention and Control Plan will be adhered to.	☐	☐	X	☐
e. Will the project interfere with tribal emergency response plans or emergency evacuation plans in the event of a reasonably foreseeable emergency situation involving a hazardous material exposure or release? No, the Proposed Hotel and Business Incubator Project will not interfere with such plans.	☐	X	☐	☐
f. Are there hazardous material re-use, or one or more hazardous waste treatment or disposal, facilities available to lawfully accept and handle hazardous wastes generated by the project? Yes. Inyo County landfills receive low-level household hazardous waste. The Proposed Hotel and Business Incubator Project will not generate substantial amounts of hazardous waste.	☐	X	☐	☐

Impact Categories Potential Impact	No Impact	Potentially Significant Impacts		
		Less than significant Impact	Mitigation Identified – Negative Declaration	No Mitigation Identified – EIR
Mandatory Findings of Significance				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of tribal history or prehistory? No. There is no fish habitat. Because the area is already disturbed, plant and wildlife habitat is poor to marginal. There is no habitat for state or federally listed plant or animal species. A possible ground stone fragment was identified on the ground surface in the southwestern portion of the Area of Potential Affect. Native American consultation revealed that recent road construction adjacent to the southwestern boundary of the Proposed Hotel and Business Incubator Project area had uncovered buried archaeological deposits (obsidian flakes Thus the potential for subsurface artifacts to be present in the southwestern portions of the Proposed Hotel and Business Incubator Project area exists and a Native American monitor is recommended to be on-site during all ground-disturbing activities (Garcia and Associates 2016b).	☐	X	☐	☐
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) No.	X	☐	☐	☐
c. Does the project have impacts that are individually limited, but cumulatively significant when placed in the context of other reasonably foreseeable projects? No. There are no outstanding significant individual impacts, nor are there significant cumulative impacts. Mitigation Measures are in place that reduce any potentially significant impacts.	X	☐	☐	☐
d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? No. There are no project-caused substantial direct or indirect effects on human beings.	X	☐	☐	☐

IV. ALTERNATIVES TO THE PROPOSED ACTION:

1. Alternatives and Project Modifications Considered (*Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting* it.)

Alternatives to the Proposed Hotel and Business Incubator Project included a larger 80-room hotel. This alternative was eliminated from further consideration as the project was not economically sound.

2. No Action Alternative *(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).*

If the Proposed Hotel and Business Incubator Project were not implemented, the current site will remain in its current vacant state.

3. Mitigation Measures Recommended (*Recommend feasible ways in which the proposal or external factors relating to the proposal should be modified in order to eliminate or minimize adverse environmental impacts).*

Aesthetics – 1: The BPDC shall ensure that the proposed new lighting, as well as the renovation of any existing lighting, will not result in excessive glare to nearby residences and drivers or increases in nighttime lighting to adjacent residences.

Air - 1: The Tribe will implement the following BMPs, which would periodically be monitored during construction by the Tribe's air quality program to ensure compliance at the site boundary with Great Basin Unified Air Quality Control District's prohibitions 401 for fugitive dust and 400 for visible emissions:

- Water all construction areas at least twice daily;
- Scheduled vacuum sweeping;
- Track-out control at site exit;
- Cover all trucks hauling soil, sand, and other loose materials or require all truck to maintain at least 2 feet of freeboard;
- Apply non-toxic soil stabilizers to all unpaved parking areas and staging areas at construction sites; and
- Implement the following measures for all construction equipment that use diesel fuel:
    - Use aqueous diesel fuel;
    - Use only equipment with diesel oxidation catalysts.
    - Be properly maintained and minimize idling time to 5 minutes when equipment is not in use.

Cultural – 1: A Certified Tribal Monitor will be present during ground-disturbing, construction-related activities to monitor for cultural resources.

Hazards – 1: Hazardous Materials, such as solvents and fuels, shall be stored in covered containers and protected from accidental release from vandalism, rainfall, and runoff. All stored fuels and solvents shall be contained in an area of impervious surface with containment capacity equal to the volume of materials stored. In addition, spill clean-up kits and materials shall be readily available on site. Construction workers shall be properly trained in spill prevention and clean-up.

Noise – 1: Construction shall occur only during weekdays, Monday through Friday, from 7am to 7pm.

Transportation – 1: The following recommended improvements will be incorporated:

- Any required signing, striping, or traffic control improvements comply with Caltrans requirements.
- US-395/Middle Driveway intersection will be constructed with stop sign control at the south approach and contain one ingress lane and separate left and right turn egress lanes.
- US-395/East Driveway intersection will be constructed with stop sign control at the south approach and contain one ingress lane and one shared left/right turn egress lane.
- Pa Ha Lane/Middle Driveway intersection will be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn- through-right turn lane at all approaches.
- Pa Ha Lane/South Driveway intersection will be constructed as a four-leg intersection with stop sign control at the east and west approaches and contain one shared left turn- through-right turn lane at all approaches.
- Interior roadways and parking lots will conform to Tribal standards.
- Crosswalks will be installed at the south leg of the Pa Ha Lane/Middle Driveway intersection and north leg of the Pa Ha Lane/South Driveway intersection in order to provide pedestrian access between the west parking lot and the hotel/business incubator.
- It is recommended that if any site plan modifications are made in the gas station and convenience store area that the site civil engineering plans include design elements for turning movements of various design vehicles such as fuel trucks, RV's, car and trailers, and buses.

Water Quality – 1: US EPA Region 9 has authority to permit stormwater discharges to waterways through the Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) program which will be contacted prior to construction to determine what level of permitting is required. If permitting requires certification of Tribal waters, this can be obtained by contacting the Bishop Paiute Tribe Environmental Management Office, which has been granted Clean Water Act Section 401 programmatic authorization from the USEPA.

4. Additional Studies Performed (*Attach studies or summaries)*

Garcia and Associates. 2016a Biological Survey of Bishop Paiute Casino Project Area and Bishop Paiute Hotel Project Area.

Garcia and Associates. 2016b. Cultural Resources Survey for the Bishop Paiute Casino Project and Bishop Paiute Hotel Project, Inyo County, California.

Sierra Geotechnical Services. 2014. Updated Geotechnical Investigation; Paiute Palace Hotel, Bishop, Inyo County. California. May 4.

Sierra Geotechnical Services. 2015. Addendum Geotechnical Investigation; Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project, Bishop, Inyo County. California. September 15.

Solaegui Engineers. 2015. Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project Traffic Study. September.

5. List of Sources, Agencies and Persons Consulted

Bishop Paiute Tribe. 1994. Overall Economic Development Plan.

Bishop Paiute Tribe. 2009. Integrated Solid Waste Management Plan.

Bishop Paiute Tribe. 2010. Agreement between Bishop Paiute Tribe and Eastern Sierra Community Service District.

Bishop Paiute Tribe. 2013. Agreement between Bishop Paiute Tribe and Bishop Rural Fire Protection District.

FEMA 2016. http://www.fema.gov/flood-insurance-rate-map-firm. Accessed July 11, 2016.

Garcia and Associates. 2016a Biological Survey of Bishop Paiute Casino Project Area and Bishop Paiute Hotel Project Area.

Garcia and Associates. 2016b. Cultural Resources Survey for the Bishop Paiute Casino Project and Bishop Paiute Hotel Project, Inyo County, California.

Geotracker 2016. http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Bishop+CA. Assessed September 8, 2016

Sierra Geotechnical Services. 2014. Updated Geotechnical Investigation; Paiute Palace Hotel, Bishop, Inyo County. California. May 4.

Sierra Geotechnical Services. 2015. Addendum Geotechnical Investigation; Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project, Bishop, Inyo County. California. September 15.

Solaegui Engineers. 2015 Bishop Paiute Tribe Hotel and Business Incubator Project and Casino Project Traffic Study. September.

U.S. Army Corps of Engineers. 2002. Flood Plain Delineation Study, North and South Forks Bishop Creek, Bishop Paiute Indian Reservation, Inyo County, CA.

U.S. Fish and Wildlife Service. 2009. Coordination regarding Federally Listed Species on Bishop Paiute Tribal Lands, Bishop, CA. November.

V. DETERMINATION BASED ON ENVIRONMENTAL EVALUATION

On the Basis of this Assessment:

☐ The proposed project is **CATEGORICALLY EXEMPT** from the Tribal Environmental Policy Ordinance (TEPO), per Section , as well as the National Environmental Policy Act (NEPA) of 1969, as amended, per Section , (Class:), and there are no unusual circumstances or specified statutory conditions present that render reliance on such applicable Categorical Exemption(s) unlawful.-

☐ The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** should be prepared.

X Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described above will be a required condition of project approval, and accordingly a **MITIGATED NEGATIVE DECLARATION** should be prepared.

☐ There is substantial evidence that the proposed project may have a significant adverse impact on the environment, and an **ENVIRONMENTAL IMPACT REPORT** should be required.

PREPARED BY: BPDC **DATE:** 9/15/16
TITLE:

The following ATTACHMENTS must accompany this document:

X Project Location Map
X Site Plan

BISHOP PAIUTE TRIBE
ENVIRONMENTAL MANAGEMENT OFFICE

PROJECT INFORMATION AND DATA SHEET

The Bishop Tribe Environmental Management Office requires all entities proposing to locate and/or develop a project on the Bishop Paiute Reservation to submit the following vital information and data for each proposed project. This information is required for tribal planning purposes and for monitoring compliance with applicable tribal and federal environmental laws.

1. OWNER/DEVELOPER: Date: 8/29/16
   Name: Bishop Paiute Development Corporation
   Address: 270 See Vee Lane Box 1
   Bishop, California 93514
   Phone: 760-872-4172
   Fax: 760-873-3982

2. NAME OF PROJECT/BUSINESS: Bishop Paiute Hotel and Business Incubator Project.

   Type of Project/Business: ☐ Residential ☐ Governmental ☐ Health/Human Services ☐ Educational
   X Commercial ☐ Industrial ☐ Agricultural ☐ Parks & Rec.
   ☐ Other (Describe):

3. SITE LOCATION: Block No. 3 Lot(s) No. 5-7

4. LAND USE: Project Total Area: 115,000 Square Feet (S.F.) or ☐ Acres

   A. Building(s): 15,200 S.F. C. Access Roads: 20,000 S.F.
   B. Parking Area: 50,000 S.F. D. Lawns/Landscape: 2000 S.F.

5. NUMBER OF: Bathrooms: 60 Restrooms: 1 Bathroom Sinks: 61 Lavatories: 0
   Showers: 60 Water Closets: 61 Urinals: 0 Evaporative Coolers: 0

6. DOMESTIC WATER USE (Estimated Gallons Per Day): 6,000 GPD

7. WASTEWATER (SEWER) FLOWS (Estimated Gallons Per Day): 5,000 GPD

8. ELECTRICITY (Estimated Kilowatt Hours Per Month): 40,000KwH/Mo.

9. GAS (Propane / Natural) (Estimated Gallons Per Month): 500 Gal./Mo.

10. NUMBER OF RESIDENTS/EMPLOYEES: 50 EST. CLIENTS/CUSTOMERS: 80-160 /Day

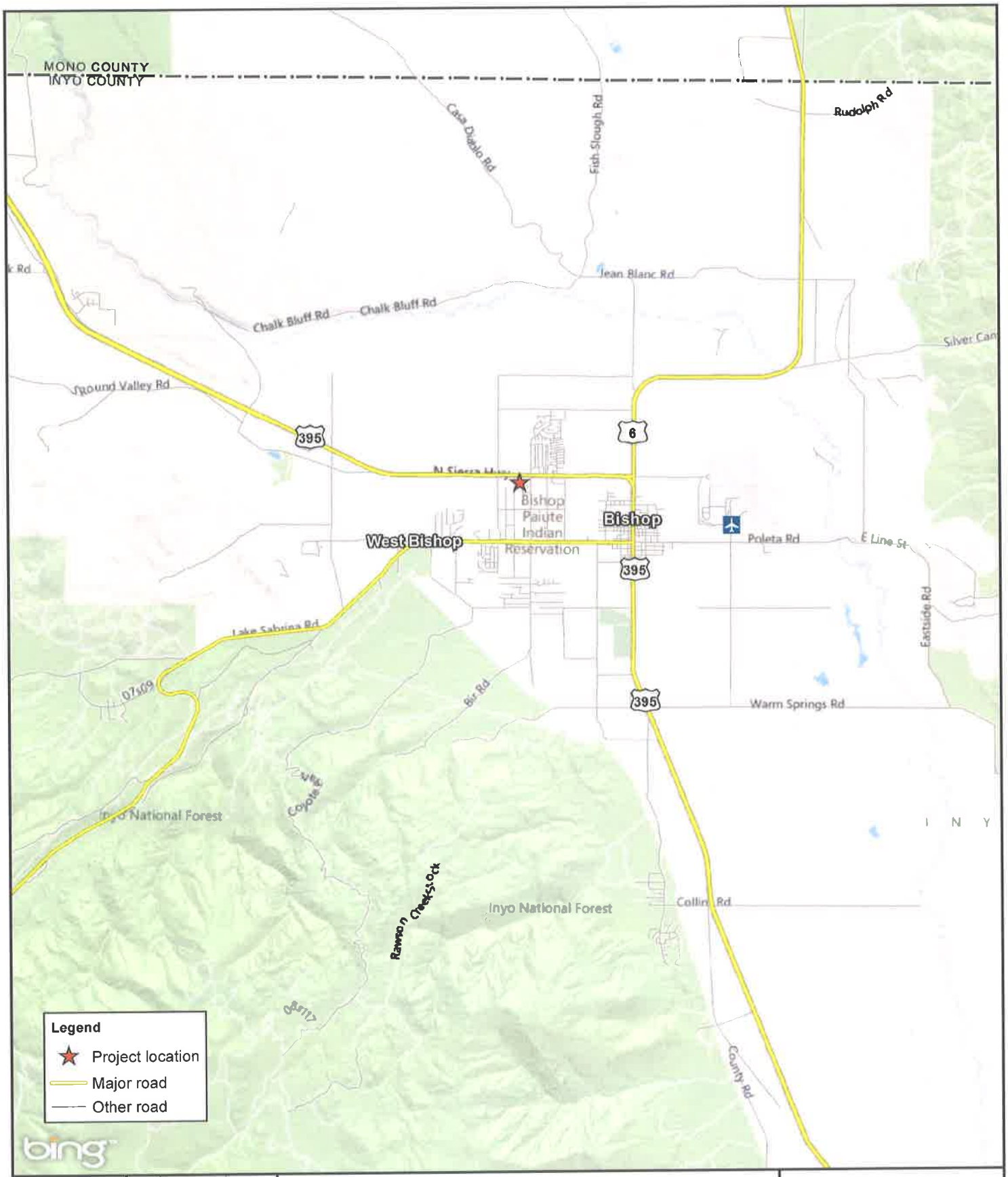
11. HAZARDOUS MATERIALS: ☐ Produced ☐ Used/Stored

12. SOLID WASTE GENERATED AND DISPOSAL (Identify general types of waste generated and proposed disposal site)

    Type: Paper and Cardboard Disposal Site: Inyo County Waste

Please submit completed form to:

Bishop Tribal Environmental Management Office
50 Tu Su Lane
Bishop, CA 93514
Phone: (760) 873-3665 FAX: (760) 873-4614



GANDA

0 1 2 3 4 Mi

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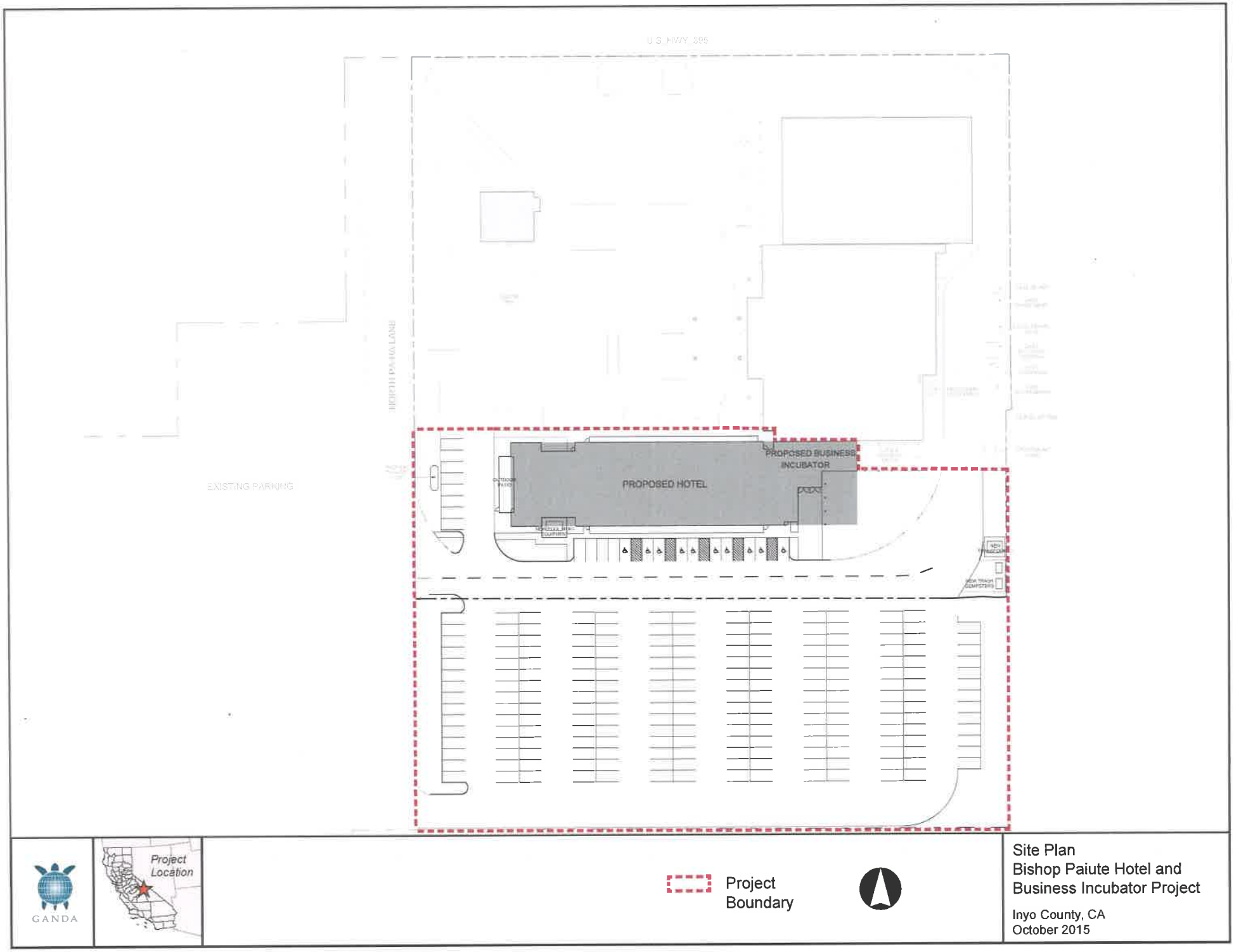
Legal Description: NE 1/4 Sec 2, T07S R32E

1:126,720
One In = Two Mi

Project Location

Inyo County, CA
July 2016



Site Plan
Bishop Paiute Hotel and Business Incubator Project

Inyo County, CA
October 2015

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: Parks and Recreation

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Request to Hire a Seasonal Part Time Maintenance Helper for the Parks and Recreation Dept.

DEPARTMENTAL RECOMMENDATION:

Request your Board:

1) Find that consistent with the adopted Authorized Position Review Policy:
   a) The availability of funding for the requested position come from the General Fund, concurred with by the Assistant Deputy County Administrator and Auditor Controller; and
   b) Where due to the seasonal nature of the position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment is appropriate to ensure qualified applicants apply, and
   c) Approve the hiring of one seasonal Park and Campground Maintenance Helper, Range PT50 ($14.75-$17.91),
   d) Contingent upon Board approval of future budgets.
2) Approve season of November through April for this position.

SUMMARY DISCUSSION:

Operation of the County parks and campgrounds relies on help from seasonal employees during the summer. This year the department is requesting that a seasonal employee be hired for the period from November through April to assist regular County staff in catching up with maintenance items and with preparing the facilities to open in the spring. This position was included in the approved budget.

Staff recommends filling the seasonal park and campground maintenance helper position from an established applicant list developed through an open recruitment.

ALTERNATIVES: Your Board could choose not to authorize filling the position, however, this is not recommended, as the position is needed to properly maintain the facilities.

OTHER AGENCY INVOLVEMENT: Personnel

FINANCING: Funding for this position is included in the FY 2016-2017 Parks and Recreation Budget 076998 object code 5012.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: yes Date 10/4/2016
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 10/4/16

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

Richard J. Benson Date: 10/4/16

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
20

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: October 18, 2016

SUBJECT: Continuation of declaration of local emergency

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

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

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/ A

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/12/16
(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
21

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Continuation of proclamation of local emergency

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

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

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/ A

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)_____ Date: 10/12/16
(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
22

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Continuation of proclamation of local emergency

DEPARTMENTAL RECOMMENDATION: Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

SUMMARY DISCUSSION: During your October 27, 2015 Board of Supervisors meeting your Board took action to proclaim a local emergency, which has been named the Death Valley Down But Not Out Emergency that is a result of flooding in the central, south and southeastern portion of Inyo County. Since the circumstances and conditions relating to this emergency persist, the recommendation is that the emergency be continued on a biweekly basis, until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/ A

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/12/16
(The Original plus 20 copies of this document are required)

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
23

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Clerk of the Board
By: Darcy Ellis, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Board Order and Minute Amendment for September 6, 2016 Budget Hearings

DEPARTMENTAL RECOMMENDATION: Request Board: A) amend the September 6, 2016 Board Order regarding the Board's Fiscal Year 2016-2017 Budget Hearings discussion to include the Board motion with the CAO's specific recommendations; and B) amend the minutes of the September 6, 2016 Budget Hearings, final paragraph, beginning at line 12, to include the motion with the CAO's specific recommendations.

SUMMARY DISCUSSION: The minutes for the September 6, 2016 Budget Hearings did not include the actual motion made and carried unanimously by the Board at the conclusion of the Budget Hearings, which included all the CAO's specific recommendations with regard to the Fiscal Year 2016-2017 Budget. As a result, the Board Order for the Budget Hearings of September 6, 2016 did not include the specific recommendations approved by your Board, including:

1. Approve the Fiscal Year 2016-2017 Budget as recommended by the County Administrator, to include the corrections presented on the Addendum and Errata Sheet and directions provided by the Board during the Budget Hearings; and set adoption of the Final Budget for September 13, 2016.
2. Provide direction with regard to the use of Fund Balance the Auditor-Controller may certify below or in excess of $3,654,123, specifically: direct that $55,000 of the unbudgeted Fund Balance be spent on the FAA grant; $50,000 be put into the OPEB Trust; and the rest, $100,353, be stored in Contingencies.
3. Authorize and direct the County Administrator and Auditor-Controller to approve and make payments, greater than $10,000, to InterAgency Visitor Center, CalExpo Exhibit, and Tri-County Fairgrounds as provided for in the Advertising County Resources Budget.
4. Authorize the County Administrator to develop and execute contracts with all ongoing Grants-in-Support program funding recipients identified in the Grants-in-Support Budget.
5. Authorize the County Administrator to proceed with hiring requests by departments for the new positions added to the authorized staffing, and funded, in accordance with the Final Budget without requiring the departments to return before the Board of Supervisors following the authorized position review process.
6. Reaffirm the County Criminal Justice Realignment Policy adopted in Fiscal Year 2011-2012.

The Board Order should reflect these recommendations in order for the County to efficiently process certain contracts and hiring requests and confirm Board policy. The September 6 Board Order and Board Hearing Minutes are included here with the recommended additional information highlighted for your review.

ALTERNATIVES: Your Board could choose to not approve the amendments as requested, but this is not recommended since these changes will allow the County to efficiently process certain contracts and hiring requests and confirm Board policy.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS	
COUNTY COUNSEL: **N/A**	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: **N/A**	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved:_____ Date_____
PERSONNEL DIRECTOR: **N/A**	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: 10-13-2016
(The Original plus 20 copies of this document are required)

MINUTES

County of Inyo
Board of Supervisors

September 6, 2016 – Budget Hearing (Timed Item During Regular Meeting), 1:30 p.m.

AMENDED BY BOARD VOTE ON OCTOBER 18, 2016*

PUBLIC COMMENT Chairman Griffiths asked for public comment and there was none.

BUDGET MESSAGE CAO Carunchio presented the FY 2016-2017 Budget Message. Carunchio provided the Board with a hard copy of the Budget Message PowerPoint presentation, and also handed out an Addendum and Errata Sheet to accompany budget packets. He thanked the members of his budget team, especially Auditor-Controller Amy Shepherd and Senior Budget Analyst Denelle Carrington, for their hard work and support in preparing this year's budget, and acknowledged and thanked the Department Heads for their efforts to control departmental spending with as little impact as possible to the services they provide. Supervisor Kingsley interjected to thank Carunchio his budget message, which was clear and informative. Auditor-Controller Amy Shepherd certified the 2016-2017 General Fund Balance as $3,859,467, which leaves $205,353 in unbudgeted Fund Balance available for additional needs in the budget. Carunchio told the Board the County didn't have to use this money, but if it did, the money should be used as a one-time expense. Carunchio said the 2016-2017 budget accomplishes quite a bit, including maintaining programs and services priorities established by the Board. Carunchio then cited some challenges on the horizon for next fiscal year: increased dental and vision costs; three new labor contracts; pension costs for non-safety employees; and rising health insurance costs. He said CalPERS is always a wildcard, and in 2017-2018 the County will be required to pay $2.7 million in unfunded liability, either through monthly payments or a lump-sum payment. Shepherd noted the lump-sum payment qualifies the County for a $90,000 discount. Carunchio said a 20-year amortization plan adds $764,304 a year in General Fund revenue and saves the County $12.8 million over time, while a 10-year amortization plan adds $1.1 million and saves the County $26 million. Carunchio said the question to consider, then, is whether there are enough opportunities to reduce costs or increase revenue to face these challenges. He cited possible ongoing General Fund savings in the form of eliminated after-school program contracts, a vacant probation officer position, possible loss of a clerical position in Environmental Health, and streamlining of kitchen services. He also noted that about half a million in expenditures this year were one-time expenses. Some ongoing opportunities to find savings exist in strategically using Criminal Justice and HHS Realignment funds, reviewing and revising the County Vehicle and Travel policies, insisting grants be used to offset General Fund costs whenever possible, and investigating alternatives to contract laundry services. He also noted that Juvenile Services Redesign is underway and although it required more spending this year, it lays the groundwork for saving money in the future in addition to improving juvenile services. Carunchio added that the Adult Resource Center could open up Medi-Cal funding for HHS and Probation, freeing up realignment funding for other uses. The total Recommended Budget includes $87,935,124 in revenue and $95,978,087 in expenses, for an $8,042,963 deficit covered by existing fund balances. The General Fund by itself has $53,072,054 in revenues and $56,726,177 in expenses for a $3,654,123 deficit. Carunchio then compared his Recommended Budget to the Department Requested Budget, which had an overall shortfall of $8.6 million. He said his budget relies on adding operating transfers, taking salary savings, decreasing (non-personnel) requested expense, and assuming a certified General Fund Balance. Highlights of the budget include $611,081 from the General Fund to support senior citizen programs in Inyo and Mono counties; adding $816,210 for expanded juvenile services programs; supporting several economic development initiatives (including matching funds for FAA grants for airport improvements, an ag study, and paying for 21st Century Obsidian consultants); adding 17 new positions (six net); allocating $300,000 for a Financial Systems upgrade; 10 new vehicle patrol cars for the Sheriff; paying $200,000 towards the Recycling and Waste Management $1 million deficit; and including $370,351 for deferred maintenance projects. Carunchio said the County could have its employees working out of a van on blocks and delivering great services because they're that good, but that's no reason not to try to get

In the Rooms of the Board of Supervisors

County of Inyo, State of California

*****AMENDED BY BOARD VOTE ON OCTOBER 18, 2016*****

I, HEREBY CERTIFY, that at a meeting of the Board of Supervisor of the County of Inyo, State of California, held in their rooms at the County Administrative Center in Independence on the 6th day of September 2016 an order was duly made and entered as follows:

BOARD REVIEW Chairman Griffiths commended Carunchio for including in his budget an estimated General Fund Balance that was extremely close to the actual amount, as had been the trend over the years. Carunchio said he and Shepherd try to monitor the balance very closely in the summer because it can fluctuate by as much as $1 million day to day. Supervisor Kingsley asked how much was put into deferred maintenance last year and was told $250,000. Supervisor Pucci congratulated staff for doing an excellent job and working hard on the budget. He said it makes sense that personnel costs account for 68 percent of the General Fund since the County provides services as a public agency. He said the budget package probably isn't perfect for everybody but it lets the County continue to provide services to the public and that's the most important thing. Supervisor Tillemans recognized that the budget process is a team effort, noting the County essentially has one pot of money for everyone to spend. He said it was good to see Service Redesign being used again as a money-saver and said, as a concept, it only works from the ground up with the cooperation of staff. He also said he thinks if the County has an opportunity to save $26 million, it should take advantage of it and not leave the unfunded liability a problem for future generations to solve. Chairman Griffiths said Carunchio had been talking for years about using a consultant in Washington, D.C. to track down funding opportunities and asked whether that was happening yet. Carunchio said he was close to presenting a Request for Proposals and said the City of Bishop will be partnering on the contract with the County. Chairman Griffiths asked for comment from the audience. Earl Wilson of Lone Pine said he hadn't read the budget but wondered if money was there for replacing lighting in Big Pine, Independence, and Lone Pine. He said whatever lighting is being put in is the white kind, which is wrong. He said it should be yellow lighting with full shields.

CONSENT AGENDA Chairman Griffiths moved on to the Consent portion of the agenda, choosing to open it up department by department. The only department head with any comment was Public Works Director Clint Quilter, who responded to Wilson's comment about the lighting. He said it was something Public Works could look into they haven't been directing anyone to put lighting up.

BOARD ACTION Discussion continued with Chairman Griffiths bringing up the remaining fund balance. Supervisor Pucci said he thought the OPEB balance was something the County should continue to contribute to. Chairman Griffiths said he agreed, but not in a year when the County was facing unknown paybacks to the state because of the BOE miscalculation. Supervisor Kingsley said the FAA grant was something the County should fund. He said he'd just as soon put the rest of the money in one of the other trusts and not touch it, considering the County's upcoming responsibility concerning the unfunded liability. Both Kingsley and Griffiths said it would be good to come back at mid-year and re-evaluate the unbudgeted Fund Balance and where it might need to be spent. Supervisor Pucci said OPEB is not a new liability, and said if the County has a plan to contribute to a trust on an ongoing basis, it shows constituents they're serious about funding it. Supervisor Kingsley said he thought Pucci's advice should be taken. The rest of the Board agreed. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to:

1. Approve the Fiscal Year 2016-2017 Budget as recommended by the County Administrator, to include the corrections presented on the Addendum and Errata Sheet and directions provided by the Board during the Budget Hearings; and set adoption of the Final Budget for September 13, 2016.
2. Provide direction with regard to the use of Fund Balance the Auditor-Controller may certify below or in excess of $3,654,123, specifically: direct that $55,000 of the unbudgeted Fund Balance be spent on the FAA grant; $50,000 be put into the OPEB Trust; and the rest, $100,353, be stored in Contingencies.
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5. Authorize the County Administrator to proceed with hiring requests by departments for the new positions added to the authorized staffing, and funded, in accordance with the Final Budget without requiring the departments to return before the Board of Supervisors following the authorized position review process.
6. Reaffirm the County Criminal Justice Realignment Policy adopted in Fiscal Year 2011-2012.

Motion carried unanimously.

WITNESS my hand and the seal of said Board this 16th Day of September, 2016

KEVIN D. CARUNCHIO
Clerk of the Board of Supervisors

By:

Routing
CC Purchasing Personnel Auditor X CAO X Other: Sr. Budget Analyst DATE: October 13, 2016

the van off the blocks. The budget also takes into account Board of Equalization paybacks, unknown amounts of money the County will have to pay back to the State due to a statewide miscalculation. Carunchio also pointed out budget trends and possible needs that were not budgeted, such as overtime in the Assessor's Office due to the financial system upgrade. Carunchio went over the unbudgeted Fund Balance again, reminding the Board it did not have to spend the $205,353 but if it did, it might consider the following: $12,000 for Contingencies ($164,461 was used last year); $55,000 to match the new FAA grant; $0 for the OPEB Trust (it got $100,000 last year); keeping $80,000 in the Elections Innovations Trust; and $0 for Accumulated Capital Outlay, General Reserve, the Economic Stabilization Fund, and Computer System Fund.

BOARD DISCUSSION

Chairman Griffiths commended Carunchio for including in his budget an estimated General Fund Balance that was extremely close to the actual amount, as had been the trend over the years. Carunchio said he and Shepherd try to monitor the balance very closely in the summer because it can fluctuate by as much as $1 million day to day. Supervisor Kingsley asked how much was put into deferred maintenance last year and was told $250,000. Supervisor Pucci congratulated staff for doing an excellent job and working hard on the budget. He said it makes sense that personnel costs account for 68 percent of the General Fund since the County provides services as a public agency. He said the budget package probably isn't perfect for everybody but it lets the County continue to provide services to the public and that's the most important thing. Supervisor Tillemans recognized that the budget process is a team effort, noting the County essentially has one pot of money for everyone to spend. He said it was good to see Service Redesign being used again as a money-saver and said, as a concept, it only works from the ground up with the cooperation of staff. He also said he thinks if the County has an opportunity to save $26 million, it should take advantage of it and not leave the unfunded liability a problem for future generations to solve. Chairman Griffiths said Carunchio had been talking for years about using a consultant in Washington, D.C. to track down funding opportunities and asked whether that was happening yet. Carunchio said he was close to presenting a Request for Proposals and said the City of Bishop will be partnering on the contract with the County. Chairman Griffiths asked for comment from the audience. Earl Wilson of Lone Pine said he hadn't read the budget but wondered if money was there for replacing lighting in Big Pine, Independence, and Lone Pine. He said whatever lighting is being put in is the white kind, which is wrong. He said it should be yellow lighting with full shields.

CONSENT AGENDA

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BOARD ACTION

Discussion continued with Chairman Griffiths bringing up the remaining fund balance. Supervisor Pucci said he thought the OPEB balance was something the County should continue to contribute to. Chairman Griffiths said he agreed, but not in a year when the County was facing unknown paybacks to the state because of the BOE miscalculation. Supervisor Kingsley said the FAA grant was something the County should fund. He said he'd just as soon put the rest of the money in one of the other trusts and not touch it, considering the County's upcoming responsibility concerning the unfunded liability. Both Kingsley and Griffiths said it would be good to come back at mid-year and re-evaluate the unbudgeted Fund Balance and where it might need to be spent. Supervisor Pucci said OPEB is not a new liability, and said if the County has a plan to contribute to a trust on an ongoing basis, it shows constituents they're serious about funding it. Supervisor Kingsley said he thought Pucci's advice should be taken. The rest of the Board agreed. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to:

1. Approve the Fiscal Year 2016-2017 Budget as recommended by the County Administrator, to include the corrections presented on the Addendum and Errata Sheet and directions provided by the Board during the Budget Hearings; and set adoption of the Final Budget for September 13, 2016.
2. Provide direction with regard to the use of Fund Balance the Auditor-Controller may certify below or in excess of $3,654,123, specifically: direct that $55,000 of the unbudgeted Fund Balance be spent on the FAA grant; $50,000 be put into the OPEB Trust; and the rest, $100,353, be stored in Contingencies.
3. Authorize and direct the County Administrator and Auditor-Controller to approve and make payments, greater than $10,000, to InterAgency Visitor Center, CalExpo Exhibit,

and Tri-County Fairgrounds as provided for in the Advertising County Resources Budget.

4. Authorize the County Administrator to develop and execute contracts with all ongoing Grants-in-Support program funding recipients identified in the Grants-in-Support Budget.
5. Authorize the County Administrator to proceed with hiring requests by departments for the new positions added to the authorized staffing, and funded, in accordance with the Final Budget without requiring the departments to return before the Board of Supervisors following the authorized position review process.
6. Reaffirm the County Criminal Justice Realignment Policy adopted in Fiscal Year 2011-2012.

Motion carried unanimously.

_____

Chairperson, Inyo County Board of Supervisors

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

by: _____
Darcy Ellis, Assistant

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
24

☐ Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing

☒ Scheduled Time for 11:45 a.m. ☐ Closed Session ☐ Informational

FROM: CLERK OF THE BOARD
By: Darcy Ellis, Assistant to the Clerk of the Board

FOR THE BOARD MEETING OF: October 18, 2016

SUBJECT: Annual Meeting of the Capital Asset Leasing Corporation

DEPARTMENTAL RECOMMENDATION: Request Board convene as the Capital Asset Leasing Corporation to elect new officers, approve the minutes of the last meeting, and consider a financial report on the Corporation.

SUMMARY DISCUSSION: The Board of Supervisors serves as the County's Capital Asset Leasing Corporation, which is required to meet at least once a year. The Corporation last met on October 13, 2015, at which time Supervisor Pucci was elected President, Supervisor Griffiths was elected Secretary, and Supervisor Tillemans was elected Treasurer. The Corporation must now elect new officers, as well as approve the minutes from the October 13, 2015 meeting. The Capital Asset Leasing Corporation is also presented annually with a financial report on the Corporation prepared by the Treasurer-Tax Collector. The Annual Financial Report is included here for your review.

ALTERNATIVES: n/a

OTHER AGENCY INVOLVEMENT: n/a

FINANCING: n/a

APPROVALS	
BUDGET OFFICER: **N/A**	BUDGET AMENDMENTS *(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.)*
COUNTY COUNSEL: **N/A**	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the Assistant Clerk of the Board.)* Approved: _____ Date_____
AUDITOR/CONTROLLER: **N/A**	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the Assistant Clerk of the Board.)* Approved:_____ Date_____
PERSONNEL DIRECTOR: **N/A**	PERSONNEL AND RELATED ITEMS *(Must be reviewed and approved by the director of personnel services prior to submission to the Assistant Clerk of the Board.)* Approved:_____ Date_____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/12/16
(The Original plus 20 copies of this document are required)

MINUTES

County of Inyo
CAPITAL ASSET LEASING CORPORATION

October 13, 2015

The Board of Directors of the Capital Asset Leasing Corporation of the County of Inyo, State of California, met at the hour of 11:48 a.m., on October 13, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Supervisors Dan Totheroh, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley.

Election of Officers	Last Year's President called for nominations for the President of the Capital Asset Leasing Corporation. Supervisor Kingsley nominated Supervisor Pucci for President and the nomination was seconded by Supervisor Tillemans. There being no further nominations, the President closed the nominations and called for the vote to elect. Supervisor Pucci, was unanimously elected President of the Capital Asset Leasing Corporation. The President called for nominations for the Secretary of the Capital Asset Leasing Corporation. Supervisor Tillemans nominated Supervisor Griffiths for Secretary, and the nomination was seconded by Supervisor Kingsley. There being no further nominations, the President closed the nominations and called for the vote to elect. Supervisor Griffiths was unanimously elected Secretary of the Capital Asset Leasing Corporation. The President called for nominations for the Treasurer of the Capital Asset Leasing Corporation. Supervisor Kingsley nominated Supervisor Tillemans for Treasurer, and the nomination was seconded by Supervisor Griffiths. There being no further nominations, the President closed the nominations and called for the vote to elect. Supervisor Tillemans, was unanimously elected Treasurer of the Capital Asset Leasing Corporation.
Minute Approval	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the October 14, 2014 Capital Asset Leasing Corporation. Motion carried unanimously.
Financial Update	The Treasurer-Tax Collector, Ms. Alisha McMurtrie, presented the Annual Financial Report. She provided a brief history of the COP's and reported that the County no longer has any debt associated with the COP's. The Auditor-Controller provided additional information on the Corporation.
Adjournment	The Chairperson adjourned the Capital Asset Leasing Corporation Meeting at 12:00 p.m.

_____
President, Inyo County Capital Asset Leasing Corporation

Attest: *Kevin D. Carunchio*
Clerk of the Board

by: _____
Darcy Ellis, Assistant

Prepared by: Pat Gunsolley, 10-09-15

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
inyottc@inyocounty.us

ALISHA McMURTRIE
TREASURER-TAX COLLECTOR

Inyo County Capital Asset Leasing Corporation
Annual Financial Report
October 18, 2016

History:

In 1990, the Inyo County Capital Asset Leasing Corporation issued Certificates of Participation (COPs) in the total amount of $5,000,000.00 for the primary purpose of financing a new County Jail and Juvenile Detention Facility. In 1999, the County paid down the outstanding COP principal by $900,000.00, and issued refunding COPs in the amount of $2,940,000.00 in order to take advantage of lower interest rates, and thereby reduce the County's interest costs and annual debt (lease) payments. The County posted Assessor's Parcel Number 002-133-02 (new County Jail land and improvements) as collateral on the 1999 Refunding COPs.

Cash Assets:

On February 1, 2011, the final payment on the financing for the County Jail and Juvenile Facility was made, effectively bringing the Reserve fund to a zero balance and closing the account. There are no cash assets.

Current Standing:

The Capital Asset Leasing Corporation currently has no issuances. The Corporation remains in effect and positioned to provide services for any future debt service financing the County may enter into.

Bond Rating:

Over the life of the financing, Moody's Investor Service rated the County's 1999 Refunding COPs at Baa1. This rating has since been reaffirmed. The County will obtain an updated financial review when it seeks any future financing packages.

Prepared by: Alisha McMurtrie, Treasurer-Tax Collector

#25

Public Comment

#26

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission

Wildlife Heritage and Conservation
Since 1870

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

RECEIVED
2016 OCT -6 PM 2:55

15 Day Notice of California Notice Register 2016, No. Z2016-0705-03
Re: Upland Game Bird Special Hunt Drawing and Application

September 30, 2016

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a 15-day continuation notice of the notice of proposed regulatory action to add Section 715 and amend Section 702, Title 14, California Code of Regulations, relating to Upland Game Bird Special Hunt Drawing and Application Fee, which was published in the California Regulatory Notice Register on July 15, 2016. The proposed changes to the originally noticed language are shown in double underline/strikeout underline and are sufficiently related to the originally proposed text.

The changes reflect a reduction in the proposed application fee for the drawing has therefore been reduced from $5.00 to $2.25. In response to public comments received at the August 25, 2016 Discussion hearing, the Department of Fish and Wildlife (Department) reevaluated the proposed application fee for the Upland Game Bird Special Hunt Drawing and determined that staff costs for Wildlife Branch personnel are appropriately covered by Upland Game Stamp funds and should not be apportioned to the drawing fee. The number of projected drawing applications was also reduced from 10,000 to 6,200 based on the number of current drawing applications.

The date of the public hearing related to this matter, and associated deadlines for receipt of oral or written comments at the meeting to be held on October 20, 2016 in Eureka has not changed from the original notice. Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.

Karen Fothergill, Department of Fish and Wildlife, phone 916-716-1461, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Caren Woodson
Associate Governmental Program Analyst
Attachment

TITLE 14. Fish and Game Commission
AMENDED Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 203, 215, 220, 331, 332 and 1050 of the Fish and Game Code and to implement, interpret or make specific Sections 200, 202, 203, 203.1, 207, 215, 219, 220, 331, 332, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 3500, 3682.1, 3683, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502 of said Code, proposes to amend Section 702 and add Section 715, Title 14, California Code of Regulations, relating to Upland Game Bird Special Hunt Drawing and Application Fee.

Informative Digest/Policy Statement Overview

A new Section 715, Upland Game Bird Special Hunt Drawing, is proposed to establish the application and drawing procedures for wild upland game bird hunt reservations in the Automated License Data System (ALDS). ALDS is the central location for the public to apply for all Department licenses and hunting opportunities. The ALDS drawing process provides more accuracy and flexibility to the public and allows applicants to easily select their first, second and third choice wild bird hunts. A fee of **$2.25** per application for the Upland Game Bird Special Hunt Drawing is proposed to be added in Section 702.

Benefits of the regulations

The Commission anticipates benefits to the health and welfare of California residents. ALDS provides a single location for the public to apply for all department hunts including big game and waterfowl hunting opportunities. Data collected and compiled through ALDS will be accessible in a consistent format for the Department's use. Adding the Upland Game Bird Special Hunt Drawing to ALDS will provide the same benefits of fairness and flexibility as well as important information necessary to properly manage upland game bird populations.

The Commission anticipates benefits to the State's environment in the sustainable management of natural resources. The proposed regulation could reduce the time required to apply for Upland Game special hunting opportunities and will improve the accuracy of the data collection. Adoption of regulations to increase sustainable hunting opportunity provides for the maintenance of sufficient populations of upland game birds to ensure their continued existence.

Non-monetary benefits to the public

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action automates an existing hunt drawing process through the use of ALDS. This proposal is economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission anticipates benefits to the health and welfare of California residents. ALDS provides a single location for the public to apply for all department hunts including big game and waterfowl hunting opportunities. Data collected and compiled through ALDS will be accessible in a consistent format for the Department's use. Adding the Upland Game Bird Special Hunt Drawing to ALDS will provide the same benefits of fairness and flexibility as well as important information necessary to properly manage upland game bird populations.

The Commission anticipates benefits to the State's environment in the sustainable management of natural resources. The proposed regulation could reduce the time required to apply for Upland Game special hunting opportunities and will improve the accuracy of the data collection. Adoption of regulations to increase sustainable hunting opportunity provides for the maintenance of sufficient populations of upland game birds to ensure their continued existence. The Commission does not anticipate any impacts on the creation or elimination

#26

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission

Wildlife Heritage and Conservation
Since 1870

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

RECEIVED
2016 OCT -6 PM 2:53

September 30, 2016

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action to add Section 748.6, Title 14, California Code of Regulations, relating to standards for imposing penalty enhancements for illegal take of game with defined characteristics, which will be published in the California Regulatory Notice Register on September 30, 2016.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments. Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.

Captain Patrick Foy, Law Enforcement Division, Department of Fish and Wildlife, phone 916-651-6692, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Caren Woodson
Associate Governmental Program Analyst

Attachment

TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 12013.3 of the Fish and Game Code and to implement, interpret or make specific Section 12013.3 of said Code, proposes to add Section 748.6, Title 14, California Code of Regulations, relating to establishing standards for imposing penalty enhancements for illegal take of game with defined characteristics.

Informative Digest/Policy Statement Overview

The Fish and Game Commission (Commission) proposes to implement the provisions of Fish and Game Code Section 12013.3 by adopting definitions of "trophy" deer, elk, antelope, bighorn sheep, and wild turkey for the purpose of enhanced fines and penalties for poaching animals meeting specified criteria as required below.

"(b) The Commission shall adopt regulations to implement this section, including establishing a trophy designation and monetary value based on the size or related characteristics of deer, elk, antelope, bighorn sheep, and wild turkey."

This rulemaking process proposes to add Section 748.6 to Title 14, California Code of Regulations, to establish standards that can be used by the courts when imposing criminal fines in cases where individuals are convicted of the violations set forth in Fish and Game Code section 12013.3.

Summary of Proposed Additions
The Commission is proposing the following regulatory changes:

Add Subsection (a) of Section 748.6
For purposes of implementing the penalty enhancements set forth in Fish and Game Code section 12013.3, the following subsections will be added to Title 14 and animals meeting the criteria specified will be designated as trophies:

Add subsection (1) In deer hunting zones A, all B zones, D10, D11, D13, D15, and D16, any deer with four or more points on either antler (excluding eye guards) or with an outside antler spread of at least sixteen inches. In all other deer hunting zones (all X zones, all C zones, and zones D3, D4, D5, D6, D7, D8, D9, D12, D14, D 17, D19), any deer with four or more points on either antler (excluding eye guards) or with an outside antler spread of at least twenty-two inches.

For purposes of establishing a trophy standard for deer, California's deer hunting zones are divided into two groups each with a different standard that qualifies as a trophy.

Deer zones A, all B zones, D10, D11, D13, D15, D16: Deer having four or more points on at least one side not including eye guards or an outside spread of 16 inches or greater.

For all X zones and all C zones, and zones D3, D4, D5, D6, D7, D8, D9, D12, D14, D 17, D19 (there is no D18 zone): Deer having four or more points on at least one side not including eye guards or an outside spread of 22 inches or greater.

Add subsection (2) Any elk with five or more points on either antler (including eye guards);

are the beard and spur lengths. The wild turkey beard is most prevalent on the males, is similar in look to a long tuft of hair, hence the term "beard" but in actuality is a group of modified feathers. Between 10 and 20 percent of females also have beards, but they are not usually as long, and an even lower percentage of hens have spurs.

The average lifespan of wild turkey is three years and it takes the average male bird, called a Tom, this long to develop a beard to reach a length of eight or more inches, and for the spurs to reach a length of at least one inch. Most hunters consider a bird with either of these two physical characteristics of this size a "trophy" sized animal.

Add Subsection (b) of Section 748.6
For purposes of measuring the attributes listed in Subsection (a) Section 748.6, to designate a game mammal or wild turkey a trophy, the following subsections will be added to Title 14:

Definitions.
(1) A point is a projection of the antler at least one inch long and longer than the width of its base.
(2) The outside antler spread is measured between perpendiculars at a right angle to the center line of the skull at the widest part, whether across the main beams or points.
(3) An eye guard is a projection on the lower one-third of the antler.
(4) The length of a pronghorn antelope horn is measured with a flexible measuring tape along the center of the outer curve from the tip of the horn to a point in line with the lowest edge base, using a straight edge to establish the line end.
(5) The length of a wild turkey's beard is the distance from the turkey's skin to the tip of the longest strand of one or more beards, and the length of a spur is measured along the outside curve of the spur.

The definitions section clarifies how the size characteristics are technically defined. They rely upon commonly used measurement standards in the hunting and outdoors industry, as well as insure that the regulations are clear and legally enforceable.

Add Subsection (c) of Section 748.6
For purposes of assessing penalties as set forth in Fish and Game Code section 12013.3(a), the following subsection will be added to Title 14 to aide in determining the appropriate fine within the range:

In determining the monetary value of any fine imposed pursuant to Fish and Game Code section 12013.3, courts should consider the totality of the circumstances, including but not limited to, the degree to which the standards set forth in subsection (a) are exceeded, and any prior violations of the defendant.

This subsection will implement Fish and Game Code Section 12013.3 by encouraging courts to consider the degree by which the trophy standards are exceeded in determining the amount of criminal fines.

Benefits of the Proposed Regulations
The Commission anticipates benefits to the health and welfare of California residents. Participation in hunting opportunities and the general positive support from representatives of legitimate ethical hunting organizations fosters conservation through education and appreciation

Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for fiscal and economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations only imposes penalty enhancements for activity which is already illegal.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any significant impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California because the proposed regulations do not add new uses or remove existing uses.

The Commission anticipates benefits to the health and welfare of California residents. Participation in hunting opportunities and the general positive support from representatives of legitimate ethical hunting organizations fosters conservation through education and appreciation of California's wildlife.

The Commission does not anticipate any benefits to worker safety.

The Commission anticipates benefits to the State's environment. It is the policy of the State to encourage the conservation, maintenance, and utilization of the living resources. The proposed action will further this core objective.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

#27

State of California—Transportation Agency EDMUND G. BROWN Jr., Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
469 South Main Street
Bishop, CA 93514
(760) 872-5960
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

September 20, 2016

File No.: 825.15689.14437

RECEIVED
2016 OCT -6 PM 2:53

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

Dear Board of Supervisors:

The enclosed report is submitted pursuant to Health and Safety Code Section 25180.7 (Proposition 65). The report documents information regarding the illegal discharge (or threatened illegal discharge) of hazardous waste, which could cause substantial injury to the public health or safety. The report is submitted on behalf of all designated employees of the Department of California Highway Patrol.

Sincerely,

Timothy P. Noyes
T. P. NOYES, Captain
Commander
Bishop Area

Enclosure

cc: Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

HAZARDOUS MATERIALS INCIDENT REPORT

CHP 407E (Rev. 3-15) OPI 062 Refer to HPM 84.2, Chapter 2

OES CONTROL NUMBER: 16-5687

COLLISION REPORT: ☒ Yes NUMBER 9825-2016-0319 ☐ No

HAZMAT CASUALTIES	NO. EXPOSED/ DECONNED	NO. INJURED	NO. KILLED
AGENCY PERSONNEL	0	0	0
OTHERS	0	0	0

CITY: Unincorporated
COUNTY: Inyo
JUDICIAL DISTRICT: Inyo
NCIC: 9825
PHOTOGRAPHS BY ☒ NONE
HAZMAT PLACARDS DISPLAYED ☐ Yes ☒ No

INCIDENT DATE (MM/DD/YYYY): 09/18/2016
INCIDENT TIME: 1130 HOURS
TIME CALTRANS/COUNTY ROADS NOTIFIED: 1235 HOURS
TIME O.E.S. NOTIFIED: 1318 HOURS
STATE HIGHWAY RELATED ☒ Yes ☐ No

INCIDENT OCCURRED ON: US-395 northbound
☐ AT INTERSECTION WITH ☒ OR North of Enchanted Road
MILEPOST INFORMATION
GPS COORDINATES: LATITUDE 36.185777° LONGITUDE -117.978180°

NAME (FIRST, MIDDLE, LAST)	DRIVER'S LICENSE NUMBER	STATE	VEH. YEAR	MAKE	LICENSE NUMBER	STATE
Gellion, E., Deleon	D5710203	CA	2009	International	WP83775	CA
STREET ADDRESS: 13829 Ashmont Street			2016	Fontaine	4PL4965	CA
CITY/STATE/ZIP CODE: Victorville, CA 92392			VEH. YEAR	MAKE	LICENSE NUMBER	STATE

HOME PHONE: (626) 826-5533
BUSINESS PHONE: (626) 826-5758
CARRIER NAME: Camilas Transport

HAZMAT IDENTIFICATION SOURCES (CHECK ALL THAT APPLY)

- ☐ On-site fire services
- ☐ Private info source
- ☐ Off-site fire services
- ☐ On-site non-fire services
- ☐ Off-site non-fire services
- ☐ Computer software
- ☐ Chemist
- ☐ Other
- ☐ Chemtrec
- ☐ Poison Control Center
- ☐ Safety Data Sheet
- ☐ Placards/Signs
- ☐ Shipping papers
- ☒ Emergency Response Guidebook
- ☐ No reference material used

REGISTERED OWNER ☐ SAME AS DRIVER: Narberto Ipina Morales
OWNER'S ADDRESS ☐ SAME AS DRIVER: 11547 MAywood, Victorville, CA 92392
VEHICLE IDENTIFICATION NUMBER: 2H9CUAPR99C092539

VEHICLE TYPE		CA NUMBER	DOT NUMBER
25	31	450924	2476296

CHEMICAL/TRADE NAME	UN NUMBER	DOT HAZARD CLASS	QUANTITY RELEASED (LBS., GAL., ETC.)	EXTENT OF RELEASE	PHYSICAL STATE STORED	PHYSICAL STATE RELEASED
Diesel fuel	1202	3	10 gal	Outside vehicle	Liquid	Liquid

CONTAINER TYPE	CONTAINER CAPACITY (LBS., GAL., ETC.)	CONTAINER MATERIAL	LEVEL OF CONTAINER
Vehicular fuel tank	100 gal	Aluminum/Aluminum alloys	Above ground

CHEMICAL/TRADE NAME	UN NUMBER	DOT HAZARD CLASS	QUANTITY RELEASED (LBS., GAL., ETC.)	EXTENT OF RELEASE	PHYSICAL STATE STORED	PHYSICAL STATE RELEASED
Motor oil	1270	3	10 gal	Outside vehicle	Liquid	Liquid

CONTAINER TYPE	CONTAINER CAPACITY (LBS., GAL., ETC.)	CONTAINER MATERIAL	LEVEL OF CONTAINER
No container	12 gal	Iron/Iron alloys	Above ground

PROPERTY USE: State Highway
SURROUNDING AREA: Open land
PROPERTY MANAGEMENT: State
RELEASE FACTORS: Collision/Overturn
EQUIPMENT TYPE INVOLVED: Vehicle fuel system
HAZMAT CONFIRMED ☒ Yes ☐ No

CITATION ISSUED OR COMPLAINT TO BE FILED ☐ Yes ☒ No ☐ Not determined
PRIMARY CAUSE OF INCIDENT ☐ Violation
OTHER HAZARDOUS MATERIALS VIOLATIONS (NON-CAUSATIVE) ☐ Yes ☒ No
☐ Other Code violation
☒ Other cause Mechanical failure
DID WEATHER CONTRIBUTE TO CAUSE OR SEVERITY OF INCIDENT? ☐ Yes ☒ No WEATHER

ELEMENTS (OUTLINE THE FOLLOWING ON A CHP 556. INCLUDE ADDITIONAL INFORMATION AS NECESSARY)

- ☒ Sequence of events
- ☐ Evacuation details
- ☒ Cleanup actions
- ☒ CHP On-scene Personnel (name, rank, ID number, function, exposure, hours)
- ☒ Road closures
- ☒ Environmental impact
- ☒ Actions of other agencies

COMPLETE THE FOLLOWING

- ☒ Incident Action Plan
- ☒ Site Safety Plan
- ☒ Proposition 65 Letters: County Health/County Board of Supervisors

DATE AND TIME SCENE DECLARED SAFE: 09/18/2016 1630 HOURS
BY WHOM (NAME, TITLE AND AGENCY): Andy Richard, Haz-Mat Specialist, California Department of Transportation

PREPARER'S NAME, RANK, AND ID NUMBER	DATE	REVIEWER'S NAME, RANK, AND ID NUMBER	DATE
C.F. Patton, Sergeant, 15689	09/20/2016	T.P. Noyes, Captain, 14437	9/20/16

DATE OF INCIDENT	TIME (2400)	NCIC NUMBER	OFFICER I.D. NUMBER	FILE NUMBER
09-18-16	1130	9825	15689	

CITY/COUNTY/JUDICIAL DISTRICT	REPORTING DISTRICT/BEAT	CITATION NUMBER

LOCATION/SUBJECT	STATE HIGHWAY RELATED?

SEQUENCE OF EVENTS:

On Sunday, September 18, 2016, at approximately 1130 hours, a 2009 truck tractor towing a single trailer, loaded with steel pipe, was traveling northbound on US-395 approaching Enchanted Road. The driver smelled smoke inside the cab and saw smoke coming out of the air conditioning vents. The driver pulled to the right shoulder and opened his hood and observed a large amount of flames. He attempted to extinguish the fire with his fire extinguisher but was unsuccessful. The driver unhooked the trailer from the power unit to prevent the trailer from catching fire.

The fire continued to burn and engulf the truck tractor causing the fuel tanks to rupture. The fire ignited and burned the majority of the diesel but approximately 10 gallons spilled onto the dirt shoulder. As a result of the catastrophic fire, approximately 10 gallons of motor oil spilled onto the dirt shoulder.

Cal-Fire arrived on scene and extinguished the fire. California Department of Transportation (Cal-Trans) Hazardous Materials Superintendent Andy Richard, arrived on scene along with other Cal-Trans employees and applied absorbent material to absorb the diesel and oil. Inyo County Environmental Health Services were notified via CHP Dispatch and did not respond.

ROAD CLOSURE:

The #2 lane of northbound US-395 was closed for approximately 15 minutes to facilitate firefighting operations.

EVACUATION DETAILS:

No evacuation was required.

PREPARER'S NAME AND I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C.F. PATTON, Sergeant, #15689	09-20-16		

DATE OF INCIDENT	TIME (2400)	NCIC NUMBER	OFFICER I.D. NUMBER	FILE NUMBER
09-18-16	1130	9825	15689	

CITY/COUNTY/JUDICIAL DISTRICT	REPORTING DISTRICT/BEAT	CITATION NUMBER

LOCATION/SUBJECT	STATE HIGHWAY RELATED?

ENVIRONMENTAL IMPACT:

Approximately 10 gallons of diesel fuel and 10 gallons of motor oil was spilled onto the dirt shoulder of the roadway. Due to the location and condition of the incident, the spill was contained in place.

- Surface Water Pollution: None
- Air Pollution: None
- Soil Contamination: An area of approximately 20 feet by 10 feet sustained contamination to a depth of approximately 1 foot.

CLEAN UP ACTIONS:

Due to the small size of the spill California Department of Transportation personnel cleaned up the scene. All contaminated dirt was removed for disposal.

ACTIONS OF OTHER AGENCIES:

Cal-Fire Fire Department

- fire prevention

Andy Richard – California Department of Transportation Hazardous Materials Superintendent

- On scene consulting, scene stability oversight and clean-up.

CHP PERSONNEL INVOLVED:

NAME	RANK & I.D.	FUNCTION	EXPOSED	INJURED	TOTAL HOURS
C. Patton	Sgt., #15689	Incident Commander	N	N	4
B. Bowen	Ofc., #20118	Collision Investigation	N	N	4

The scene was declared safe on September 18, 2016, at 1630 hours, by Andy Richard, Cal-Trans Hazardous Materials Superintendent.

PREPARER'S NAME AND I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C.F. PATTON, Sergeant, #15689	09-20-16		

DATE OF INCIDENT	TIME (2400)	NCIC NUMBER	OFFICER I.D. NUMBER	FILE NUMBER
09-18-16	1130	9825	15689	

CITY/COUNTY/JUDICIAL DISTRICT	REPORTING DISTRICT/BEAT	CITATION NUMBER

LOCATION/SUBJECT	STATE HIGHWAY RELATED?

INCIDENT ACTION PLAN:

Incident Scene Commander: Sergeant C. Patton, #15689

Scene Safety Officer: Andy Richard, California Department of Transportation Hazardous Materials Superintendent

Protect lives, environment and property.

Comply with CFR 29, 1910.120(q) and CCR 8 5129(q)

PREPARER'S NAME AND I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
C.F. PATTON, Sergeant, #15689	09-20-16		