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 25, 2016

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

CLOSED SESSION

2. ***CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.*** (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors,* Inyo County Superior Court Case No. SICVPT1557557 (Munro Petition for Writ of Mandate)

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

4. ***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.

5. ***PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]*** – Title: Planning Director

OPEN SESSION

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

6. ***REPORT ON CLOSED SESSION***

7. ***PUBLIC COMMENT***

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

CONSENT AGENDA (Approval recommended by the County Administrator)

AG COMMISSIONER/WEIGHTS AND MEASURES

9. Request Board: A) accept the bid for an Economic Study on Agricultural Industry Contributions to the Inyo and Mono County Regions from Agricultural Impact Associates, LLC of Watsonville, CA; B) approve the contract between Inyo/Mono Agriculture Department and Agricultural Impact Associates, LLC of Watsonville, CA to conduct an economic study on agricultural industry contributions within Inyo and Mono counties, in an amount not to exceed $46,500 with a proposed 12-week schedule of completion; and C) authorize the Chairperson to sign.

10. ***Owens Valley Mosquito Abatement Program*** – Request Board: A) declare two all-terrain vehicles (ATVs) identified in Exhibit A as surplus; B) authorize Motor Pool to offer the two ATVs for sale utilizing the Public Surplus auction site; and C) authorize Motor Pool to utilize another auctioneer for the removal and sale of any of the ATVs remaining unsold after the Public Auction process.

COUNTY ADMINISTRATOR

11. ***Motor Pool*** – Request Board: A) declare the vehicles identified in Exhibit A as surplus; B) authorize Motor Pool to offer the vehicles for sale utilizing the Public Surplus auction site; and C) authorize Motor Pool to utilize either the previously approved consignment auction agreement with Enterprise Fleet Management or another auctioneer for the removal and sale of any vehicles remaining unsold after the Public Surplus process.

12. ***Recycling and Waste Management*** – Request Board authorize the Inyo County Recycling and Waste Management Program to close the Independence Landfill and the Bishop-Sunland Landfill on Christmas and New Year's Day.

PUBLIC WORKS

13. Request Board approve a resolution titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project."

14. Request Board: A) approve Amendment No. 1 to the contract with Spiess Construction of Santa Maria, CA in the amount not to exceed $35,000 for the Tecopa Water Vending Machine Project in Tecopa, CA, increasing the total current contract amount from $133,761 to $168,761; B) authorize the Chairperson to execute Amendment No. 1 to the contract, contingent upon obtaining appropriate signatures; and C) authorize the Public Works Director to execute all other contract documents, including contract change orders to the extent permitted by Public Contract Code Section 20142 and other applicable law.

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

15. ***PLANNING*** – Request Board receive a presentation from staff regarding short-term vacation rentals in Residential Zones and provide input and direction on the future of this use.

16. ***PLANNING*** – Request Board review the Record of Decision and Final Environmental Impact Statement for the Sequoia and Kings Canyon National Parks Restoration of Native Species in High Elevation Aquatic Ecosystems Plan, and provide direction to staff.

17. ***PLANNING*** – Request Board review draft correspondence concerning the Final Rule designating critical habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad, and authorize the Chairperson to sign.

18. ***WATER DEPARTMENT*** – Request Board consider the Letters of Interest received for appointment to the Water Commission and appoint two applicants to two, four-year terms ending December 31, 2019. *(A Notice of Vacancy resulted in Letters of Interest from Bruce Dishion, Sally Manning, Daris Moxley, and Mike Prather.)*

19. ***WATER DEPARTMENT*** – Request Board consider the attached draft agenda for the October 27, 2016 Inyo County/Los Angeles Standing Committee meeting and provide direction to the County's Standing Committee representatives.

20. ***CLERK OF THE BOARD*** – Request Board approve the minutes of the regular Board of Supervisors meeting of October 4, 2016.

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

21. ***PUBLIC COMMENT***

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE – INFORMATIONAL

22. ***Treasurer-Tax Collector*** – Treasury Status Report for the Quarter Ending September 30, 2016.

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: Nathan D. Reade, Agricultural Commissioner/Director of Weights and Measures

FOR THE BOARD MEETING OF: **October 25, 2016**

SUBJECT: Contract Between Inyo/Mono Agriculture Department and Agriculture Impact Associates LLC

DEPARTMENTAL RECOMMENDATION:

Request that your Board A) accept the bid for an Economic study on Agricultural Industry Contributions to the Inyo and Mono County Regions from Agriculture Impact Associates, LLC of Watsonville, CA; B) approve the contract between Inyo/Mono Agriculture Department and Agriculture Impact Associates LLC of Watsonville CA to conduct an economic study on agricultural industry contributions within Inyo and Mono Counties in an amount not to exceed $46,500 with a proposed 12-week schedule of completion; and C) Authorize the Chairperson to sign.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Gross agricultural production of each county is surveyed annually by the CAC. This information is compiled into a statistical report that is forwarded to the Secretary of the California Department of Food and Agriculture, as well as the Board of Supervisors for both Inyo and Mono Counties. This annual crop and livestock report is intended to provide very basic statistical information, and does not examine the overall contributions of agriculture production to each county or the region.

A Request for Proposals (RFP) issued in May of this year resulted in two proposals submitted to the CAC. These proposals were ranked pursuant to criteria identified in the RFP. The proposal submitted by Agriculture Impact Associates, LLC was ranked highest and was also the lower priced of the two proposals.

The economic study outlined in the RFP seeks to quantify the agriculture industry's larger economic input to each county by examining multiplier effects, employment, tax payments, and other variables, as well as identification and analysis of the economic interrelationships between the counties. Information obtained by this study is intended to be used for public education as well as decision making.

ALTERNATIVES:

Your Board could choose to not approve this request; possibly limiting the availability to determine the value of agriculture to the local economy along with sharing this information with the public and policy makers.

OTHER AGENCY INVOLVEMENT:

FINANCING:

There are adequate funds in Agriculture budget unit 023300, expense object code professional & special services 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 10/10/16
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: yes Date 10/7/16
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 _____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10-19-16

AGREEMENT BETWEEN COUNTY OF INYO
AND Agriculture Impact Associates LLC
FOR THE PROVISION OF Economic Study on Agricultural Industry Contributions to the Inyo & Mono County Regions SERVICES

INTRODUCTION

WHEREAS, the County of Inyo (hereinafter referred to as "County") has the need for the Agricultural Economic Study services of Agriculture Impact Associates LLC of Watsonville CA 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 start date to 12 –week schedule of completion unless sooner terminated as provided below.

3. CONSIDERATION.

A. Compensation. County shall pay to Contractor the sum total of Forty Six Thousand Five Hundred Dollars and zero cents ($46,500.00) 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 Forty Six Thousand Five Hundred & no/100 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
Inyo/Mono Agriculture Dept. Department
207 West South Street Rm 6 Address
Bishop CA 93514 City and State

Contractor:

Agriculture Impact Associates LLC Name
334 Maher Road Address
Watsonville CA 95076 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 Agriculture Impact Associates LLC
FOR THE PROVISION OF Economic Study on Agricultural Industry Contributions to the Inyo and Mono County Regions SERVICES

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

COUNTY OF INYO

By:_____

Dated:_____

CONTRACTOR

By:_____
Signature

_____
Type or Print Name

Dated:_____

APPROVED AS TO FORM AND LEGALITY:

_____
County Counsel

APPROVED AS TO ACCOUNTING FORM:

_____
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

N/A
_____
Personnel Services

APPROVED AS TO INSURANCE REQUIREMENTS:

N/A
_____
County Risk Manager

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF INYO
AND Agriculture Impact Associates LLC
FOR THE PROVISION OF Economic Study on Agricultural Industry Contributions to the Inyo and Mono County Regions SERVICES

TERM:
FROM: Start date **TO:** 12-week schedule of completion

SCOPE OF WORK:

1. **Quantification and ranking of agriculture as an industry compared to other local industries, including both traditional production such as that reported in the Agricultural Commissioner's Annual Crop and Livestock Report as well as agritourism, certified grower, and pack train industry inputs.**

   The economic report should examine and quantify the cumulative economic contribution of the agriculture industry in each county. This includes all ancillary industries that rely on agriculture such as feed stores and all complementary industries such as pack train businesses. The cumulative economic analysis should include quantifying the total economic contribution due to multiplier effects.

2. **Inter-county dependences and economic relationships exist with regard to agriculture.**

   Linkages between the agricultural industry and other leading industries within each county should be identified.

3. **Estimate of economic contributions by type of crop.**

   Data must be presented in a manner that allows the contribution of each crop type to be determined. Crop types should at minimum include those specified in the CAC's Annual Crop and Livestock Report.

4. **Estimate of economic contributions by land ownership.**

   Data must be presented in a manner that allows the economic contribution of each type of land ownership category to be determined. At minimum, these categories must include US Forest Service lands, Bureau of Land Management lands, City of Los Angeles Department of Water and Power lands, and private lands.

5. **Analysis of jobs maintained both directly and indirectly by agricultural production.**

6. **Contributions provided by agricultural production to local taxing authorities such as property taxes and sales taxes.**

7. **A summary and analysis of ecosystem services provided by the local agriculture industry.**

   The study must identify and quantify in economic terms what ecosystem services are provided by each county's agriculture practices. These services should be computed in terms of the value of the work action itself, as well as the overall value that the service provides to the environment. Examples include carbon sequestration provided by pasture, health care costs avoided due to decreased dust events provided by irrigation, habitat maintained through irrigation, pollinator food sources provided by farming, etc.

The study should also address, from a regional perspective:

1. **Multi-regional analysis identifying the level of interdependence that exists between Inyo and Mono Counties' ranching industry operations.**

   This includes identifying and quantifying what portion of ranch production is derived from those that rely on lands located in both counties. Any other multi-county or interstate relationships that exist should also be identified and valued.

2. **An examination of what opportunities exist to add value to the agriculture industry based on the research and analysis conducted during the study.**

   This portion of the study is intended to present ideas on improvements that can be made to increase the value of the regional agriculture industry. Examples include suggestions on how to diversify Inyo/Mono agriculture while maintaining similar land use patterns, opportunities to enhance revenue derived from current agricultural practices through greater efficiencies, complementary industry suggestions such as processing plants, etc.

ATTACHMENT B

AGREEMENT BETWEEN COUNTY OF INYO
AND Agriculture Impact Associates LLC
FOR THE PROVISION OF Economic Study on Agricultural Industry Contributions to the Inyo and Mono County Regions **SERVICES**

TERM:

FROM: Start date **TO:** 12-week schedule of completion

SEE ATTACHED INSURANCE PROVISIONS

Counties of Inyo & Mono

Nathan D. Reade
Agricultural Commissioner
Director of Weights and Measures
207 W. South Street, Bishop, CA 93514
Telephone – (760) 873-7860 Fax – (760) 872-1610
Email – inyomonoag@gmail.com Web - www.inyomonoagriculture.com

REQUEST FOR PROPOSALS (RFP) FOR AN ECONOMIC STUDY ON AGRICULTURAL INDUSTRY CONTRIBUTIONS TO THE INYO AND MONO COUNTY REGIONS

Introduction

The Inyo and Mono Counties Agricultural Commissioner's Office (CAC) invites responses to a Request for Proposals to conduct an economic study characterizing and analyzing the economic value of agriculture production in Inyo and Mono counties.

Gross agricultural production of each county is surveyed annually by the CAC. This information is compiled into a statistical report that is forwarded to the Secretary of the California Department of Food and Agriculture, as well as the Board of Supervisors for both Inyo and Mono Counties. This annual crop and livestock report is intended to provide very basic statistical information, and does not examine the overall contributions of agriculture production to each county or the region.

This RFP seeks a study to quantify the agriculture industry's larger economic input to each county, as well as identify and analyze the economic relationships between the counties. Information obtained by this study is intended to be used for public education as well as decision making.

Scope of Work

This study should address, for both Inyo and Mono Counties individually:

1. **Quantification and ranking of agriculture as an industry compared to other local industries, including both traditional production such as that reported in the Agricultural Commissioner's Annual Crop and Livestock Report as well as agritourism, certified grower, and pack train industry inputs.**

   The economic report should examine and quantify the cumulative economic contribution of the agriculture industry in each county. This includes all ancillary industries that rely on agriculture such as feed stores and all complementary industries such as pack train businesses. The cumulative economic analysis should include quantifying the total economic contribution due to multiplier effects.

2. **Inter-county dependences and economic relationships exist with regard to agriculture.**

   Linkages between the agricultural industry and other leading industries within each county should be identified.

3. **Estimate of economic contributions by type of crop.**

   Data must be presented in a manner that allows the contribution of each crop type to be determined. Crop types should at minimum include those specified in the CAC's Annual Crop and Livestock Report.

4. **Estimate of economic contributions by land ownership.**

   Data must be presented in a manner that allows the economic contribution of each type of land ownership category to be determined. At minimum, these categories must include US Forest Service lands, Bureau of Land Management lands, City of Los Angeles Department of Water and Power lands, and private lands.

5. **Analysis of jobs maintained both directly and indirectly by agricultural production.**

6. **Contributions provided by agricultural production to local taxing authorities such as property taxes and sales taxes.**

7. **A summary and analysis of ecosystem services provided by the local agriculture industry.**

   The study must identify and quantify in economic terms what ecosystem services are provided by each county's agriculture practices. These services should be computed in terms of the value of the work action itself, as well as the overall value that the service provides to the environment. Examples include carbon sequestration provided by pasture, health care costs avoided due to decreased dust events provided by irrigation, habitat maintained through irrigation, pollinator food sources provided by farming, etc.

The study should also address, from a regional perspective:

1. **Multi-regional analysis identifying the level of interdependence that exists between Inyo and Mono Counties' ranching industry operations.**

   This includes identifying and quantifying what portion of ranch production is derived from those that rely on lands located in both counties. Any other multi-county or interstate relationships that exist should also be identified and valued.

2. **An examination of what opportunities exist to add value to the agriculture industry based on the research and analysis conducted during the study.**

   This portion of the study is intended to present ideas on improvements that can be made to increase the value of the regional agriculture industry. Examples include suggestions on how to diversify Inyo/Mono agriculture while maintaining similar land use patterns, opportunities to enhance revenue derived from current agricultural practices through greater efficiencies, complementary industry suggestions such as processing plants, etc.

3. **Recommendation of areas for further analysis.**

   This section should provide a synopsis of further areas of study that could be explored to help provide a clearer picture of the regional agriculture industry to future policy and decision makers.

Budget and Timeline

Proposals should include a budget and timeline for the proposal. The budget should include sufficient detail as to identify the cost associated with specific tasks. The budget should account for providing at least one draft review of the study prior to issuance. The budget should also provide a rate for future presentations to the public or county staff if desired. Timelines should present an estimated project completion date, as well as estimated times for significant project milestones.

Any study created as a result of this RFP will be used by the Agricultural Commissioner's Office to provide economic estimates to the public, local industry groups, and local decision-making bodies. Information provided to these entities may include both the current economic contributions of the local agricultural industry, as well as potential impacts that could occur due to proposed policy, land management, or land use changes. Information obtained by this economic study may also be used as foundational data for future studies. As such, this study should use a process that can be duplicated and updated.

Timeline

Release of RFP: 5/6/2016

Responses Due: 5/27/2016

Evaluation of Responses Completed: 6/1/2016

Notification of Results to Submitters: 6/2/2016

Late proposals will only be considered when it has been determined to be in the best interest of the County to do so and may only be accepted within 24 hours of the scheduled closing.

Proposal Instructions

Proposals should include:

1. A Statement of Experience
2. A description of the product to be delivered
3. An explanation of how this product will meet evaluation criteria
4. A project budget
5. A project completion timeline

Three hard copies of the original should be delivered to:

Inyo/Mono Counties Agricultural Commissioner's Office
207 W. South Street
Bishop, CA 93514

- Proposals must be received on or before May 27, 2016 at 5:00pm. Postmarks, emails or faxes will not be accepted.
- A proposal may be withdrawn upon written request received from the responder prior to the closing date of Friday, May 20, 2016, 5:00 p.m.
- Responder warrants and represents that the information and costs provided for in their Proposal will remain unchanged for 90 days after the Closing Date. Responder acknowledges that County will be relying on the information contained in their Proposal. Proposals submitted shall contain the Responder's best and final offer. No modifications of Proposal price will be accepted after the Closing Date, Friday, May 20, at 5:00 p.m.
- If the County receives only one Letter of Intent, the County may, at its sole discretion, enter into negotiations with that Responder, including but not limited to, requiring a Proposal.
- Questions regarding the proposal process or other information should be directed to Nathan Reade at 760-873-7860. Nathan Reade is the only county employee who can be contacted regarding this RFP.
- All proposal received will be maintained as confidential working papers unless officially placed on the Board of Supervisors meeting agenda.

Evaluation Criteria

Proposals will not be evaluated solely on cost. Proposals will be evaluated according to the below criteria, and each proposal should address all of the following criteria:

1. Description of the approach and anticipated level of detailed analysis for each component contained in the above Scope of Work (50 points)
2. Demonstrated expertise of proposer through similar studies (25 points)
3. Cost (20 points)
4. Completeness (20 points)
5. Methodology with respect to CAC's ability to update and reproduce study data (20 points)
6. Approach to data acquisition (15 points)
7. Ability to complete study expediently (15)

After review, top bidders may be invited for interviews if needed to provide further information regarding submittals. The CAC will be responsible for providing crop and pricing data to the successful proposer to include only information required pursuant to California Food and Agriculture Code 2279, although the CAC will try to assist with other information requests when possible.

Use and Disclosure of Proposals

1. The County reserves the right to retain all Proposals that are submitted and to use any ideas in a Proposal regardless of whether a Proposal results in a Contract to provide the service. All Proposals will become the sole property of the County.

2. After the County issues a Notice of Intent to Award a Contract, or the County issues a Notice of Termination of RFP, all Proposals and related documents become a matter of public record, with the exception of those parts of a Proposal that are clearly designated as business or trade secrets, as that term is defined by statute, and marked as "confidential" or "proprietary." County shall not in any way be liable or responsible for the disclosure of any Proposal, or party thereof, if disclosure is required by the Public Records Act (Government Code Section 6250, et. seq.) or pursuant to law or legal process. By submitting a Proposal, a Responder agrees to save, defend, keep, hold harmless, and fully indemnify the County, its elected officials, officers, employees, agents, and volunteers from all damages, claims for damages, costs, or expenses, whether in law or in equity, that may at any time arise for not disclosing a business or trade secret pursuant to the Public Records Act or other law or legal process.

3. Initiation of this RFP does not commit the County to finalize a Contract with a Responder, to enter into a Contract with the Responder submitting the least costly Proposal, or to pay any costs associated with the preparation of any Proposal.

4. Notwithstanding any other provisions, the County reserves the right, in its sole discretion, to:
   a. Accept or reject any or all Proposals, or any part(s) thereof;
   b. Reject any Proposal for failure to submit the Proposal in conformity with the requirements, or the terms and conditions, of this RFP;
   c. Waive any informalities or irregularities in a Proposal, or to waive any deviations from the requirements, or terms and conditions of this RFP, if deemed to be in the best interest of the County;
   d. Negotiate with a Responder or Responders; or
   e. Terminate the RFP process.

5. Any Responder submitting a Proposal understands and agrees that submission of his/her/its Proposal shall constitute acknowledgment and acceptance of, and intent to comply with, all the requirements, and terms and conditions of this RFP.

6. The County shall not be liable for, and by submitting a Proposal the Responder agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the requirements, or terms and conditions, of this RFP, or because of any misinformation or lack of information.

7. In the event it becomes necessary to revise any part of this RFP, an addendum will be provided by US Mail to those individuals and entities that submitted a Letter of Intent.

8. Those submitting proposals do so entirely at their expense. There is no expressed or implied responsibility on the part of the County to reimburse responders for any expenses incurred for preparing or submitting proposals, providing additional information when requested by the County, or participating in any selection interviews.

Combined Score:
150.5

May 25, 2016

Nathan Reade, Agricultural Commissioner
Director of Weights & Measures
Counties of Inyo and Mono
Re: **Economic Analysis Study**

Dear Mr. Reade,

I am pleased to submit the attached proposal to conduct an **Economic Study on Agricultural Industry Contributions to the Inyo and Mono County Regions**. Our company, Agriculture Impact Associates LLC, specializes in exactly this type of work.

Because we are a boutique firm with a specialized niche, no other firm can match our combination of high quality and low cost. Nor can any company match our track record of producing such reports for agricultural commissioners. In fact, agricultural commissioners from seven California counties have hired us to produce reports similar to what Inyo/Mono seeks.

In particular, we have researched and written economic reports for the following county agricultural commissioners: Eric Lauritzen (Monterey), Mary Lou Nicoletti (Santa Cruz), Cathy Fischer (Santa Barbara), Fred Crowder (San Mateo), Martin Settevendemie (San Luis Obispo), and Chad Godoy (Contra Costa). We've also produce a shorter, two-page report that John Snyder (Riverside County) has inserted into several annual Crop Reports.

Based on ample with projects like this, we propose a 45-50 page report at a cost of $46,500. The attached proposal provides extensive details.
We look forward to hearing from you soon regarding possible next steps. Please contact me at your earliest convenience via cell (831-277-7221) or email (jeff@ag-impact.com).

Sincerely,

Jeff Langholz, Ph.D.
Senior Researcher, Agriculture Impact Associates LLC
334 Maher Rd., Watsonville, CA. 95076

Proposal from Agricultural Impact Associates LLC

PART 1. Statement of Experience

A. Specialized Knowledge. Many consulting firms specialize in economic analysis, agriculture, or California. Few firms, however, combine all three. As our company tagline suggests, "*Quantifying the value of California agriculture,*" we operate in a highly specialized niche area. No other firm can match our deep expertise relevant to the proposed project.

B. Experience. Our research team members – led by Dr. Fernando DePaolis and Dr. Jeff Langholz – are highly credentialed experts in the nexus of economic analysis and agriculture. We have already researched and written seven similar studies for county agricultural commissioners in California. No other firm comes close to matching our proven track record in this regard. Please see below for our biographies and the **Appendix** for the cover pages of representative reports.

C. Reputation. Because we have produced several similar reports already, we are the most widely known experts in this arena. From agricultural commissioners and growers, to boards of supervisors and the news media, we have greater credibility than any other firm working on such analyses.

D. References. Whereas other firms might provide general references, our references are the most relevant ones imaginable: California county agricultural commissioners. Please see below for the names of four of the agricultural commissioners for whom we have produced similar economic reports. For each reference, we also provide a link to the report we produced. We encourage you to click on these links and read the reports:

1. Eric Lauritzen, Agricultural Commissioner, County of Monterey, 1428 Abbott Street, Salinas, CA, Ph: 831-759-7325. Link to the report we wrote for Eric: http://www.co.monterey.ca.us/home/showdocument?id=1545

2. Martin Settevendemie, Agricultural Commissioner/Sealer, County of San Luis Obispo, 2156 Sierra Way, Suite A, San Luis Obispo, CA 93401, Ph: 805-781-5910. Link to the report we wrote for Marty: http://www.slocounty.ca.gov/Assets/AG/croprep/econ_study/Economic_Study_2013.pdf

3. Mary Lou Nicoletti, Agricultural Commissioner/Sealer, County of Santa Cruz, 175 Westridge Drive, Watsonville, CA 95076, Ph (831) 454-2620. Link to report we wrote for Mary Lou: http://www.agdept.com/Portals/10/pdf/SC_Ag_Report.pdf

4. Chad Godoy, Agricultural Commissioner/Sealer, County of Contra Costa, 2366A Stanwell Circle, Concord, CA 94520, Ph: (925) 646-5250. Link to the report we wrote for Chad: http://www.co.contra-costa.ca.us/6011/Economic-Contributions-of-Agriculture

E. Biographies of the Principal Researchers

- **Dr. Jeff Langholz** is a senior researcher at Agricultural Impact Associates, where his duties include study design, data collection, data analysis, writing, and client support. Jeff comes from a farming background, has worked as an agriculture extension agent, and teaches a popular university course in sustainable agriculture. He holds a Ph.D. in Natural Resources from Cornell University, and has been cited or quoted by the *Wall Street Journal*, *Kiplinger's Personal Finance*, *New York Times*, *The Economist*, *The Packer*, and more than 250 other media outlets.

  When not consulting on agriculture projects, Jeff is a professor at the Middlebury Institute of International Studies (a graduate school of Middlebury College, www.miis.edu), where he is an internationally recognized authority on the integration of economics and ecology on private lands. Jeff lives near Watsonville, CA. with his wife and two teenage children.

- **Dr. Fernando De Paolis** is a senior researcher at Agricultural Impact Associates, where his responsibilities include designing and implementing quantitative economic studies of agriculture. Fernando is an expert in quantitative economic analysis with particular expertise in regional modeling tools such as RIMS II and IMPLAN. A sample project would be his "Assessment of the Economic Impact of HLB (greening) on Mexico's Citrus Industry," which was sponsored by the Inter-American Institute for Cooperation in Agriculture (IICA) and made extensive use of IMPLAN.

  Fernando has twenty years of applied economic analysis work within the United States and overseas, including consultancies for cities, counties, and a wide range of national and international organizations. He is also a professor at the Middlebury Institute of International Studies (www.miis.edu), where he teaches courses in quantitative economic analysis, including use of IMPLAN and other programs. Fernando was born in Argentina and holds a Ph.D. in urban planning from UCLA.

PART 2. Description of the Deliverable

It is our understanding that Inyo & Mono Counties wish to determine the value of agriculture to the local economy and to share this information with the public and the policy makers. Understanding agriculture's economic contributions can aid in development of policies and programs that support agriculture.

Our deliverable will take the form of a written report that includes several elements: 1) executive summary; 2) overview of Inyo & Mono agriculture; 3) description of the research methodology; 4) detailed findings; 5) interpretation of the findings; 6) conclusion; and 7) relevant tables and figures.

If we proceed with this project, then a good next step would be to flesh out a detailed Table of Contents for your review and discussion. Doing so would set clear expectations among all stakeholders regarding the specific topics, their sequence, and the number of pages devoted to teach topic.

The Scope of Work in the RFP lists ten specific items the study should address. This section discusses each item in turn. Overall, we propose a report on the order of 45 to 50 pages covering the topics as described below:

1. Quantification and ranking of agriculture as an industry compared to other local industries, including both traditional production such as that reported in the Agricultural Commissioner's Annual Crop and Livestock Report as well as agritourism, certified grower, and pack train industry inputs.

DISCUSSION:

- *Our standard Crop Report PLUS product includes much of this information.*
- *We will purchase and analyze proprietary IMPLAN data to complete this item. The report will include the direct economic output attributable to the major industry categories, as well as their multiplier effects. We'll provide numbers for economic output as well as employment.*
- *We can also include a table comparing agriculture to other industries in the two counties, including hospitality, mining, government, and so on. Many agricultural commissioners have enjoyed seeing this analysis even if they opt not to include it in the final report.*
- *Note that serious confidentiality concerns arise when collecting and sharing sensitive financial information for small economic sectors. For example, it would be imprudent to publish financial details on "agritourism" if only two such operations exist, i.e., a dude ranch in Mono and a guest ranch in Inyo. Also, the IMPLAN data do not apply to that level of analysis. This means we would need to collect primary data on farmers markets, pack trains, etc., significantly raising the project costs.*

2. Inter-county dependences and economic relationships that exist with regard to agriculture.

Linkages between the agricultural industry and other leading industries within each county should be identified.

DISCUSSION:

- *Our standard Crop Report PLUS product does not include this analysis but we would be happy to add it. We would take this topic in two directions: inter-county and inter-industry.*
- *Inter-county analysis would focus on cross-county economic impacts within agriculture. For example, if the City of Los Angeles DPW ceases irrigation on its Mono County lands, then how would it affect Inyo County producers who operate in both counties? Once we know the extent to which producers split their seasonal livestock operations across both counties, then we should be able to model the impacts.*
- *Inter-industry analysis would focus on agriculture's connection to other industries, in particular tourism. The main connection has to do with provision of open space and scenic beauty that enhances the tourism experience. Thus, this topic fits best in the Ecosystem Services discussion below.*

3. Estimate of economic contributions by type of crop.

Data must be presented in a manner that allows the contribution of each crop type to be determined. Crop types should at minimum include those specified in the CAC's Annual Crop and Livestock Report.

DISCUSSION:

- *Our standard Crop Report PLUS product includes economic output and employment attributable to major crop categories listed in a county Crop Report, for example Livestock, Vegetable Crops, Fruit & Nut Crops, Field Crops, and so on. We will definitely include this in the proposed analysis.*
- *That said, our category names will follow IMPLAN and the North American Industrial Classification System (NAICS) labels, which differ somewhat from crop reports. If interested, please the see the reports for other county agricultural commissioners for the category labels we use based on the existing data. We have a methodological obligation to follow these categories and labels as closely as possible.*
- *Analysis on a deeper level (i.e. by "each crop type" specified in the annual Crop Report) is possible but may not be worthwhile. For example, we could estimate the economic output and employment attributable to various sub-categories of Livestock (e.g., calves, cows, bulls), Field Crops (e.g., alfalfa, irrigated pasture, non-irrigated pasture), and so on. Doing so would increase project costs but probably add little value. More importantly, doing so would produce less defensible results. None of our clients (including seven county agriculture commissioners) have ever faced serious questions about the quality of the findings in their economy study. A key reason for this success is that their studies do not extrapolate beyond what the data can support. Analyzing on the level of calves, cows, bulls, etc. could expose you/us to that risk.*

4. Estimate of economic contributions by land ownership.

Data must be presented in a manner that allows the economic contribution of each type of land ownership category to be determined. At minimum, these categories must include US Forest Service lands, Bureau of Land Management lands, City of Los Angeles Department of Water and Power lands, and private lands.

DISCUSSION:

- *Our standard Crop Report PLUS document does not include this analysis but we are happy to add it.*
- *It is our understanding that this section should focus on livestock production under each of the four ownership types. It should not attempt to quantify tourism operations, government spending, and other non-livestock "economic contributions." We also assume that data are available from the County on the amount of land being used for livestock on all four types of land.*
- *If both assumptions hold true, then this item should be feasible. In fact, the results could be quite useful in estimating economic impacts of new or proposed policy shifts, for example new "critical habitat" designation or the Forest Service reducing the amount of land it leases to ranchers.*

5. Analysis of jobs maintained both directly and indirectly by agricultural production.

DISCUSSION:

- *Our standard Crop Report PLUS product always includes this analysis and we are happy to add it here, too. Please see our sample publications for examples and details.*

6. Contributions provided by agricultural production to local taxing authorities such as property taxes and sales taxes.
DISCUSSION:

- *Our standard Crop Report PLUS product does not normally include this analysis but we have done it on occasion are happy to add it here.*
- *The IMPLAN data we will purchase and use for this product includes tax data. We will use these data to calculate fiscal impacts attributable to agriculture.*

7. A summary and analysis of ecosystem services provided by the local agriculture industry.

The study must identify and quantify in economic terms what ecosystem services are provided by each county's agriculture practices. These services should be computed in terms of the value of the work action itself, as well as the overall value that the service provides to the environment. Examples include carbon sequestration provided by pasture, health care costs avoided due to decreased dust events provided by irrigation, habitat maintained through irrigation, pollinator food sources provided by farming, etc.

DISCUSSION:

- *Our standard Crop Report PLUS product does not normally include analysis of ecosystem services but we have done it in the past and can certainly add it here, too.*
- *For example, the agricultural commissioner in Santa Barbara County commissioned an additional, multi-page discussion of ecosystem services for her Crop Report PLUS report. For details, please see pages 11-18 of "Economic Contributions of Santa Barbara County Agriculture": http://cosb.countyofsb.org/uploadedFiles/agcomm/outreach/SB-Ag-Econ-vDec31-5pm.pdf*
- *We are aware of three California counties that commissioned full valuations of ecosystem services, including services provided by agricultural lands. Depending on the methodologies used, such studies can cost $100,000 to $300,000 each. We propose a much smaller effort for now: 40 hours of effort, $5,000 cost, and 5-7 pages of content. Similar to the Santa Barbara County example above, this would provide a general overview of ecosystem services provided by agricultural lands in Inyo & Mono Counties, without attempting to calculate a dollar value of these services. It could set the stage for a more detailed future study.*

The study should also address, from a regional perspective:

1. **Multi-regional analysis identifying the level of interdependence that exists between Inyo and Mono Counties' ranching industry operations.**

This includes identifying and quantifying what portion of ranch production is derived from those that rely on lands located in both counties. Any other multi-county or interstate relationships that exist should also be identified and valued.

DISCUSSION:

- *Our standard Crop Report PLUS product does not include this topic but we are happy to add it.*
- *To the extent that this item focuses on how land management decisions in one county affect the other, it overlaps with the inter-county analysis described in #2 above. A key difference is that this item entails primary data collection and a broader geographical scope.*
- *For example, what total economic and employment effect occurs when a producer permanently relocates his entire herd out of state (e.g., to Oregon) because the City of Los Angeles no longer irrigates the Mono County land he was leasing? A spillover effect no doubt occurs in Inyo County during the winter, when that herd would normally have moved south from Mono. We can quantify this. We will collect primary data with local experts to determine the scope of such phenomena then model the economic and employment impacts, both direct and indirect.*

2. An examination of what opportunities exist to add value to the agriculture industry based on the research and analysis conducted during the study.

This portion of the study is intended to present ideas on improvements that can be made to increase the value of the regional agriculture industry. Examples include suggestions on how to diversify Inyo/Mono agriculture while maintaining similar land use patterns, opportunities to enhance revenue derived from current agricultural practices through greater efficiencies, complementary industry suggestions such as processing plants, etc.

DISCUSSION:

- *Our standard Crop Report PLUS product does not include this but we would be happy to perform additional research and writing along these lines.*
- *Our reports often include a quantitative measure of how economically diverse the county's agriculture sector is (or isn't). Please see our sample studies, for example Santa Cruz, Monterey, and Contra Costa. We sense you already know your "diversity index" score would be low compared to other counties. You do not need outside consultants to tell you that, or calculate your number. The strong reliance on hay and livestock presents significant vulnerability to droughts, bovine disease, hay price fluctuations, and other economic shocks. The question is: what can be done to remedy this situation?*
- *In a nutshell, we would consult with local experts to inventory what has been considered or attempted in the past (for example the natural beef feasibility study). We would also research insights and best practices from elsewhere in California and beyond and discuss their potential applicability to Inyo & Mono Counties. Our analysis would explore adding value to existing products as well as diversifying into new products categories.*
- *We want to emphasize that if this were an easy task, then someone would have accomplished it by now. Years of efforts and a General Plan mandate have not yet fixed this. We will not magically fix it either. What we can do, however, is bring fresh expertise and research that makes a substantial, original contribution to the conversation.*

- *This research will be time consuming compared to most of the rest of the report, which draws from data readily available from IMPLAN and the County. This topic could easily be a six-month, $50,000 study unto itself. We are willing and able to go that route if you like. But for now, we propose dedicating 3-4 pages of the 45-50 page report to this topic, and 80 hours of effort.*

3. Recommendation of areas for further analysis.

This section should provide a synopsis of further areas of study that could be explored to help provide a clearer picture of the regional agriculture industry to future policy and decision makers.

DISCUSSION:

- *Our standard Crop Report PLUS product often ends with a text box containing topics for future study. We can certainly do the same here. If interested, please see our previous reports for sample content.*

Additional Details on our Methodology

For a clear and concise description of our methods, please see the methods sections of previous reports we have completed for other county agricultural commissioners (see links above and the Appendix). In general, our methods capture the direct, indirect, and induced effects of the agriculture sector, with optional additional analysis into ecosystem services, economic diversity, and related topics.

Whereas other firms might use IMPLAN as both a starting and ending point, we only use it as the starting point. We have found that the IMPLAN data are sometimes inaccurate for California agriculture, because of the data's highly "derived" nature. Thus, we take two extra methodological steps that other firms probably do not take.

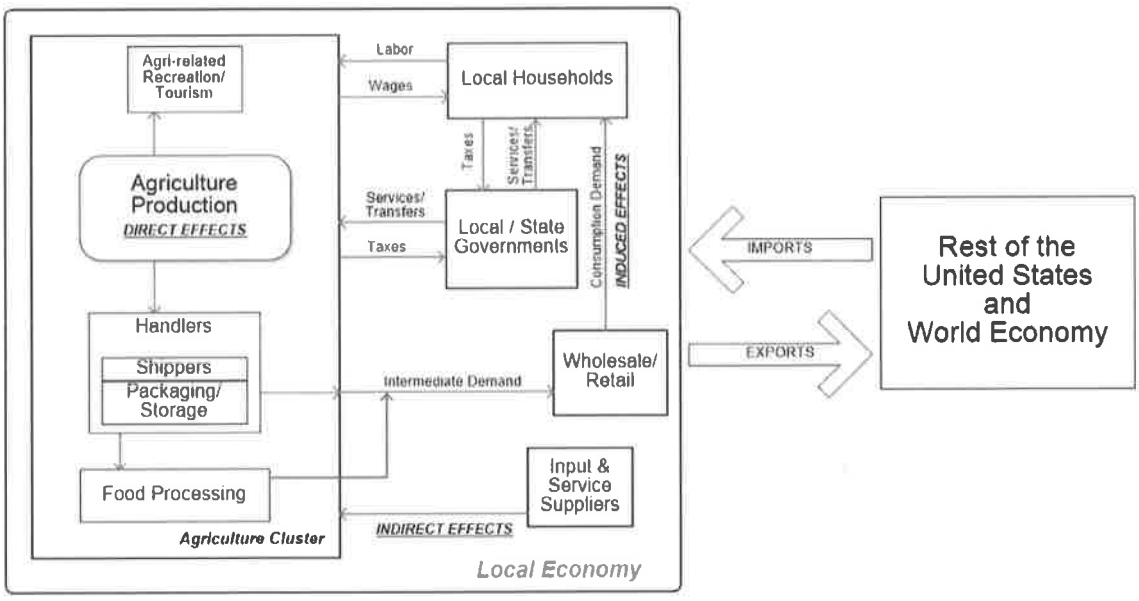
First, we always validate our models, estimates, and preliminary drafts with local agricultural experts. We consult with industry leaders, growers, ranchers, labor leaders, university extension agents, agency personnel, and others. In some instances, we contact them directly, but in many cases they are members of an "advisory group" set up by the office of the agricultural commissioner of each county. We believe that such consultation is not just a technical necessity but also—and perhaps more importantly—a crucial factor to ensure successful engagement of stakeholders around the issues analyzed in the report. When the numbers are released, it is critical that the entire agricultural community stands behind the results, speaks favorably of the report, and feels a sense of pride and ownership in the project.

Second, we benchmark our data inputs and our results with information from other sources such as journal articles, industry reports, state and federal agency's reports, and direct observations. Our experience in producing this type of report has allowed us to develop a broad understanding of local production, such as labor and land productivity boundaries for specific crops.

For example, if IMPLAN numbers suggest that every dollar of livestock production creates a certain multiplier effect in Inyo and Mono Counties in terms of economic output and employment, then other firms may report that figure without confirming or critiquing it. We, on the other hand, are uniquely

positioned to compare and confirm that number against proprietary data from analyses we have already performed for livestock in several other counties. This level of validation and quality control is only possible by firms who have already analyzed livestock data from multiple counties.

In order to determine the impacts of the local agriculture between and beyond Inyo and Mono Counties, our proprietary methodology takes advantage of the multi-region modeling functionality built into IMPLAN (by building a combination of impacts and events at the industry level). Our approach to multi-region IO modeling will include two distinct modeling strategies. First, we will assess the impact of Inyo and Mono agriculture considered as a single region. Then we will determine those impacts at the level of individual counties. The copyrighted graphic below shows how we imagine agriculture's economic connection to areas beyond Inyo and Mono Counties. Please do not hesitate to request more details on this important aspect of the analysis.



PART 3. Explanation of How This Product Meets Evaluation Criteria

The RFP specifies seven evaluation criteria. This section discusses each in turn:

1. Description of the approach and anticipated level of detailed analysis for each component contained in the above Scope of Work (50 points)

- PART 2 (above) provides extensive details on what the final deliverable would contain. The description makes it clear we will cover all ten major topics specified in the RFP. We have listed sample reports should you wish to learn more about our methodology and content.

2. Demonstrated expertise of proposer through similar studies (25 points)

- As noted in in this proposal, we possess extensive experience performing economic analysis of California agriculture. No other firm can match our unique combination of specialized knowledge, track record of success, and affordable cost. Seven county agricultural commissioners have hired us for projects similar to this one.

3. Cost (20 points)

- PART FOUR (below) proposes a 45-50 page study for $46,600. The proposed study will deliver the overwhelming majority of the content specified in the RFP. Key exceptions include the full ecosystem services valuation and a comprehensive assessment of opportunities to add value. These two items alone would add at least $150,000 to the total cost, probably much more.

4. Completeness (20 points)

- The RFP specifies that proposals should contain five sections. Our proposal contains all five sections, in particular: 1) a statement of experience; 2) and description of the product to be delivered; 3) an explanation of how this product will meet evaluation criteria; 4) a project budget; and 5) a project completion timeline.

5. Methodology with respect to CAC's ability to update and reproduce study data (20 points)

- Our methods will be sufficiently documented for future replication. For example, our Monterey County client published a 2015 study that updated the 2011 baseline. Every report we produce includes a detailed Methods section. Please note, however, that the proprietary nature of IMPLAN data limits our ability to share the raw data. Interested parties (for example a county economic development office) may purchase the same raw data we use, directly from IMPLAN.com, for $800 per county.

6. Approach to data acquisition (15 points)

- As our Methodology section describes (see earlier), we have an extensive, robust approach to collecting and analyzing the data. It includes quality assurance through benchmarking to other counties we have analyzed. Although IMPLAN data form the core, we supplement them with qualitative data generated from personal interviews with local experts and a review of key documents such as crop reports, economic studies, industry reports, and so on. This hybrid approach (quantitative + qualitative) provides a well-rounded analysis.

7. Ability to complete study expediently (15)

- Having done several projects like this for California county agricultural commissioners, we have a strong understanding of the time and effort required. Our proposed 12-week schedule reflects our extensive, direct experience with projects like this, and the fact that this project entails much more research and writing than our regular *Crop Report PLUS* product.

PART 4. Project Budget

Overview. Our total projected cost is **$46,600**, as detailed in the two tables below. This includes two items: salary for research personnel to perform the research and writing ($45,000), plus IMPLAN data purchase ($1,600). We consider this an initial estimate based on the RFP. We hope and expect to refine it with County staff in developing the final Scope of Work. Note that the second table lists costs tied to each of the ten items in the RFP.

Optional Travel. This budget does not include travel. Based on extensive experience doing these reports, we know high quality work is feasible without traveling to the region, relying instead on extensive phone conversations and email. That said, if you would like us to make research trip to the region, we can easily do so. Assuming 30 extra hours of labor (including travel), the salary cost would be $3,750, plus an extra $1,000 in travel expenses (i.e., mileage and 3-4 days of lodging and meals for two researchers). For additional cost, we could also make a separate, shorter trip toward the end of the study to brief policy makers, the public, and others.

Optional Formatting. We provide a final report in MS Word and PDF that includes tables, figures, and basic formatting. The report does not include photos or other embellishments. Most of our agricultural commissioner clients send this report to a professional design company or to their in-house County print shop for final editing, at their own expense. We prefer this option. That said, we can sub-contract the design work if you like. The firm we use charges $100 per page. Please see our Santa Cruz County report for a good example of their work. Either way, the County will need to provide high resolution digital files for images to include in the report, similar to ones that appear in the annual Crop Report.

Overall Project Budget

SALARY

Daily Rate	Units	Cost $/Unit	# Units	Total
Dr. Jeff Langholz	person-hour	$125	240	$30,000
Dr. Fernando DePaolis	person-hour	$125	120	$15,000
Salary Sub-Total:				***$45,000***

SUPPLIES

Daily Rate	Units	Cost $/Unit	# Units	Total
IMPLAN Data: Mono County	county	$800	1	$800
IMPLAN Data: Inyo County	county	$800	1	$800
Misc. Supplies & Equip.	-	-	0	$0
Supplies Sub-Total:				***$1,600***

Detailed Budget Based on Scope of Work Items

Topic	# Hours	$ Cost
1. Quantification and ranking of agriculture as an industry.	35	$4,375
2. Inter-county dependences and economic relationships.	20	$2,500
3. Estimate of economic contributions by type of crop.	75	$9,375
4. Economic contributions by land ownership.	20	$2,500
5. Analysis of jobs maintained both directly and indirectly.	40	$5,000
6. Contributions to local taxing authorities.	15	$1,875
7. A summary and analysis of ecosystem services.	40	$5,000
1. Interdependence between Inyo & Mono ranching.	20	$2,500
2. Opportunities to add value to the agriculture industry.	80	$10,000
3. Recommendation of areas for further analysis.	15	$1,875
TOTALS:	**360**	**$45,000**

PART 5. Project Completion Timeline

Having completed several projects like this, we can make confident estimates about the time and steps required. The table below depicts a 12-week timeline. The schedule is flexible: we can compress or expand it as needed. We have found that the biggest time delays occur if and when the County requests that local experts review a confidential, preliminary draft of the report. While important and useful, this step can take more time than anticipated.

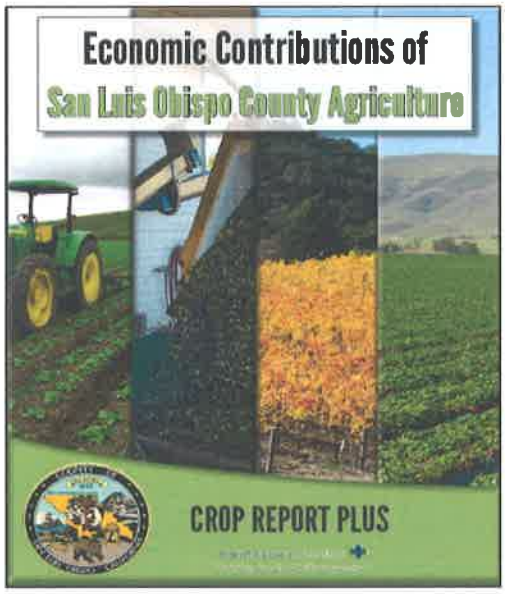
Note that county agricultural commissioners often call on us to help communicate the results. As a starting point, we can draft a press release for you to consider as you disseminate the findings. Second, we are happy to travel to Bishop or anywhere else to brief the board of supervisors, speak at a press conference, and other activities. Unlike a lot of dry economists, we are engaging and effective public speakers. In fact, Dr. Langholz has taught professional workshops on media relations and mastering the media interview. We would not charge extra salary for this trip – just the direct travel costs.

Project Timeline

Task	Weeks											
	1	2	3	4	5	6	7	8	9	10	11	12
Contracting & detailed scope of work	X	X	X									
Modeling strategy and design			X	X								
Preliminary consultations with local experts				X	X							
Modeling of local/regional economy					X	X	X	X				
Write & submit draft report							X	X				
Follow-up consultations with local experts								X	X	X	X	X
Final report + outreach activities											X	X

APPENDIX

Sample Reports We Produced for Other Agricultural Commissioners



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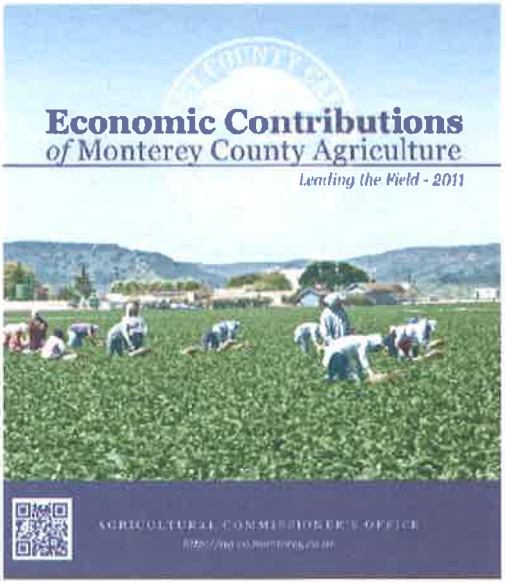

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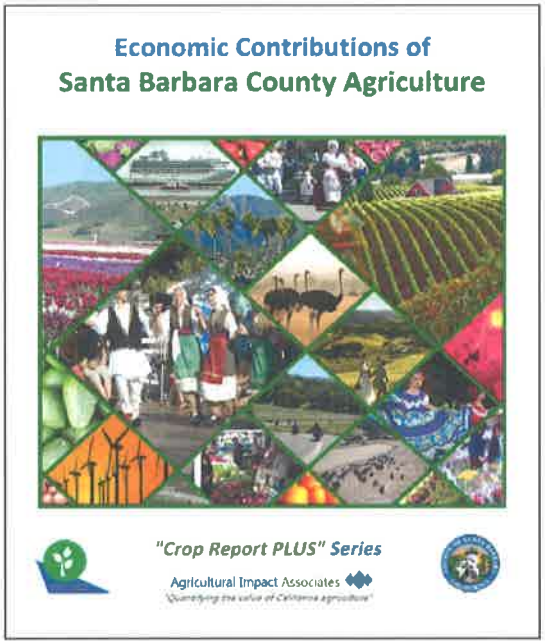

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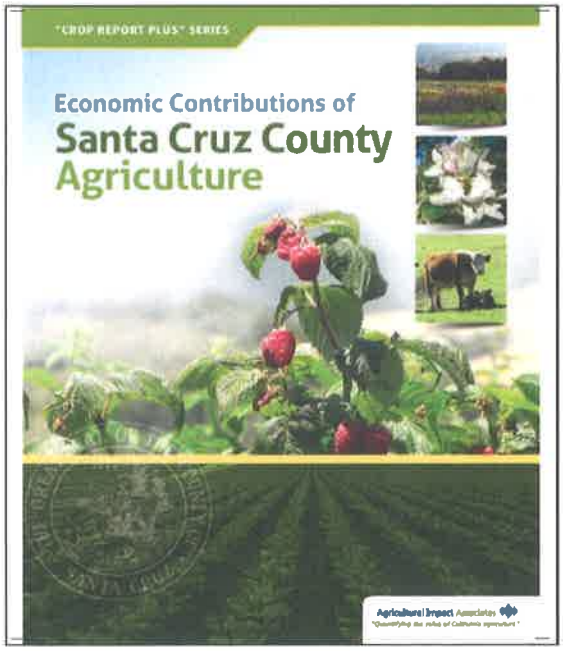


http://www.agdept.com/Portals/10/pdf/SC_Ag_Report.pdf

Combined Score:
139.5

PROPOSAL

ECONOMIC STUDY ON AGRICULTURAL INDUSTRY CONTRIBUTIONS TO THE INYO AND MONO COUNTY REGIONS

Prepared for:

INYO AND MONO COUNTIES AGRICULTURAL COMMISSIONER'S OFFICE (CAC)

SUBMITTED BY:

THE NATELSON DALE GROUP, INC.
24835 LA PALMA AVE SUITE I • YORBA LINDA, CA 92887
O: 714.692.9596 • F: 714.692.9597 • www.natelsondale.com

IN ASSOCIATION WITH:

McClure Consulting LLC, Phoenix, AZ

Primary Contact: Roger Dale
Email: dale@natelsondale.com

May 27, 2016

Table of Contents

Consultant Information

Team Composition

The consultant team for this proposal includes two entities:

- ***The Natelson Dale Group, Inc. (TNDG)***, a full-service economic analysis firm based in southern California, would serve as the prime contractor for the assignment.
- ***McClure Consulting, LLC***, an economic consulting firm with specialized expertise in economic impact modeling and social media analysis, would provide research and analytical support throughout the process.

This team has collaborated on economic consulting assignments throughout the United States for more than 20 years, including recent projects in Texas, Florida, Colorado and various communities in California and Arizona.

Firm and Team History

The TNDG Team brings together multi-disciplinary backgrounds in economic analysis, economic development, community development, marketing, and branding. All team members have substantial experience with industry-cluster economic development initiatives, including those pertaining to agriculture and tourism, and with evaluating the impacts that these initiatives have on local economies.

The Natelson Dale Group, Inc. (TNDG) is an economic consulting firm established in southern California in 1974. The firm's practice includes economic development programs, as well as a full range of economic impact analyses. TNDG is a "boutique" firm not only in terms of size but also in terms of philosophy and approach. The firm's principal personally manages every contract and maintains primary contact with the client. Responsiveness to the unique needs of each client is a hallmark of TNDG's approach.

McClure Consulting, LLC is a full-service economic consulting organization based in Phoenix. The firm focuses on community and economic development strategic planning, economic impact assessment, and regional economic analysis. The firm's principal, Joe McClure, has a multi-disciplinary background that incorporates many phases of the development process: economic analysis and strategy development, market and financial assessments, and planning and design.

Key Projects / Client References

The Natelson Dale Group, Inc.

a. Name, location, year of completion	Economic and Fiscal Impacts of Fremont Valley Conservation Project (major solar energy and water production facility) in Kern County, CA. 2013
b. Name of project manager and key staff	Roger Dale, Project Manager Alan Levenson, Lead Economic Analyst
c. Brief description of the project, specifically the format and techniques used	TNDG completed a comprehensive socioeconomic impact assessment for a proposed 700 MW photovoltaic solar energy facility in Kern County. The overall assessment included a detailed analysis of the project's construction and operational employment impacts (utilizing the IMPLAN model), as well as a customized fiscal impact analysis projecting cost and revenue impacts to the affected jurisdictions (city and county).
d. Name, address, phone number of client, and name of contact person	Mr. Jun Y. Lee, Esq. Director of Legal Affairs Aquahelio Management, Inc. 3785 Wilshire Boulevard, Suite 1911 Los Angeles, CA 90010 (213) 300-5220 junylee@gmail.com

McClure Consulting LLC

a. Name, location, year of completion	Economic Impacts of Bicycling in Arizona, out-of-state bicycle tourists and exports. 2013
b. Name of project manager	Joseph McClure, Project Manager
c. Brief description of the project, specifically the format and techniques used	This project involved conducting phone interviews with key informants in bicycle touring and sales businesses, and other bicycle tourism operators and visitor patrons by means of various survey formats and instruments, in Arizona, compiling primary and secondary economic-impact data on sales, event details, etc. and estimating expenditures by out-of-state visitors to AZ. Estimating process included compiling state and national-level data on sales patterns, tourist spending, etc.
d. Name, address, phone number of client, and name of contact person	Michael N. Sanders, Senior Transportation Planner Bicycle and Pedestrian Program, Multimodal Planning Division Arizona Department of Transportation 206 S. 17th Ave., Mail Drop 310B, Phoenix, AZ 85007 MSanders@azdot.gov (602) 712-8141, Fax (602) 712-3046

Other Relevant Experience

The Natelson Dale Group, Inc.

Over its 42-year history, The Natelson Dale Group, Inc. (TNDG) has completed several hundred economic and fiscal impact analyses for a diverse range of economic activities.

Economic Impact Analyses. The TNDG team has prepared regional economic impact studies related to a wide variety of industries, facilities, and economic development programs. Many of these have utilized the IMPLAN model as the analytical basis for deriving estimates of direct, indirect and induced impacts. Examples of major regional water/energy impact analysis projects include:

- **Colorado River: Economic Impact Analysis-Corps of Engineers.** A detailed evaluation of land use activities and usage from Blythe to Lake Havasu was completed to evaluated the potential impact of increased releases from upstream dams.

- **Los Angeles, California: U.S. Army Corp of Engineers/Open-End Contract.** The firm served as an ongoing contractor for the Corps of Engineers, Los Angeles District, for five consecutive years, charged with performing all socioeconomic, marketing and land valuation studies emanating from the Los Angeles District Offices, which covers the region of Southern California and Arizona. During the course of this assignment, the firm has completed over sixty specific studies and investigations, including land use and marketability studies, social impact assessments, and land valuation analysis for the Santa Ana River Basin, the Whitewater River in the Coachella Valley, the Salt and Gila Rivers and their tributaries, the San Diego River and its tributaries and other water-related studies associated with either flood damage assessment and/or water resource development projects. In the course of these analysis, extensive investigations were conducted regarding the joint development of recreational activities along existing waterways, including such studies for the Salt/Gila project as part of the CAWCS investigations which were completed by USBR/COE, and Whitewater project which involved park-related activities along the Whitewater River Basin the in Coachella Valley.

- **Los Angeles, California: U.S. Army Corps of Engineers - Orange County Flood Control Benefit Analysis.** The consultant assessed the value of benefits which would result from proposed flood protection improvements on the Santa Ana River and its tributaries - an area encompassing most of Orange County and portions of San Bernardino and Riverside Counties. The assessment required identification and appraisal of developed property within the flood plain based on field surveys and sampling techniques. Future development was identified through discussions with municipal planning departments.

- **Maricopa County, Arizona: Economic Assessment of Flood Control Alternatives on the Salt and Gila Rivers for the U.S. Army Corps of Engineers.** The firm engaged in an economic assessment of areas within the 500-year flood plain of the Salt and Gila Rivers through metropolitan Phoenix. The work involved extensive land use inventory and property valuation in the flood plain and close coordination with other aspects of the project, including environmental and socioeconomic considerations investigated by other consultants.

- **Phoenix, Arizona: Salt-Gila Alternative Socioeconomic Impact Analysis**. Worked as part of a project team for USBR/COE on a long-term intensive planning program for the Salt-Gila project in the Phoenix Metro area directed at overall flood control and water resource development for the area to satisfy the expressed concerns of local affected communities. The firm conducted the socioeconomic analysis component of the research.

- **San Bernardino, California: Upper Santa Ana River Recreational Demand Analysis**. This analysis involved determination of current and future projected recreational demand on USFS recreational lands by use category through the year 2050 with and without consideration of a proposed flood control project. Existing and projected demand patterns, regional growth characteristics, and a user/day valuation methodology were developed and evaluated for the program.

- **Kern County, California: Economic and Fiscal Impact Analyses for Solar Energy Project.** TNDG completed a comprehensive socioeconomic impact assessment for a proposed 700 MW photovoltaic solar energy facility in Kern County. The overall assessment included a detailed analysis of the project's construction and operational employment impacts (utilizing the IMPLAN model), as well as a customized fiscal impact analysis projecting cost and revenue impacts to the affected jurisdictions (city and county).

- **Southern California/Utah/Arizona: Economic and Fiscal Impact Studies for Major Energy Facilities**. The firm completed 19 assignments over a nine-year period for Southern California Edison. These studies focused on the socioeconomic and fiscal impacts of proposed SCE development activities.

- **Albuquerque, New Mexico: Economic Impact Analysis of Yellowhouse Dam and Reservoir on the Zuni Indian Reservation**. In a study completed for the Bureau of Indian Affairs, the consultant investigated sociocultural and socioeconomic impact on the Zuni Nation of the proposed Yellowhouse Dam. Among the factors considered in the analysis were the local economy and employment profile, physical and governmental infrastructure, demographic characteristics and a social needs assessment (social services, health care, etc.).

- **Santa Barbara County, California: Evaluation of Economic Issues Related to Agricultural Preserve Component of Mission Oaks Ranch Master Plan.** The study involved an analysis of potential economic returns from agricultural uses of the property and proposed a system for allocating these returns given the unequal distribution of agricultural resources among the 31 parcels.

Examples of other types of impact studies include the following:

- Analytical support to the University of Arizona Foundation on an evaluation of the economic impacts of the Tucson Rodeo.

- Development of an analytical framework to evaluate the economic and fiscal impacts of annual visitor events for the City of Huntington Beach.

- Evaluation of the economic and fiscal impacts of the StubHub Center in the City of Carson. This 125-acre development features state-of-the-art stadiums and facilities for soccer, tennis, track & field, cycling, lacrosse, rugby, volleyball, baseball, softball, basketball and other sports.

- Evaluation of the operational impacts of a proposed $300 million movie studio complex and joint use educational facilities on the campus of a community college in Orange County.

- Evaluation of the impact of visitor retail and restaurant expenditures for the City of Beverly Hills.

- Evaluation of the local and regional economic impacts of various proposed development projects for the City of Santa Monica.

- Preparation of a tourism marketing plan and related economic impact analysis for the agriculturally oriented Heritage Valley area of Ventura County.

- Economic analyses in support of park, recreation and special events master plans for communities throughout southern California.

- Evaluation of the construction and operational impacts of a proposed $2.7 billion medical campus totaling 6 million square feet at the converted March Air Force Base in Riverside County.

- Evaluation of the construction and operational impacts of a proposed $1.2 billion solar energy facility in San Bernardino County.

- Evaluation of the economic impacts resulting from implementation of the City of Los Angeles' "Solar LA" initiative.

- Evaluation of the ongoing operational impacts of Los Angeles Air Force Base in El Segundo.

Fiscal Impact Analyses. Most of TNDG's fiscal impact analyses involve the development of customized fiscal impact models reflecting the revenue and cost structures of the affected jurisdictions. In addition to project-specific fiscal impact assessments, TNDG has developed jurisdiction-wide fiscal impact analysis software for municipalities throughout California and Arizona. These software packages enable the municipality to quantify the fiscal impacts of various events, projects and programs, based on the local economic base unique to each jurisdiction. Several of TNDG's fiscal impact models have been specifically designed to measure the impacts of features/facilities such as regional parks, water recreational facilities, and a zoo. TNDG has also developed a statewide property-tax forecasting model for California, which forecasts property tax revenue for each of the state's 58 counties.

Economic development strategic planning, including assignments in places where agriculture was a selected target industry or an important economic sector. TNDG's work in economic development strategic planning spans a wide variety of economic areas, including: an economic recovery strategy for the County of Los Angeles; a workforce development strategy for the San Francisco Bay Area media industry; a business development strategy relating to the City of Anaheim's development of fiber optics

infrastructure; target industry analyses and economic development strategies for the City of Burbank, the City of Tracy, the County of San Joaquin, the County of Kern, the County of Osceola, Florida (as part of a larger team), the County of Guilford, North Carolina, and the Tri-Cities area of Northeast Tennessee/Southwest Virginia. The firm is in the final stages of an economic development asset assessment for Larimer County, Colorado.

TNDG has also developed several strategies related to "clean tech" and advanced manufacturing activities, including the economic development component of the Solar LA plan, and a comprehensive business plan for an "eco industry" park in the City of Ventura.

The TNDG Team has conducted a number of economic development strategic planning assignments for areas in which agriculture is a major economic activity, including the following:

- Countywide economic development strategic plan for Kern County, which included an agricultural cluster.
- Strategic plan for Southern Kern County where agriculture is a major industry.
- Multiple economic development strategic planning assignments and related assessments of the agricultural workforce, the relationship of agriculture to technological innovations, and similar considerations, in Yuma County, Arizona.
- City of San Miguel Economic Strategy, which included an analysis of development prospects related to vineyards and wineries.
- City of Escondido Comprehensive Economic Development Strategy and Competitive Assessment, which included agriculture as a target cluster.
- City of Coachella industry cluster strategy.

McClure Consulting, LLC

In addition to supporting TNDG on a number of the assignments listed above, McClure Consulting has completed the following economic impact studies:

- Impact of the Arabian Horse Show to the City of Scottsdale, AZ.
- Project Market Feasibility and Estimates of Tourism Purchases, for 1.3 Million Square Foot Destination Shopping Center, for City of Sparks, Nevada.
- Market Assessment and direct and secondary economic benefits analysis for CityScape, a Downtown Phoenix entertainment-destination retail center.
- Evaluation of construction impacts for a proposed freeway interchange, and related improvements, on Interstate 10 in the Tucson metro area, analyzed as part of an application for ARRA funding.

- Multiple studies addressing evaluation of impacts to adjacent business communities, and the larger surrounding region, from roadway expansions or re-routing, for urban collector streets and freeway segments.

Personnel Bios

The following personnel would be assigned to this project. Full resumes are attached as an appendix to this proposal.

Roger A. Dale, Managing Principal of TNDG, will serve as Project Director for the assignment. In this capacity, he will be responsible for primary client liaison, day-to-day completion of work assignments and products, and coordination of the overall project team. Mr. Dale has been a project manager with TNDG for 28 years and has extensive experience in economic impact analysis and agriculture-based economic development strategies. He received his B.A. cum laude in Economics from Claremont McKenna College in Claremont, California and also holds a master's degree in Economics from the University of California at Riverside.

Joseph E. McClure, Principal of McClure Consulting LLC, has more than 35 years' experience in economic consulting. In recent years his work has included a focus on the economic development implications of large-scale projects and their relationship to host cities. Joe has an M.S. in Urban Planning from the University of Arizona and completed additional post-graduate work in economic geography at UA. He has a B.S. in Architecture from the University of Cincinnati.

Alan Levenson, Senior Associate of TNDG, has been with TNDG for 16 years and has completed a diverse range of economic and fiscal impact analyses for the firm. He is intimately familiar with the IMPLAN model that the team would use for this assignment. Mr. Levenson joined TNDG after receiving his B.A. with honors in Economics and Political Science from the University of California at Riverside. Mr. Levenson's undergraduate studies included additional coursework in applied mathematics related to economic analysis. He also holds a Master's in Business Administration degree, with a concentration in Real Estate Finance, from UCLA's Anderson School of Management.

Joseph Collins, Associate, McClure Consulting LLC, will support the project team with data analysis and GIS mapping. Mr. Collins has worked on a variety of economic impact projects, including major real estate development projects. His diverse academic and professional career has provided him with the opportunity to work on a number of projects for various non-profit, private, and public entities that have facilitated community planning, local development, and regional economic development. Mr. Collins obtained a M.B.A. from Grand Canyon University in Phoenix, Arizona, a M.S. in Regional and Community Planning from Kansas State University in Manhattan, Kansas, and a B.S. in Geography/Community Planning from Kansas State University in Manhattan, Kansas. In addition, he has completed coursework for general real estate appraisal at the Arizona School of Real Estate and Business.

Approach to the Scope of Work

General approach

TNDG will make use of the IMPLAN[1] modeling system, which has 17 individual industry sectors that pertain to agriculture and forestry (not all of which are applicable to this analysis), to accomplish the following:

- Using the available crop production data as inputs, quantify the direct and various secondary relationships of agricultural production (indirect and induced jobs, value added, and output), by type of crop or related activity. Because the primary crop, alfalfa hay, does not have a specific, exclusive corresponding IMPLAN industry category, TNDG will apply one or more approaches to sensitize the specific IMPLAN calculation factors to this crop type, which may include interviews with key informants and/or analysis of the factors related to other IMPLAN agricultural sectors.

- Estimate the linkages between the agricultural industry and other leading industries across the two counties. (Note: to estimate industry interrelationships for agriculture, as in the preceding bullet point, the IMPLAN model will be configured according to IMPLAN's Industry Contribution Analysis method, which prevents an overestimation of secondary effects and provides a more accurate estimate of the existing interrelationships. This type of output, however, will not directly provide measures of the economic linkages across counties, so other configurations of the model (based on the traditional use of the model to measure the impacts of an incremental change in some industry) will be used to generate these estimates. This process will also provide an additional set of factors important to the overall analysis, in this case addressing the marginal impacts from incremental changes.)

Specific scope of work items as listed in the RFP are shown below in *italics,* with TNDG's response to the item following.

For both Inyo and Mono Counties individually

1. Quantification and ranking of agriculture as an industry

TNDG will compile industry data for the two counties using purchased employment data from Emsi,[2] in order to overcome data limitations due to suppression by government agencies. This database will facilitate comparison of industries in several respects: employment, relative strength of the industry in each county, and at a level of detail appropriate for documenting the complexity of the Counties' economic base while also maintaining readability of the analysis.

While the IMPLAN model output will identify industries (within the IMPLAN system) related to each of the agricultural crop/livestock categories, the process of identifying ancillary industries that rely on

[1] IMPLAN Group, LLC.

[2] Other options for such data are available. The use of this recommended database will be confirmed in consultation with CAC, upon review of issues such as costs related to update ability and similar considerations. The database is often used by local Workforce Investment Boards throughout the US.

agriculture will include examination of the Emsi data and a review of relevant business listings from various sources.

Because of the importance of tourism in the two counties, industry data pertaining both directly and indirectly to tourism will be compiled, and factored appropriately as necessary, to represent the "hybrid" industry of tourism. This compilation will include areas of overlap between traditional tourism industries and the agriculturally related activities in the two counties with a tourism dimension.

2. Inter-county dependences and economic relationships that exist with regard to agriculture

This information will be compiled based on multiple outputs of the IMPLAN model (as discussed under "General approach" above) and the industry data described above under item 1.

3. Estimate of economic contributions by type of crop

The IMPLAN modeling process will be used to show the direct and secondary contribution to the economy by the crop/livestock types within the CAC's Annual Crop and Livestock Report.

4. Estimate of economic contributions by land ownership

CAC's database on crop production by the property ownership categories specified in the RFP will be combined with the IMPLAN output and other data to produce these estimates.

5. Analysis of jobs maintained both directly and indirectly by agricultural production

These job numbers will come directly from the output of the IMPLAN model, by individual crop/livestock type.

6. Contributions provided by agricultural production to local taxing authorities such as property taxes and sales taxes

These tax figures will come directly from the output of the IMPLAN model, by individual crop/livestock type.

7. A summary and analysis of ecosystem services provided by the local agriculture industry

The TNDG Team understands that, while agriculture's contribution to ecosystem services is important, CAC does not anticipate an in-depth quantification of the value of such services. Our recommended approach to this task is to combine our working knowledge of the subject with a literature review specifically focused on the subject at hand. The intent of this review would be to apply the "value transfer" method of economic impact analysis, which consists of identifying and extracting quantitative factors where possible to apply to this analysis. This method is commonly applied to studies involving ecological systems where a compilation of actual field data could be prohibitively costly. TNDG has allocated a level of effort to this task, shown in our project budget, which is fully negotiable. We expect to maximize the cost-effectiveness of this work based on the firm's experience and particularly the

environmental-research credentials of TNDG's Managing Principal, Roger Dale, as detailed in his resume included with this proposal.

Tasks that the study should also address, from a regional perspective

1. Multi-regional analysis identifying the level of interdependence that exists between Inyo and Mono Counties' ranching industry operations

TNDG will use a combination of industry data and discussions with key informants to define the elements of the ranching industry that could potentially have intercounty economic interrelationships. The IMPLAN modeling processes will provide output that will allow TNDG to initially estimate the economic linkages within ranching operations across the two counties. This estimating process will be combined with other industry data to quantify the county-to-county interdependence of the ranching industry.

2. An examination of what opportunities exist to add value to the agriculture industry based on the research and analysis conducted during the study

TNDG will approach this question from several respects, using the information available within the analysis processes described above along with our experience gained through many economic development strategic planning assignments. In that type of work, expanding industry clusters to increase their overall value to the local economies is a common strategic focus. TNDG's approach will include the following considerations:

- An understanding of existing agriculturally related industry interdependencies, and linkages with other types of industries in general, will be important. The IMPLAN analysis process will provide some of this information, and this will be supplemented by other industry data assembled for the analysis.
- The Emsi data will include supply chain information, which will identify goods and services that are currently imported by the counties and therefore could potentially be provided locally.
- Certain types of industries, for example food processing, are obvious candidates for adding value within the agricultural cluster. These will be reviewed in terms of certain measures for potential expansion, including the relative strength of the presence of the industry within the existing economy, recent growth trends in the industry both locally and at state/national levels, and observations of local key informants.

3. Recommendation of areas for further analysis

TNDG will coordinate the consideration of these recommendations with CAC, taking into consideration, among other things such as timing, the costs of various kinds of research compared to the expected benefits.

Project Execution - explanation of how this product will meet evaluation criteria

Evaluation criteria listed in the RFP are shown below, in *italics*, followed by TNDG's explanation of how each criterion will be met.

1. *Description of the approach and anticipated level of detailed analysis for each component contained in the above Scope of Work*

TNDG will apply standard-practice, widely accepted analytical models and data sources to this project and also explain the methods and models used in detail, so that the work is readily replicable, updatable, and understandable to a lay audience. The same models and data will be used, in somewhat different forms as appropriate, to answer many of the research questions.

2. *Demonstrated expertise of proposer through similar studies*

As listed in the Statement of Experience in this proposal, TNDG has conducted economic impact studies for a wide variety of activities, often integrating impact findings with broader implications of the health of the local economy. In addition, the firm has a broad range of experience across the country in the analysis of local economies and preparation of strategies to support and promote economic development.

3. *Cost*

The TNDG Team's broad range of experience, and active participation of Team Principals and other senior personnel, supported by appropriate staff, help ensure that the project will be conducted in a cost-effective manner. TNDG has proposed a budget within this proposal, and we are completely flexible regarding possible changes to this budget to more closely align with CAC requirements and expectations.

4. *Completeness*

The TNDG Team believes that our description of the work to be performed, in the preceding section of the proposal, adequately defines our approach, which we further believe will result in execution of the work in such a way that the research questions set forth in the RFP will be fully addressed.

5. *Methodology with respect to CAC's ability to update and reproduce study data*

The TNDG Team's use of standard-practice, widely accepted analytical models and data sources, along with our detailed explanation of the methods and models used, will result in a study that is readily replicable and updatable. The TNDG Team will provide to CAC a customized, updatable spreadsheet model (in Excel) that incorporates the output from the IMPLAN model and other data and project analysis, and summarizes the economic and fiscal impacts, by crop/livestock category and by land ownership.

6. *Approach to data acquisition*

The TNDG Team has proposed, in our response to the work scope in the preceding section, certain specific data sources, including data from Emsi and the IMPLAN model These will be supplemented as required by other data sources that are normally available in the public domain, and may include, among other sources, Longitudinal Employer-Household Dynamics (LEHD) program data from the Center for Economic Studies at the U.S. Census Bureau, Census of Population data, employment and occupation data from the Bureau of Labor Statistics, and Bureau of Economic Analysis (BEA) data on national Industry Input-Output (I-O) accounts.

7. *Ability to complete study expediently*

As reflected in our timeline below, TNDG's combination of having the Principal directly involved in the project, and sufficient staff at both the senior and research-support level, allows us to complete this project expeditiously as well as cost-effectively.

Project Budget

The breakdown of TNDG's proposed cost by task is shown on the following table, which also shows the hourly rates associated with key personnel.

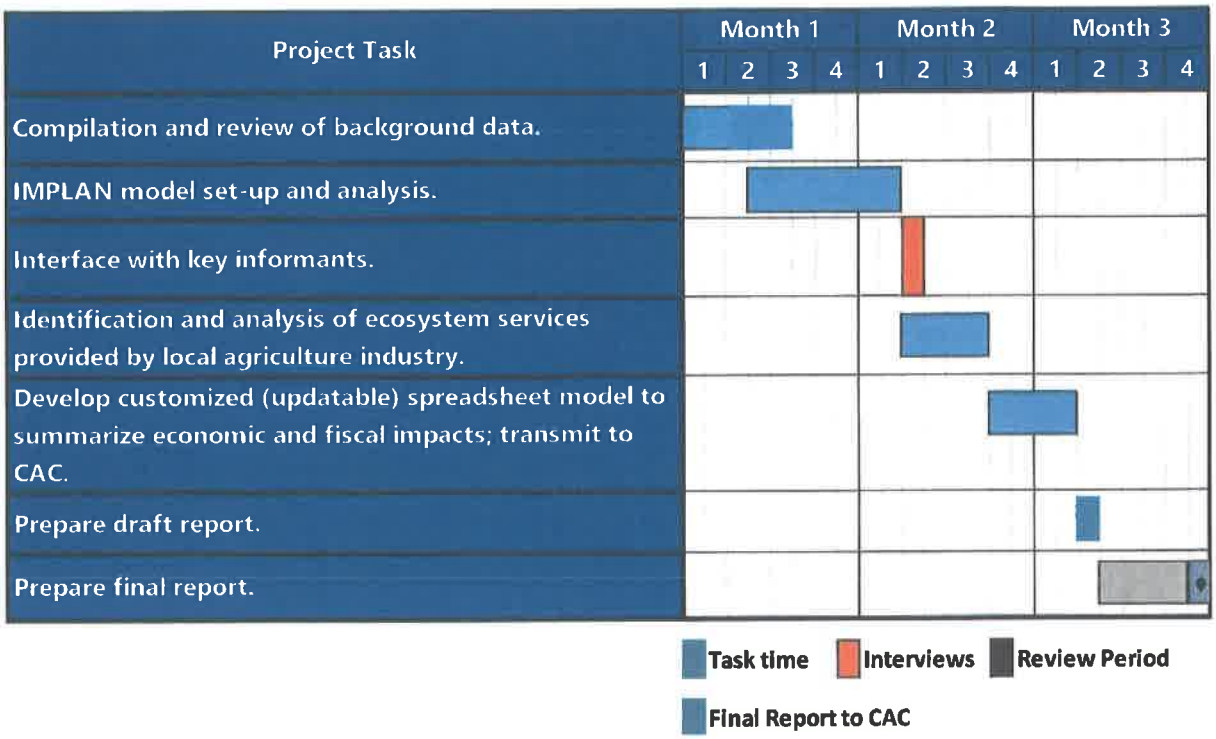
Hourly rates ---►	$185 Principals (1)	$170 Senior Associate (2)	$125 Associate (3)	Total Hours	Total Fee
Task	**Hours**				
Compilation and review of background data.	**24**		**24**	**48**	**$7,440**
IMPLAN model set-up and analysis.	**8**	**40**		**48**	**$8,280**
Interface with key informants.	**32**			**32**	**$5,920**
Identification and analysis of ecosystem services provided by local agriculture industry.	**48**			**48**	**$8,880**
Develop customized (updatable) spreadsheet model to summarize economic and fiscal impacts; transmit to CAC	**12**	**32**		**44**	**$7,660**
Prepare draft report.	**24**			**24**	**$4,440**
Prepare final report.	**12**			**12**	**$2,220**
Subtotal, Professional Hours and Fee	160	72	24	256	$44,840
Direct Expenses:					
Data					**$2,500**
Travel					**$750**
Subtotal, Direct Expenses	172	72	24		$3,250
GRAND TOTAL					$48,090

(1) Roger Dale, Joe McClure
(2) Alan Levenson
(3) Joseph Collins

The TNDG Team would be available after the completion of the study to make presentations on the study findings to the public, county staff or elected officials. These meetings would be billed at a flat rate of $2,500 per meeting day (i.e., if multiple presentations are scheduled on the same day, they would be included within the same per-day charge).

Project Schedule

The TNDG Team's **Project Work Plan Schedule** is shown below. The Team has assumed a 3-month period for completion of the study.



Appendix A – Resumes

Roger Dale MANAGING PRINCIPAL • TNDG

Roger Dale has been affiliated with The Natelson Dale Group, Inc. (TNDG) since 1988 and currently serves as the firm's managing principal. His background encompasses the fields of real estate development, economic development, regional economic analysis, environmental and land use policy, financial forecasting, and renewable energy. His project experience with TNDG includes real estate market forecasting, demographic research and modeling, fiscal impact analysis, cost/benefit assessment, redevelopment, business retention/attraction, workforce development program assessments, and preparation of regional-scale economic development strategic plans.

He has prepared real estate forecasts for municipal planning efforts throughout California and Arizona. He was TNDG's lead economist for the City of Los Angeles General Plan Framework study. This work included long-range demand forecasts for each of the City's 35 planning areas for residential, retail, office and industrial land uses.

Mr. Dale also has extensive experience in preparing market and financial feasibility analyses for private developers. Key projects include a 4,200-acre subdivision in Moorpark, California; an 885-acre mixed use development on the Big Island of Hawaii; a tourist-oriented retail/restaurant complex in Honolulu; several regional shopping centers in southern California; a 3,200-unit residential development in the Santa Clarita Valley; and a master planned community in Yokohama, Japan.

Mr. Dale has completed numerous fiscal impact analyses and developed customized software models to enable municipalities to assess the fiscal impacts of proposed general plan amendments, annexations, and individual development projects. He has also completed a number of market impact studies to determine the extent to which proposed retail facilities would negatively impact existing stores within their trade areas.

Over the past 15 years, a significant focus of Mr. Dale's work has been on the development of cluster-based economic and workforce development strategies. In this regard, he has managed industry cluster analyses and developed related retention/ expansion/attraction plans for the following clients: the cities of Anaheim, Los Angeles, and Burbank, and San Buenaventura, California; the County of Kern, California; the County of Yuma, Arizona; the High Desert Regional Economic Development Authority (San Bernardino County, California); the Forward Greensboro (North Carolina) Economic Development Partnership; and the Tri-Cities (Tennessee/Virginia) Economic Development Alliance.

Mr. Dale has an active interest in environmental mitigation and habitat conservation planning. He has experience in negotiating mitigation agreements and was actively involved in the development of an innovative "land bank" program in the Western Mojave Desert. This program was implemented in cooperation with several State and Federal agencies, and is designed to streamline development while at the same time fulfilling the requirements of the Endangered Species Act. Between 1995 and 2001,

Mr. Dale served on a technical review team for the Northern and Eastern Colorado Desert Coordinated Management Plan, a multi-agency land use planning effort led by the U.S. Bureau of Land Management.

Reflecting his longstanding interest in sustainability issues, he serves on the Board of the Roberts Environmental Center – a leading publisher of global climate change research and the nation's foremost analyst of corporate sustainability reporting. He has recently completed feasibility studies and related economic development strategies for solar energy projects in California, Arizona and China. He has prepared more than 50 economic analyses as part of environmental impact reports, pursuant to the requirements of the California Environmental Quality Act (CEQA).

Mr. Dale received his B.A. cum laude in Economics from Claremont McKenna College in Claremont, California. He also holds a master's degree in Resource and Environmental Economics from the University of California at Riverside.

Joseph McClure PRINCIPAL • MCCLURE CONSULTING LLC

Joe McClure has served as principal or in other key roles in land economics research and advisory-services organizations for the last 37 years. During this period, Joe's practice has focused on the following outputs:

- Fiscal/economic impact analyses with a strategic component: impacts on the business community and tax receipts from freeway and other road projects, and assessing redevelopment prospects of under-performing areas.
- Market analyses with fiscal and strategic components: highest and best use analysis, analysis of rapidly growing trade areas, cash flow and development strategy analysis, fiscal benefits of development.
- Economic development strategic focus: consolidating views on a region's economic development targets, workforce, issues, and approaches, integrating target industries into the local economy, and relating a region's existing economic base to its competitive region.
- Special research projects, including studies of local labor forces and employer-employee relations, economic impacts of bicycle recreation, and transit behaviors and opinions in rural regions.

McClure has been retained by both private developers and public agencies at all levels of government, for projects in small and large cities, undeveloped and heavily developed regions, and regions with special demographic and cultural characteristics, including Native American and Pacific Island communities. To facilitate project implementation, he has facilitated workshops, prepared grant applications, and assisted with negotiations.

Mr. McClure's multidisciplinary background incorporates many phases of the community and real estate development process: economic analysis and strategy development, market and financial feasibility assessment, and planning and design. Joe has a M.S. in Urban Planning, in a program that emphasized regional economics, from the University of Arizona and completed additional postgraduate work in economic geography at UA. He has a B.S. in Architecture from the University of Cincinnati. Mr. McClure is a registered architect in Arizona and a member of the Western Regional Science Association (WRSA)—an international group of economic geographers, the Urban Land Institute (ULI), and the Arizona Association for Economic Development (AAED). He has presented papers on business and economic development issues at economic development conferences, has served as Adjunct Lecturer at the University of Arizona in the Geography and Regional Development program, and on ULI Advisory/Technical Services Teams. McClure served as a Civil Engineering Officer in the U.S. Air Force.

Alan Levenson SENIOR ASSOCIATE • TNDG

Mr. Levenson brings to The Natelson Dale Group, Inc. an academic background in economic theory with particular emphasis on economic development. Prior to joining the firm, Mr. Levenson spent two years as a research consultant for NEMESIS (Núcleo de Estudos Modelos Espaciais Sistêmicos), which is a research network dedicated to the study of systemic spatial models of the Brazilian economy.

A significant focus of Mr. Levenson's work at TNDG has been on preparing regional economic impact analyses for a wide range of projects. Among others, these projects have included a major regional health care facility in Riverside, CA, a technology and education park in Tustin, CA, a business park in Victorville, CA, and a highway construction interchange project in Pima County, AZ. These analyses have involved modeling various projects' short-term (construction-phase) and permanent (annually recurring) benefits to the regional economy. The benefits have been summarized by estimating a project's impact on total gross output, value added, earnings, and employment in the region. As part of this work, Mr. Levenson has experience with the major economic impact modeling software packages, including the Bureau of Economic Analysis's Regional Input-Output Modeling System (RIMS) and the IMPLAN program.

Mr. Levenson has managed the preparation of a number of regional economic development plans, with a particular focus on industry "cluster" strategies. This work has involved a wide range of activities: from performing quantitative/ statistical analysis to more qualitative analysis, including conducting numerous interviews with key players of potential clusters. Mr. Levenson has participated in industry cluster studies for the following clients: the Forward Greensboro (North Carolina) Economic Development Partnership, the Tri-Cities Tennessee Cluster Study (Tennessee), the Yuma Private Industry Council (Arizona), and the City of San Buenaventura (California).

In addition to his direct work for clients, Mr. Levenson played a key role in developing and preparing TNDG's "National and Regional Directory of Targeted Growth Industries", a publication that provided detailed summaries of cluster initiatives at the statewide and metropolitan statistical area (MSA) level.

Mr. Levenson also has a significant amount of experience in fiscal impact analyses, retail market analyses, and real estate development feasibility analyses.

Mr. Levenson joined TNDG after receiving his B.A. with honors in Economics and Political Science from the University of California at Riverside. Mr. Levenson's undergraduate studies included additional coursework in applied mathematics related to economic analysis. He also holds a Master's in Business Administration degree, with a concentration in Real Estate Finance, from UCLA's Anderson School of Management.

Joseph Collins ASSOCIATE • MCCLURE CONSULTING LLC

Joe Collins' professional career has involved him in a variety of both private and public projects in the Midwest and Southwest US. His varied experience includes: fiscal and land economic feasibility analysis, geospatial and descriptive data analytics, graphic presentation, market analysis, and the practice of urban planning and development, as summarized below.

- Analyzing required development improvements and associated costs pertaining to large tracts of land planned for single-family residential subdivisions and planned industrial pad sites.
- Analyzing costs/benefits of single-family residential development versus various commercial development options within a municipality.
- Analyzing the costs/benefits of annexation of established residential subdivisions.
- Conducting land use analysis and absorption studies, and real estate appraisal and market analyses.
- Geospatially analyzing building, property, land use, zoning, parking, traffic, demographic, economic, financial, tax, and other associated qualitative/quantitative data for various projects.
- Developing a Geographic Information System (GIS) relational parcel database for various properties located in a downtown area.
- Providing graphic support in the creation of various reports, exhibits, presentations, and other associated media used to present to the public, various boards and commissions, city councils, non-profit associations, and private clients.
- Providing project coordination for the creation of an interactive website for departmental customer service.
- Conducting research and technical analysis to evaluate findings and/or to take action on various real estate development applications, land use decisions, and processing other regulatory actions associated with the development of real estate.
- Designing marketing and relocation packages for potential businesses looking to purchase and/or lease property.
- Reviewing construction plans for conformance with applicable city regulations, policies, and requirements.

The Work described above was accomplished through a combination of public and private entities.

Mr. Collins obtained a M.B.A. from Grand Canyon University in Phoenix, Arizona, a M.S. in Regional and Community Planning from Kansas State University in Manhattan, Kansas, and a B.S. in Geography/Community Planning from Kansas State University. In addition, he has completed coursework for general real estate appraisal at the Arizona School of Real Estate and Business.

Appendix B – Photo Credits

"Bishop, California" by Dustin Blakey – Own work. Licensed under CC BY 4.0 via Flickr.com – https://www.flickr.com/photos/dwblakey/22709107513/in/photolist-AAJ7ur-35wi8f-35wi6A-NnLh-pdEidj-9YLDsf-7RCqjT-8WD89y-NnQo-NnPW-NnNs-NnNp-NnQr-NnKM-43D13-NnQ8-NnQi-yQ7Z7o-hgoM4R-q8zCnM-qnHySQ-cXMrSA-pUFLAj-q9XCkS-pUQ22z-Aga2Dk-hf74DH-NnPz-NnNf-NnPN-6hN1t-5PGbab-cmPpyW-4b14m7-tYfoxf-i9T8pu-rXuJbD-r1yVFY-r1LAKM-r1LDDn-rDf3YH-rXz2NZ-rDf358-mqmcJk-q8r7cd-auHxPQ-auHxPo-auHxPW-49P8xi-8SFEQ

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
10

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Owens Valley Mosquito Abatement Program

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Request to Dispose of two Surplus All-Terrain Vehicles through Public Surplus

DEPARTMENTAL RECOMMENDATION:

Request that your Board, A) declare two all-terrain vehicles identified in Exhibit A as surplus, B) authorize Motor Pool to offer the two all-terrain vehicles for sale utilizing the Public Surplus auction site C) authorize Motor Pool to utilize another auctioneer for the removal and sale of the two all-terrain vehicles remaining unsold after the Public Surplus process.

SUMMARY DISCUSSION:

Included here is Attachment A; a list of the two all-terrain vehicles no longer used by Owens Valley Mosquito Abatement Program (OVMAP). It is requested that your Board declare these two all-terrain vehicles as surplus and authorize Motor Pool to offer these items for sale initially through publicsurplus.com. Any remaining all-terrain vehicles then be sold through a traditional auction agreement.

ALTERNATIVES:

Your Board may select to use the sealed bid process. This alternative is not recommended as it is very time-consuming and does not maximize cost recovery.

OTHER AGENCY INVOLVEMENT:

Auditor

FINANCING:

The proceeds received as a result of the auction sale will dictate the amount received by the County. The proceeds received for the all-terrain vehicles will be placed into OVMAP budget unit 154101, revenue object code 4911 sale of fixed assets, less the auction fees.

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: N/A 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: 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: N/A Date

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

ATTACHMENT A
SUPLUS LIST

Asset #	Description	VIN #	Location
142	2002 Polaris 500	4XACH50A12B779144	Landfill
8342	2003 Polaris 500	4XACH50A93B789857	Landfill

COUNTY OF INYO

OFFICE OF THE AUDITOR-CONTROLLER

FIXED ASSET TRANSFER

DATE:

TRANSFERRING DEPARTMENT: 154101 INYO MOSQUITO ABATEMENT

RECEIVING DEPARTMENT: 300045 SURPLUS

ASSET#	DESCRIPTION (Including Serial#)	ITEM STATUS
8342	2003 Polaris 500 ATV	Working
142	2002 Polaris 500 ATV	Working

AUTHORIZING SIGNATURES:

TRANSFERRING DEPARTMENT: _____

RECEIVING DEPARTMENT: _____

COMMENTS: They are currently at the Inyo County landfil, the are some parts missing from each ATV the motors will turn over.
They will go to auction.

For Auditor-Controller Use Only

Move to Receiving Dept. ☐

Fowarded to Bldg & Maintenance ☐ Storage ☐ For Disposal ☐

_____ _____

Signature Date

Public Works (Return Completed form to Auditor-Controller)

Move Completed ☐

_____

Signature

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

11

☒ Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Motor Pool

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Request to Dispose of Surplus Motor Pool Vehicles

DEPARTMENTAL RECOMMENDATION:

Request that your Board, A) declare the vehicles identified in Exhibit A as surplus, B) authorize Motor Pool to offer the vehicles for sale utilizing the Public Surplus auction site and C) authorize Motor Pool to utilize either the previously approved consignment auction agreement with Enterprise Fleet Management or another auctioneer for the removal and sale of any vehicles remaining unsold after the Public Surplus process.

SUMMARY DISCUSSION:

In 2015 your Board approved a comprehensive vehicle acquisition process utilizing Enterprise Fleet Management. Most County Motor Pool vehicles are now being leased through Enterprise. At the end of their useful life, the vehicles will be auctioned by Enterprise and the proceeds credited to the County. Fully transitioning to the Enterprise model will take several years.

This year, motor pool started using the Public Surplus online auction site as a means to dispose of County vehicles. The first two trials at the site have proved to be very successful; therefore, it is the department's intent to continue to use the site.

Included here, as Attachment A, is a list of vehicles either recently or soon to be taken out of service by the County. The list consists of 8 Motor Pool vehicles. It is requested that your Board declare these vehicles as surplus and authorize Motor Pool to offer these items for sale through publicsurplus.com. Any remaining vehicles will then be sold through a traditional auction agreement or through Enterprise Fleet Management.

ALTERNATIVES:

Your Board may select to revert to the sealed bid process. This alternative is not recommended as it is very time-consuming and does not maximize cost recovery.

The vehicles could be placed directly into a vehicle auction either through Enterprise or another auction house. This would limit the ability of local residents to bid on the vehicles but is much less staff intensive and generally produces significant cost recovery.

OTHER AGENCY INVOLVEMENT:

Auditor

FINANCING:

The proceeds received as a result of the auction sale will dictate the amount received by the County. The funds received will be allocated to the Motor Pool Internal Service Fund.

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: N/A 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: YO Date 10/7/16
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: N/A Date

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

Date: 10/6/16

ATTACHMENT A
SURPLUS LIST

1	8480	2008 FORD ESCAPE	1FMCU93108KA62729
2	8545	2009 FORD CROWN VIC	2FAFP71V08X168104
3	8747	2009 FORD CROWN VIC	2FAHP71V39X129825
4	8841	2010 FORD EXPEDITION	1FMJU1G53AEB49325
5	8987	2011 FORD CROWN VIC	2FABP7BV7BX177077
6	8988	2007 FORD CROWN VIC	2FABP7BV5BX177076
7	8992	2011 FORD CROWN VIC	2FABP7BV3BX177075
8	9271	2011 FORD CROWN VIC	2FABP7BVXBX180443

For Clerk's Use Only:
AGENDA NUMBER
12

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

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

FROM: Recycling and Waste Management

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Closure of Inyo County Landfills on Christmas and New Year's Day.

DEPARTMENTAL RECOMMENDATION:

Authorize the Inyo County Recycling and Waste Management Program to close the Independence Landfill and the Bishop-Sunland Landfill on Christmas and New Year's Day.

SUMMARY DISCUSSION:

Christmas Day falls on a Sunday this year, as well as New Year's Day, 2017, therefore, the official County Holiday for Christmas and New Year's Day will be on the Monday after the holiday. As such, the landfills will be closed to the public on those Mondays.

Sundays are already slow days at these facilities. We expect that due to the holidays usage will be even less than normal. In recognition of the holidays and so that our employees can celebrate, Inyo County Recycling and Waste Management would like to close the two landfills that would normally be open on Sundays; Bishop-Sunland Landfill, and Independence Landfill, for both Christmas and New Year's Day.

ALTERNATIVES:

The County of Inyo Recycling and Waste Management Program could leave the landfills open on Christmas or New Year's Day, but that is not advised because the staffing levels are such that no more than 2 people in the Recycling and Waste Management Program can take a Sunday off from work.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

Recycling and Waste Management staff expects that any trash that would not be brought to the landfills on closed days will be brought on an open day, resulting in no loss of revenues.

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 (*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 10/6/16

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

Date: 10/6/16

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

13

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Resolution and Notice of Completion for the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project

DEPARTMENTAL RECOMMENDATIONS: Request Board approval of a Resolution accepting the work and authorizing the recording of a Notice of Completion for the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project.

CAO RECOMMENDATION: N/A

SUMMARY DISCUSSION: Environmental Concepts of Tehachapi, recently completed work on the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project. The objective of the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project was to lay down a fiberized Micro Surfacing Seal to upgrade and extend the life of the existing pavement. Environmental Concepts bid for the project was $264,024.00, which was the final invoice amount.

On September 27, 2016, the final inspection was performed and the work was determined to be complete to the satisfaction of the Public Works Director. Accordingly, the Director is requesting that the Board adopt the attached Resolution, which accepts the completed work and authorizes the Public Works Director to record a Notice of Completion for the project.

In addition to formally accepting the work, the Notice of Completion begins the period during which stop notices may be placed against the work. In the event that no stop notices are filed, the retention must be returned to the Contractor.

ALTERNATIVES: The Board could choose not to approve the Resolution. Consequently, the project would not be formally accepted and the Notice of Completion could not be filed. Choosing not to approve the Resolution is not recommended as it will extend the period during which stop notices can be filed and will delay return of retention monies to the Contractor.

OTHER AGENCY INVOLVEMENT: County Counsel has reviewed the Resolution. The County Auditor's office will pay the retention currently being withheld.

FINANCING: The cost of the contract will be paid through budget unit 034600, 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 10/6/16
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: N/A Date

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

RESOLUTION #2016 -

"A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA AUTHORIZING THE RECORDING OF A NOTICE OF COMPLETION FOR THE INYO COUNTY/CITY OF BISHOP FIBERIZED MICRO SURFACING SEAL PROJECT"

WHEREAS, Clint Quilter, Director of the Public Works Department of the County of Inyo, has determined that the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project has been completed by Environmental Concepts in accordance with the Project Plans and Specifications.

NOW, THEREFORE, BE IT RESOLVED, that the Director of Public Works is hereby authorized and directed to sign and file with the County Recorder a separate Notice of Completion pertaining to the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project.

Passed, approved and adopted this _____ day of _____, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Jeff Griffiths, Chairperson, Board of Supervisors

ATTEST:

Kevin Carunchio, Clerk of the Board

by _____
Kevin Carunchio, Clerk

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Inyo County Public Works Department
P. O. Drawer Q
Independence, CA 93515

The area above this line is for Recorder's Use

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. A work of improvement known as the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project on the property hereinafter described was completed on September 19, 2016 and was accepted by the Board of Supervisors, County of Inyo on _____.

2. The Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project has been completed and is located on Starlite Drive, Polaris Circle, Altair Circle, Apollo Circle, and Arcturis Circle in Starlite, and on Short Street and Sneden Street in Bishop.

3. The County of Inyo, a political subdivision of the State of California, the address of which is 224 North Edwards Street, P.O. Drawer N, Independence, CA 93526, owns and maintains Starlite Drive, Polaris Circle, Altair Circle, Apollo Circle, and Arcturis Circle.

4. The City of Bishop, a Municipal Corporation, the address of which is 377 West Line Street, Bishop, CA 93514, owns and maintains Sneden Street and Short Street. The City of Bishop has contracted The County of Inyo to administer the Contract for the work performed on these streets.

5. The undersigned, Clint Quilter, is the Director of Public Works of the County of Inyo and has been duly authorized pursuant to Resolution adopted _____, by the Board of Supervisors of the County of Inyo to execute and file this Notice of Completion.

6. The name of the original contractor that constructed the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project, pursuant to contract with the County, is Environmental Concepts.

Pursuant to the contract, the contractor was required to furnish all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation services, and all other items and related functions which are necessary or appurtenant to construct the project designated in the contract.

COUNTY OF INYO

Dated:

By: _____
Clint Quilter, Director of Public Works

VERIFICATION

STATE OF CALIFORNIA)
) SS.
COUNTY OF INYO)

I, Clint Quilter, hereby declare: That I am the Director of Public Works for the County of Inyo, a political subdivision of the State of California, the public entity on behalf of which I executed the foregoing NOTICE OF COMPLETION for the Inyo County/City of Bishop Fiberized Micro Surfacing Seal Project, and which entity is the owner of the aforesaid interest or estate in the property therein described; that I am authorized by the public entity to execute this NOTICE on the entity's behalf; that I am authorized to and hereby make this verification on behalf of the public entity; and that I have read said NOTICE and know the contents thereof. I declare under penalty of perjury under the laws of the State of California that the NOTICE and the information set forth therein are true and correct.

Dated:_____

_____
Clint G. Quilter

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
14

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Approve Amendment No. 1 to the Contract for the construction of the Tecopa Water Vending Machine Project

DEPARTMENTAL RECOMMENDATIONS:

A. Request your Board approve Amendment No. 1 to the Contract with Spiess Construction of Santa Maria, CA in the amount not to exceed $35,000.00 for the Tecopa Water Vending Machine Project in Tecopa, CA, increasing the total current Contract amount from $133,761.00 to $168,761; and,

B. Authorize the chairperson to execute Amendment No. 1 to the Contract, contingent upon obtaining appropriate signatures.

C. Authorize the Public Works Director to execute all other contract documents, including contract change orders to the extent permitted by Public Contract Code Section 20142 and other applicable law.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

On January 26, 2016, your Board awarded the construction contract for the Tecopa Water Vending Machine Project, in Tecopa, CA, to Spiess Construction of Santa Maria, CA, in the amount of $133,761.00. This Amendment No. 1, to provide an additional $35,000 to increase the contract dollar amount to $168,761, for:

a.) CCO #01 was issued by the Director of Public works on June 16, 2016 for the preparation and execution of an Isolux Adsorption Filtration System Pilot Study in the amount of $8,289.73 bringing the total contract amount to $142,050.73.

b.) CCO#02 has a do not exceed amount of $35,000, bringing the total contract amount to 177,050.73. The work specified in this change order includes;

a. Purchase and installation of the RO system (including the advisor from Culligan)
b. Purchase and installation of the Septic tank and leach field.
c. Purchase and installation of a sink piped to the septic tank.
d. Purchase and installation of a T valve so that the fire department can connect to the water line for their future building.
e. Purchase and installation of a valve prior to the RO system so that in the future they can mix raw water with treated water to be dispensed by the vending machine.

ALTERNATIVES:

The Board could choose not to approve this Contract Amendment No. 1 for the Tecopa Water Vending Machine Project. This is not recommended as the additional work is needed to complete the project.

OTHER DEPARTMENT/AGENCY INVOLVEMENT:

Auditor's Office for Project progress payments and Budget Amendment;

FINANCING:

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

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.) Approved: _____ Date 10/12/2016
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 10/13/2016
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: 10/13/16

For Clerk's Use Only:
AGENDA NUMBER

15

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Revisit the County's 2006 decision to not allow short-term vacation rentals in Residential Zoning Districts.

RECOMMENDATION: Receive a presentation from staff regarding short-term vacation rentals in Residential Zones and provide input and direction on the future of this use.

SUMMARY DISCUSSION: In late 2005 the Planning Department received a complaint about people operating short-term vacation rentals on properties with residential zoning in Aspendell. Leslie Klusmire, the Planning Director at the time, prepared a director's decision indicating that this use is not allowed in the County's residential zones. A cease and desist order for the use and advertising of these vacation rentals was sent by Ms. Klusmire to the people who were engaged in it. The director's decision was appealed to the Planning Commission on January 25, 2006. The Planning Commission approved the appeal, effectively deciding that short-term vacation rentals are allowed in the single-family residential zones. In April of 2006, the Planning Commission's decision was subsequently appealed to the Board of Supervisors. The Board granted the appeal of the Planning Commission's decision that determined short-term vacation rentals in residential zoning districts was allowed. The Board's decision was approved with a finding that stated: "one family residential zone districts (R1) do not allow for short-term, transient accommodation uses as a primary permitted use, a conditional use or an accessory use; therefore, short-term transient accommodation uses in a R1 one family residence zones is in violation of the R1- One Family Zone District as set forth in the Inyo County Code Section 18.30." This decision has guided the Planning Department's dealings with short-term vacation rentals since, and as such, they are considered a zoning violation.

Since 2006, the introduction of renting single family homes or rooms out of single family homes, and other even more creative modes of renting properties in single family zoning districts, through on-line services was made, and over time, has become a very popular way for people planning a vacation to find lodging. Many jurisdictions, especially those with high tourist attraction have been, or are currently, working on ways to address this new phenomenon. Locally, planning and tax collector/treasurer staff have been getting inquiries from people in the public asking what they need to do to set up a vacation rental business legally and how to collect the appropriate taxes. Staff has also been receiving complaints about already existing vacation rentals by neighbors, and currently one complainant has filed an official zoning violation. The issues commonly cited in these complaints are traffic, noise, disrespect for other properties in the vicinity and the use of neighboring facilities' parking areas and trash cans. These factors have made it necessary for staff to bring this issue to the Boards attention, once again. The 2006 decision was based on the Planning Staff's (at the time) evaluation of the County's zoning districts. Current staff agrees with this evaluation – updated and provided below.

Evaluation of the Inyo County Code with regard to vacation short-term rentals
The County's residential zones are reserved for residential uses. Transient accommodation, such as short-term vacation rental, uses are considered commercial uses in the Inyo County Code. The One Family Residences Zones, allows a single-family dwelling on each parcel. State statutes also permit a second

dwelling unit (granny units) on these same parcels. A dwelling, or residence, is a place that is used as a home either on a year-round or seasonal basis. This interpretation is illustrated by the definition of "dwelling unit" in the Inyo County General Plan's Housing Element that defines a 'dwelling unit' as: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of a single family maintaining a household. Further, it is defined the Inyo County Code Section 18.06.210: "Dwelling unit" means a room or suite of rooms designed for or used as a residence and constituting a separate and independent housekeeping unit including a kitchen or cooking facilities, but not including a boardinghouse or club, or a hotel or motel where less than twenty percent of the rental units have a kitchen or cooking facilities. Transient accommodation uses are included and allowed for in the commercial land use designations and zones. Residential zones are created, in part, to protect residential neighborhoods from the degradation resulting from incompatible commercial uses. Specifically, the Inyo County Zoning Ordinance states the purposes and allowed uses for the following residential zones:

Chapter 18.21
RR (RURAL RESIDENTIAL) ZONE - 18.21.010 Purpose.
It is the intent and purpose of this chapter to provide suitable areas and appropriate environments for low density, single family rural residential and estate type uses where certain agricultural activities can be successfully maintained in conjunction with residential uses on relatively large parcels. The RR (rural residential) zone is intended to be applied to the areas outside the urban communities of Inyo County which are without fully developed services and where individual residences are expected to be largely self-sustaining, particularly for water and sewage disposal.
18.21.020 Principal permitted uses.
The following are the principal permitted uses of the RR (Rural Residential) zone:

A. *One single-family dwelling on a lot, including single-family mobilehomes subject to the requirements of Section 18.78.350;*
B. *Orchards, vegetable and field crops, nurseries, and gardens.*

Chapter 18.22 - RR-0.5-STARLITE ESTATES ZONE
18.22.010 Purpose.
It is the intent and purpose of this chapter to provide suitable areas and appropriate environment for low density, single-family rural residential uses, where certain agricultural activities can be successfully maintained in conjunction with residential uses. The RR (rural residential) 0.5 acre-Starlite Estates zone is intended to be applied to the area known as Starlite Estates and adjoining private lands which may be without fully developed services.
18.22.020 Principal permitted uses.
The following are the principal permitted uses of the RR (rural residential) 0.5 acre-Starlite Estates zone:

A. *One single-family dwelling on a lot, including single-family mobile homes subject to the requirements of Section 18.78.350;*
B. *Orchards, vegetable and field crops, nurseries and gardens.*

Chapter 18.30 - R-l DISTRICTS-ONE FAMILY RESIDENCES
18.30.010 Intent.

The one family residence district, designated herein by the primary symbol R-l, is intended to protect established neighborhoods of one family dwellings, and to provide space in suitable locations for additional development of this kind, with appropriate community facilities.

18.30.030 Permitted uses.

The following principal uses are permitted in an R-l district:

A. *One single-family dwelling on a lot, including single-family mobilehomes subject to the requirements of Section 18.78.350;*
B. *Garden, orchard field crop; where no building is involved.*

Chapter 18.33 - R-2 DISTRICTS-MULTIPLE RESIDENTIAL

18.33.010 Intent.

The medium density multiple residence district, designated herein by the symbol R-2, is intended to protect established neighborhoods of such dwellings, and to provide space suitable in appropriate locations for additional housing developments of duplexes.

18.33.020 Permitted uses.

The following principal uses are permitted in an R-2 district:

A. *One single-family dwelling on a lot; two separate single family dwellings, including single-family mobilehomes subject to the requirements of Section l 8.78.350;*
B. *Duplex, including two-family mobilehomes subject to the requirements of Section 18.78.350;*
C. *Garden, orchard, field crop; where no building is involved.*

Chapter 18.34 - R-3 MULTIPLE RESIDENTIAL ZONE

18.34.010 Purpose.

The purpose of this chapter is to provide a zone classification for those areas designated for multiple residential development beyond that permitted by the R-2 zoning district. It is intended to provide locations for multiple-housing developments such as apartments, townhouses, condominiums and mobilehome parks.

18.34.020 Principal permitted uses.

The following are the principal permitted uses in the R-3 zone:

A. *One single-family dwelling on a lot; two separate single family dwellings, including single-family mobilehomes subject to the requirements of Section 18.78.350;*
B. *Duplexes, including two-family mobilehomes subject to the requirements of Section 18.78.350;*
C. *Multiple-family dwelling(s). Number of dwelling units to be determined by the general plan Maximum number of dwelling units permitted without a conditional use permit, fifteen;*
D. *Garden, orchard, field crop, grazing.*

Chapter 18.36 - RMH DISTRICTS-SINGLE RESIDENCE OR MOBILEHOME COMBINED

18.36.010 Intent.

The single residence and mobilehome combined district, designated herein by the primary symbol "RMH," is intended to protect established neighborhoods of one family dwellings (dwelling includes in its definition a mobilehome), and to provide space in suitable locations for additional development of this kind, with appropriate community facilities.

18.36.030 Permitted uses.

The following principal uses are permitted in an RMH district:

A. *One family dwelling on a lot (dwelling includes mobilehomes);*

B. Garden, orchard, field crop; where no building is involved.

The Inyo County Code does not include in any of these residential zones – accommodation uses. These uses are, however, included and allowed in the commercial zoning designations, specifically in:

Chapter 18.48 - C-2 DISTRICTS - HIGHWAY SERVICES AND TOURIST COMMERCIAL
18.48.010 Intent.
The highway services and tourist commercial or C-2 district, is established to provide space for highway and tourist related enterprises adjacent to major routes of travel, so regulated as to prevent the impairment of safe and efficient movement of traffic and to encourage attractive development, compatible with adjacent residential land uses.
18.48.020 Permitted uses.
The following principal uses are permitted in a C-2 district, when conducted entirely within a completely enclosed building:
. . . Motel, motor hotel; . . .

Chapter 18.54 - C-5 ZONE - COMMERCIAL RECREATION
18.54.010 Purpose.
The intent and purpose of this chapter is to provide a zone for commercially operated recreational activities, including resorts, lodges, motels, restaurants, general stores, campgrounds, mobilehome parks, service stations, dude ranches, and other uses oriented primarily to the traveler and tourist.
18.54.020 Principal permitted uses.
The following are the principal permitted uses of the C-5 zone:
A. Hotel, lodge or motel;
B. Dude/fishing ranch;

Based on the County's code short-term rental businesses are a commercial use. The persons who rent properties for short-term stays are not using the properties to create domestic households or homes. Although the code contains no specific definition of accommodation uses, land use laws distinguish between short term transient occupancy and household/dwelling uses. Generally, most counties and cities informally consider a rental of 30-days or less as transient occupancy accommodations. The 30-days as definition of transient occupancy is supported by California Tax Law that states: ***Revenue and Taxation Code - § 7280 (a)*** *- The legislative body of any city, county, or city and county may levy a tax on the privilege of occupying a room or rooms, or other living space, in a hotel, inn, tourist home or house, motel, or other lodging unless the occupancy is for a period of more than 30 days. The tax, when levied by the legislative body of a county, applies only to the unincorporated areas of the county".*

The fact that the County has made it clear that there is no room within the Zoning Code, as currently written, to allow for short-term vacation rentals in residential zones, changes would have to be made to it for short-term rental use to be allowed legally. This is not a unique situation. Many jurisdictions across the Country have been grappling with the same issues as the increase of homeowners advertising short-term vacation rentals on websites like Air B&B has come to the forefront. Staff checked Air B&B for accommodations in the County for a random week (September 24–30, 2017). There are 29 lodging possibilities during that week through Air B&B including:

- Bishop, 9 houses and 1 Recreational Vehicle (RV)

- Big Pine, 4 houses
- Independence, 2 houses
- Lone Pine, 2 houses
- Tecopa, 7 houses, 2 RVs and 1 tent
- Furnace Creek, 1 house.

Some of the ads are just offering a room(s); others are offering the full house. The availability and type of accommodation choices is not static, so this is just one snapshot in time. It is enticing to homeowners to rent out their house when they will be away or a room while they are there to make some money off their property. Air B&B had an advertisement out on their website as staff looked up accommodations that said: "You could earn $309 sharing your home in Bishop in a week – Become a Host". This is a truly free market phenomenon that local jurisdictions must find a way to balance with local regulations.

Other jurisdictions in California have used various approaches to the issue. The City of Santa Monica prohibits short-term rentals of entire residential units within its city borders. As far as short-term rental of spare rooms, they allow it if the owner/host complies with licensing requirements and pays the City's occupancy tax like hotels, motels, etc. do. The Cities of Anaheim and Malibu allow short-term rentals provided that the hosts register and pay taxes like other businesses offering lodging. Many jurisdictions require a use permit and have very well defined regulations for short-term rentals, such as Sonoma and Siskiyou Counties. Closer to home, Mono County has come up with a two-fold process for short-term rentals. An overlay zone must first be established, and then a use-permit must be obtained. All of the examples that staff reviewed also had provisions for the appropriate tax collection avenues for these businesses. This was generally the same taxes paid by motels and hotels within the jurisdiction.

Potential Health and Safety Issues
County Environmental Health and Public Works staffs have no issues with short-term vacation rentals with regard to the health and safety regulations they are responsible for overseeing.

Tax Issues – Inyo County Treasurer Tax Collector
If your Board decides to pursue allowing short-term rentals within the unincorporated areas of Inyo County, it is recommended, by the Tax Collector Treasurer that any and all participants are then subject to Inyo County Code Section 3.20 et seq. as all other short-term rental operators are. This will require an update of the referenced code section to incorporate the online hosting environment.

ALTERNATIVES:

1. Your Board could decide to leave the County's short-term vacation rentals status quo. This would mean that these uses would continue in the County illegally and could potentially cause more Zoning Violation cases. It should be noted that if your Board decides to leave short-term rentals an illegal use, it would be beneficial to update the Code to clearly reflect this.

2. Allow short-term rentals in any residential district, but only as a conditional use. Conditional use permits require a noticed Planning Commission hearing, allowing for neighbors to comment. It would also require compliance with the California Environmental Quality Act. Within in the Conditional Use Permit conditions of approval could be required for various issues specific to the neighborhood such as for noise and parking.

3. Allow only short-term rentals of a room or rooms in an occupied home and prohibit the short-term rental of full houses, in any residential district, and only as a conditional use.

4. Prohibit short-term vacation rentals in residential zones in specific residential zones or areas (Aspendell etc.) and allow for them as a conditional use in all other residential zones.

5. Create an overlay district or a new zoning district that could be applied to appropriate individual neighborhoods to allow short-term rentals in that district, and to only allow short-term rentals as a conditional use in that district.

6. Develop neighborhood specific zoning to allow neighborhoods to define their own unique use mix for the neighborhood. This would entail agreement by all property owners in the neighborhood requesting such zoning.

NEXT STEPS: Staff will use the Boards direction to continue work on the issue of short-term vacation rentals in the County's residential zoning districts.

OTHER AGENCY INVOLVEMENT: Inyo County Tax Collector Treasurer, Inyo County Assessor, Inyo County Environmental Health and Public Works Departments and the County Sheriff.

FINANCING: General fund resources are utilized to review and update the County's Zoning Code.

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: 10/17/16

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
16

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

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Record of Decision – Sequoia and Kings Canyon National Parks Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Environmental Impact Statement

RECOMMENDATION: Review the Record of Decision and Final Environmental Impact Statement, and provide direction to staff.

SUMMARY DISCUSSION:

Background

Under direction from the Board, the Planning Department sent a letter to the Parks' superintendent on July 8, 2016 recognizing outstanding issues not adequately addressed in the Final Environmental Impact Statement (FEIS) (see Exhibit A). Similar to the draft EIS, the FEIS continues to inadequately address the outcome of the Plan's impact on the County's socioeconomic culture stating that the proposed project would have negligible impacts on the socioeconomic environment.

Sequoia and Kings Canyon National Parks Superintendent Woody Smeck responded to the message conveying the Plan's focus on high elevation, cold water bodies with low nutrient values. These waterbodies have limited seasonal access and limited recreational fishing value, according to Superintendent Smeck, and the Plan is supportive of recreational fishing (see Exhibit B).

Analysis

The final step was taken on August 23, 2016 with the signing of the Record of Decision (ROD) by the National Park Service's (NPS) Pacific West Regional Director Laura Joss. Alternative B: Prescription Treatment (Physical and Piscicide) Preceding Restoration, from the Restoration Plan/FEIS, is the Selected Action. The Selected Action will be implemented in fall 2016 as new areas are slated for fish removal using physical methods; piscicide treatments at selected sites will be implemented starting in summer of 2017 or 2018.

The Selected Action allows the use of a variety of methods to restore and conserve the native species diversity and ecological function of selected high elevation aquatic ecosystems that have been impacted by human activities (i.e., the introduction of nonnative fish) and to increase the resistance and resilience of native species and ecosystems to disease and unprecedented climate change. Removing nonnative fish is a key component of the Selected Action. While physical treatment methods such as gill-netting and electrofishing are preferred methods to remove nonnative fish, the Selected Action allows for the use of piscicides in specific areas where physical methods cannot accomplish project objectives. In addition, the NPS will be implementing restoration and recovery actions in order to recover the two endangered species of mountain yellow-legged frogs that inhabit the high elevation ecosystems in SEKI.

A prescription (detailed plan of action) for restoration will be developed for each proposed restoration area based on the criteria for basin selection, pre-treatment surveys, habitat size, basin topography, wilderness values, visitor use and field crew safety. Prescriptions consider the actual distribution of fish, results of

amphibian surveys and whether any unique habitats were detected (such as springs). Physical treatment (gill netting, electrofishing, disturbing redds and/or temporarily covering redds with boulders) will be utilized. Piscicide treatment methods will be considered for waterbodies determined infeasible for physical treatment.

Based on current knowledge of the proposed fish eradication sites, physical treatment would be applied in 52 waterbodies (27 lakes, 24 ponds, 1 marsh; total of 492 ac/199 ha) and approximately 15 miles (25 km) of streams in 17 basins, and piscicide treatment would be applied in 33 waterbodies (4 lakes, 25 ponds, and 4 marshes; total of 142 ac/57 ha) and approximately 16 miles (25 km) of streams in 9 basins. In addition, any unsurveyed habitat adjacent to treated lakes, ponds, marshes and streams found to contain nonnative fish would also require treatment in order to eradicate fish from the geographic area. Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated in this alternative. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 465 waterbodies (221 lakes, 186 ponds, 58 marshes) and hundreds of miles of stream.

ALTERNATIVES: The Board may direct Staff to draft a correspondence to USFWS and/or others.

OTHER AGENCY INVOLVEMENT: Department of Interior, USFWS; other agencies with jurisdiction (U.S. Forest Service, California Department of Fish and Wildlife, etc.); neighboring Counties.

FINANCING: General funds are utilized to monitor federal rule making.

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

Attachment: Exhibit A – Letter to SEKI Superintendent
Exhibit B – Email from SEKI Superintendent
Record of Decision & Final Rule

EXHIBIT A

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

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

July 8, 2016

Superintendent
Sequoia and Kings Canyon National Parks
Attn: Aquatic Ecosystems Restoration Plan
47050 Generals Highway
Three Rivers, CA 93271

RE: Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Final Environmental Impact Statement

Esteemed Superintendent,

I would like to express my appreciation for your consideration of the County's concerns in drafting the Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Environmental Impact Statement (FEIS). Overall, the County supports your efforts and is grateful for the opportunities you have provided for comment and coordination between our staffs. The Inyo County Board of Supervisors reviewed the responses to our comments on the Draft EIS on June 28, 2016 and directed me to convey to you that there are, however, outstanding issues that have not been adequately addressed in the FEIS. These issues are described below.

Statement of Issue: *Inadequate Socioeconomics analysis*

On December 10, 2013 a correspondence letter (Attachment A) was sent to the Superintendent of Sequoia and Kings Canyon National Parks on behalf of the Inyo County Board of Supervisors asking the National Park Service (NPS) to recognize the significant and detrimental impacts to Inyo County's socioeconomics as a result of curtailing recreational opportunities. The comment was received as follows:

EFFECTS ON SOCIOECONOMICS Concern 48: The plan needs to disclose the potential effects on the economy of neighboring communities and counties, in particular the socioeconomic effects on Inyo County.

> *Representative Quote: We are concerned regarding the impacts to important components of our local society, culture, history, and economy associated with recreational fishing in the Sierra Nevada. [County Government, #50]*

This issue was addressed in the Restoration Plan/FEIS (chapter 1, Issues and Impact Topics, Impact Topics Dismissed from Further Analysis). To elaborate briefly here, even

in the most ambitious alternative, angling would remain a prevalent recreation opportunity throughout the parks. Since most of the proposed fish removal waterbodies are outside of high-use areas, and many are relatively small compared with most other fish-containing lakes, social and economic effects on neighboring communities would be negligible.

The referenced section of the Restoration Plan/FEIS is as follows:

Chapter 1, Issues and Impact Topics, Impact Topics Dismissed from Further Analysis: Socioeconomic Environment and Growth Inducing Impacts

There may be a minor influence on socioeconomics associated with the reduction in some angling opportunities; however, the number of fishing lakes available for recreational use would remain plentiful within the parks and the number of visitors accessing the park to fish is not expected to decrease. Consequently, actions considered in this proposed project would have negligible impacts on the socioeconomic environment; therefore, this topic has been dismissed from further analysis. The project would not create opportunities to foster economic or population growth, or remove an obstacle to growth; therefore, this topic has been dismissed from further analysis.

This response does not adequately address the County's concerns. Geographically, the lakes accessible to visitors entering the park from the east would not remain plentiful based on this Plan. A considerable amount of water bodies prescribed for a treatment are located in the eastern area of the Parks, bordering the John Muir Wilderness and Inyo County. Visitors to the Park entering from the east immediately encounter high elevation hydrologic systems, thus the impact to visitors accessing the area from Inyo County is great. The Plan/FEIS states wilderness areas receive about 2% of the total park use (volume 1 p.126), however much of these wilderness areas are adjacent to Inyo County. Given Inyo County's small economy relative to west-side communities, this impact is proportionately greater.

Furthermore, the FEIS does not take into account actions taking place within the adjacent John Muir Wilderness and Inyo National Forest which may also limit recreation opportunities, including proposed actions to diminish angling opportunities and further restrict access to public lands. The cumulative effects this project and other Federal land projects occurring simultaneously have on Inyo County's local economy is not studied or mentioned in this FEIS. The psychological effect of piscicide use may dissuade additional anglers, hikers, and other Park visitors from entering or exiting the Park through Inyo County during project implementation as well, thereby further exacerbating cumulative impacts. The FEIS estimates a negligible impact on the local economies; the analysis misrepresents the communities of the Eastern Sierra. The economies of the western verse eastern side of the Parks vary greatly and a more representative study should take place to evaluate the economies separately with respect to both short and long term effects of reducing angling opportunities, as well as cumulative impacts.

The County has consistently commented that if more land is put into conservation categories for projects such as this, it will continue to cause losses to traditional economic

opportunities such as recreation, fishing and access to other multiple uses. The National Park Service's (NPS) response to comments indicating that the County's concerns are negligible is not appropriate and the FEIS is inadequate.

Thank you for your attention. Please contact me at (760) 878-0263 or jhart@inyocounty.us if you have any questions.

Sincerely,

Joshua Hart
Planning Director, Inyo County

Attachments

cc: Inyo County Board of Supervisors
Kevin Carunchio, CAO
County Counsel

EXHIBIT B

From: Smeck, Woody <woody_smeck@nps.gov>
Sent: Friday, July 08, 2016 10:18 AM
To: Michael Draper; Matt Kingsley
Subject: Re: SEKI Restoration Plan/FEIS

Categories: Seq/King

Dear Michael:

Thank you for your letter and continued participation in this undertaking to recover habitat for federally endangered Mountain Yellow-legged Frogs. I would be happy to meet and discuss concerns regarding impacts to recreational sports fishing. The restoration actions are limited to a small number o water bodies at high elevations with limited seasonal access. These are cold water bodies with low nutrient values. Thus, the non-native fish that are present are small in size (6 inches or less) and have limited recreational fishing value.

I am an avid fisherman and have fished all of the water bodies in this region over the past 45 years. I believe the plan is strongly supportive of recreational fishing and the limited actions are targeted in a way that allows this important and traditional activity to continue. At the same time, the targeted actions allow us to recover a small amount of critical habitat for an endangered species.

Thank you again for your letter.

Woody Smeck
Superintendent
Sequoia and Kings Canyon National Parks
O: 559.565.3101 | F: 559.565.4202

On Fri, Jul 8, 2016 at 9:47 AM, Michael Draper <mdraper@inyocounty.us> wrote:

Dear Superintendent Smeck,

I am writing on behalf of Inyo County to provide you with a correspondence letter regarding the SEKI High Elevation Aquatic Ecosystem Restoration Plan Final EIS. Please see the attached PDF.

For clarification or questions feel free to contact me.

Thank you,

Michael Draper
Associate Planner
County of Inyo Planning Department
168 N. Edwards Street, P.O. Drawer L
Independence, CA 93526
Phone (760) 878-0265

RECORD OF DECISION

Sequoia and Kings Canyon National Parks
Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Environmental Impact Statement

INTRODUCTION

The Department of the Interior, National Park Service (NPS) has prepared this Record of Decision (ROD) on the Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Final Environmental Impact Statement (Restoration Plan/FEIS) for Sequoia and Kings Canyon National Parks (SEKI or the parks). This ROD includes a description of the selected action, the basis for decision, synopses of other alternatives considered, the identification of the environmentally preferable alternative, and an overview of public involvement and coordination with other agencies in the decision-making process. Figures that are referenced in the ROD are available in the Restoration Plan/FEIS; a description of measures that will be implemented to minimize or avoid environmental harm are included as attachment A; and the park manager's determination of non-impairment, as required by NPS *Management Policies 2006,* is included as attachment B. References for citations included in the ROD and for attachments are provided in the Restoration Plan/FEIS.

BACKGROUND

Historically, the parks' high elevation waterbodies were inhabited by a diverse assemblage of aquatic species that developed over thousands of years in a fishless environment. Stocking of nonnative trout into the parks' fishless high elevation waterbodies occurred as early as 1870, and continued until 1988 when the NPS terminated all fish stocking. Although stocking no longer occurs in the parks, as a result of stocking, nonnative fish have self-sustaining populations in approximately 575 waterbodies and in hundreds of miles of streams within SEKI.

Many studies conducted in SEKI and elsewhere in the Sierra Nevada have analyzed the effects that nonnative trout have on native species and ecosystems. These studies consistently find that the widespread introduction and continued presence of nonnative trout have caused substantial impacts to native species and ecosystems. Because nonnative trout are efficient predators and competitors, their introduction results in modifications to native food webs. They prey on large organisms, such as amphibians and large-bodied aquatic insects and zooplankton, and alter, deplete, or eliminate populations of these animals from naturally fishless habitats. The animals that are consumed by nonnative trout occupy the middle of native food webs, functioning as both prey and predators. Their reductions as prey result in less food being available to native predators, such as snakes, birds, and mammals, in turn altering the distribution and abundance of these animals. Their reductions as predators affect the roles of herbivores and detritivores and associated nutrient cycling. When extirpations occur, all ecosystem functions associated with the species are lost. Thus, the presence of nonnative trout has negative, cascading effects on entire ecosystems, and their presence in individual lakes, connecting streams, and entire lake basins in SEKI continues to cause negative impacts on native species and ecosystem processes. These impacts are replicated on a landscape scale across a large portion of the parks' high elevation lands.

Integral to SEKI's high elevation aquatic ecosystems are two species of mountain yellow-legged frogs (*Rana muscosa* and *Rana sierrae*, collectively referred to as MYLFs). Formerly abundant, MYLFs are today among the world's most endangered amphibians: over 92% of their populations in the Sierra Nevada have disappeared, and most of the remaining populations are much smaller and more isolated than they were historically (Vredenburg et al. 2007). Extensive research has identified two primary factors for this decline. The first factor is the introduction of nonnative trout. Nonnative trout have several direct effects on MYLFs, including predation, competition for food, restriction of breeding to marginal habitat, and fragmentation of remaining populations (Bradford et al. 1993, Knapp and Matthews 2000, Vredenburg 2004, Finlay and Vredenburg 2007). The second factor is the recent spread of chytridiomycosis, a disease caused by amphibian chytrid fungus (*Batrachochytrium dendrobatidis*), which has infected and imperiled most remaining MYLF populations (Rachowicz et al. 2006, Vredenburg et al. 2010A). A third emerging factor is global climate change, which has begun to dry up smaller, shallower ponds in SEKI (Lacan et al. 2008). Ponds have become important habitat for MYLFs because, in basins where nonnative trout occur, fish occupy most of the larger lakes, which are more resistant to climate change. This has restricted many MYLF populations to smaller waterbodies that are more vulnerable to drought and warming (Lacan et al. 2008, Ryan et al. 2014).

Recent studies indicate that both MYLF species are continuing to decline and are on trajectories toward extinction (Knapp et al. 2011). As a result, in April 2014 both species were listed as endangered (FE) under the Endangered Species Act. SEKI is the only park that contains both species of MYLFs, making it a core zone for their restoration, recovery, and conservation.

The MYLFs' decline has had cascading negative consequences to high elevation ecosystems across the Sierra Nevada. Because of the historic abundance of MYLFs (Grinnell and Storer 1924), frogs were important contributors to energy and nutrient cycling in aquatic and adjacent terrestrial ecosystems. Eradicating nonnative fish from high quality MYLF habitat and restoring MYLF populations to selected locations where they have been extirpated would also help to restore and protect an integral component of healthy high Sierra native ecosystems (Knapp et al. 2001).

To address the decline of the MYLFs, from 1997 to 1999, researchers experimentally used gill nets to remove nonnative trout from two of the parks' waterbodies (Vredenburg 2004), and in 2001, SEKI began to implement preliminary restoration of MYLFs (NPS 2001). The primary goal of these efforts was to assess the use of physical tools (e.g., gill nets and electrofishers) to eradicate nonnative fish from selected lakes and associated streams in order to restore aquatic habitat and improve the status of declining MYLFs. From 2001 to 2013, SEKI removed 50,201 fish from targeted lakes and streams (NPS 2015A, NPS unpublished data). By 2015, SEKI restored 15 lakes and ponds and nearly finished restoring 10 lakes and ponds by eradicating nonnative fish. Fish eradication using physical tools has been determined to be feasible and beneficial for native species (Vredenburg 2004, Knapp et al. 2007, NPS 2012A); however, eradication using physical tools is only feasible in relatively simple (non-complex) habitat: generally lakes with few and/or small connected stream sections. Some of the remaining potential restoration areas in SEKI that have value for addressing ecosystem recovery contain much more complex habitat involving large lakes or clusters of many lakes with many and/or large connected streams. Many of these areas also contain large, deep and/or cold lakes that have the best capacity to resist drier and warmer conditions expected in the future due to global climate change.

To broaden the types of lakes that can be restored, the NPS proposes to expand the current program, both in the number of waterbodies to be restored and the types of treatment methods to be used. The plan evaluates alternatives for expanding restoration efforts to more complex aquatic ecosystems using physical methods and/or piscicides (rotenone).

PURPOSE AND NEED

The purpose of this Restoration Plan/FEIS is to guide management actions by the NPS to restore and conserve the native species diversity and ecological function of selected high elevation aquatic ecosystems that have been adversely impacted by human activities including the introduction of nonnative fish, and to increase the resistance and resilience of native species and ecosystems to human-induced environmental modifications such as disease and unprecedented climate change. Specifically, this Restoration Plan/FEIS is needed to help prevent MYLFs from being extirpated in the parks and to help restore healthy native high elevation ecosystems in SEKI.

The management strategies included in this Restoration Plan/FEIS are intended to be adaptive and dynamic, allowing for the incorporation of new scientific information over time to best meet the objectives of the aquatic ecosystem restoration program. Therefore, this plan calls for monitoring, assessment, and regular programmatic reviews. During implementation, the effectiveness of this plan will be reviewed at least once every 5 to 10 years to evaluate new species information, scientific findings, habitat information, and restoration and monitoring results. Following each review, the plan will be revised if necessary to address emerging issues and incorporate new information into the management strategies. Additional public involvement and/or tiered environmental compliance will occur as appropriate.

In accordance with §102(2)(C) of the National Environmental Policy Act of 1969 (NEPA; Public Law [PL] 91-190), SEKI has prepared the Restoration Plan and FEIS to consider alternative strategies to restore and conserve native species diversity and ecological function to selected high elevation aquatic ecosystems in SEKI that have been disturbed by human activities, particularly the stocking of nonnative trout. Four alternatives, including the no-action alternative, are identified and analyzed. The alternatives represent a range of reasonable and feasible options for addressing the goals and objectives of this plan and the issues and concerns raised by parks staff, other government agencies, and members of the public during the plan's scoping process.

GOALS AND OBJECTIVES

The overall goal of this Restoration Plan/FEIS is to restore clusters of waterbodies to their naturally fishless state in strategic locations across SEKI to create high elevation ecosystems having more favorable habitat conditions for the persistence of native species and ecosystem processes. The following management objectives were developed for this Restoration Plan/FEIS based on the purpose and need for the plan. These objectives comply with the executive orders, laws, policies, and/or plans that guide the management of natural resources in national parks.

A) Restore and conserve the natural abundances, distributions, and functions of native species, populations, and communities within selected high elevation aquatic ecosystems.

- implement management actions to create more favorable conditions for these populations to persist and be more resilient to human-induced changes to environmental conditions; and,
- restore habitat to its historically fishless condition at the parks scale, including the eradication of fish from up to 85 (15%) of 550 nonnative fish-containing lakes, ponds, and marshes, approximately 31 miles of streams, and connected fish-containing habitat as necessary.

B) Develop a long-term conservation strategy for both species of MYLFs (*R. muscosa* and *R. sierrae)* to ensure the self-sustaining, long-term viability, and evolution of MYLF populations in perpetuity within portions of their present and historic geographic range within the parks, and to maintain the genetic and ecological diversity of these species.

- reverse widespread loss of the ecological function formerly provided by MYLFs and maintain the viability of existing MYLF populations throughout the range of both species within the parks;
- restore selected habitat and expand existing MYLF populations;
- re-establish MYLFs in selected basins where populations were historically present, but are now absent; and
- collaborate with partners to exchange information, enhance use of available resources, and strategically restore and conserve MYLFs in the Sierra Nevada.

C) Identify information that is needed for effective conservation and management of aquatic ecosystems in the face of unprecedented rates of human-induced change.

D) Use results from restoration efforts and new knowledge from research studies to refine program methodologies over time and mitigate impacts that have the potential to occur during restoration.

E) Restore and protect natural processes in wilderness, using an appropriate range of management actions, including minimum tool utilization derived from thorough analyses of potential effects to wilderness character and resources.

F) Provide an appropriate range of visitor experiences and recreational opportunities at wilderness lakes and streams concurrent with minimizing the degradations that have occurred to the biological integrity of high elevation aquatic ecosystems.

The objectives for this plan are grounded in a series of laws commonly known as the National Park Service Organic Act of 1916, the General Authorities Act of 1970, and the Redwood Amendments of 1978 that provide overall management direction for units of the National Park System. 54 U.S.C. 100101 *et. seq.* These interrelated authorities express the fundamental purpose of the National Park System, which begins with the mandate to conserve park resources and values and also includes the mandate to provide for visitor enjoyment of these resources and values. The mandate to conserve park resources and values is complemented by a statutory prohibition on the impairment of park resources and values.

DECISION

BASIS FOR DECISION

All of the alternatives presented in the Restoration Plan/FEIS were designed to meet the requirements of the Organic Act, Wilderness Act, and Endangered Species Act, the establishing legislations of the parks, and other relevant laws and NPS policies. Accordingly, each alternative, to a varying degree, meets one of more of the objectives for the restoration of high elevation aquatic ecosystems in the parks as detailed above and in chapter 1 of the Restoration Plan/FEIS.

Under alternative A, no-action, nonnative fish eradications and ecosystem restoration actions would be limited to the 25 previously approved waterbodies, including two waterbodies for experimental restoration by researchers from 1997-1999, and 23 waterbodies for preliminary restoration by SEKI from 2001-2017. No new waterbodies for nonnative fish eradication are proposed. This alternative would not meet restoration objectives or the goals of the conservation strategy because it would not restore additional and more complex waterbodies to their historically fishless condition. This alternative would likely not slow or reverse the rapid decline of MYLFs nor provide for the expansion of existing MYLFs populations, and existing MYLFs would not be more resilient to human-induced changes to environmental conditions.

Under alternative C, nonnative fish would be eradicated from 52 waterbodies and 15 mi (25 km) of streams in 17 basins using physical treatment methods. MYLFs and other native species would be restored to 52 waterbodies using natural recolonization where adjacent source populations exist, and reintroductions where adjacent source populations do not exist. Alternative C would partially meet the objectives of the MYLF conservation strategy because there would be additional waterbodies restored versus no action, but fewer waterbodies restored when compared with alternatives B and D. The more complex waterbodies would not be restored, thus this alternative would not fully meet the objective to allow more favorable conditions for MYLF populations to persist and be more resilient to human-induced changes to environmental conditions. The viability of existing MYLF populations would be maintained but to a lesser extent than alternatives B and D. The natural quality of wilderness character would be restored but to a lesser extent than alternatives B and D.

Both alternatives B and D would eradicate nonnative fish from the maximum number of waterbodies determined to be feasible during the 25-35 implementation period: 85 waterbodies and 31 mi (50 km) of streams in 21 basins, plus connected habitat as necessary. Alternative B would use physical and piscicide treatment methods to eradicate nonnative fish, and alternative D would use piscicide treatment methods only. Under both alternatives, MYLFs and other native species would be restored to 85 waterbodies using natural recolonization where adjacent source populations exist, and reintroductions where adjacent source populations do not exist. More complex waterbodies would be restored, creating more favorable conditions for MYLF populations to persist and be more resilient to human-induced changes to environmental conditions. Both alternatives would restore the natural quality of wilderness character by removing nonnative fish from selected historically fishless areas.

Alternative D would accomplish the project objectives in a slightly quicker timeframe because only piscicides would be used to eradicate nonnative fish; however, it would result in more short-term adverse effects on wilderness character from larger crew sizes (affecting solitude), and more short-term adverse effects on special-status species, vertebrates, invertebrates, water quality, and wilderness (natural quality), resulting from the use of piscicides in more waterbodies.

The Selected Action, Alternative B, more fully meets the objectives related to the preservation of wilderness character, and would result in fewer adverse effects overall. Alternative B utilizes piscicides only in locations where physical methods are deemed infeasible, thus reducing the short-term adverse effects on the impact topics described in the preceding paragraph. A large portion of the actions under Alternative B can be conducted with smaller crews, reducing the effects on solitude. Alternative B also has the greatest educational benefit to SEKI and other organizations conducting research because different methods will be compared, which will allow for a robust refinement of restoration methodologies within SEKI and in similar habitats across the Sierra Nevada. Alternative B, even though implementation takes more time than alternative D, will meet the goals identified in the nearly complete conservation strategy for MYLFs by restoring more complex waterbodies and creating more favorable conditions for MYLF populations to persist and recover. Alternative B is the environmentally preferable alternative.

Alternative B is determined to be most likely to accomplish the critical objectives identified in the Purpose and Need (defined in Chapter 1 of the Restoration Plan/FEIS and summarized previously in this ROD). Examples of how alternative B meets these critical objectives include:

Restore and conserve the natural abundances, distributions, and functions of native species, populations, and communities within selected high elevation aquatic ecosystems.

- A total of 85 new waterbodies will be restored to their historically fishless condition, and thus 15% of 550 fish-containing lakes and ponds that are current candidates for eradication will be restored.
- A total of 21 basins will be restored. All of the parks' five major drainages will contain one or more restoration basins.

Develop a long-term conservation strategy for both species of MYLFs to ensure the self-sustaining, long-term viability, and evolution of MYLF populations in perpetuity within portions of their present and historic geographic range within the parks, and to maintain the genetic and ecological diversity of these species.

- A MYLF conservation strategy will be developed in collaboration with partner agencies and organizations.
- To the maximum extent feasible, additional MYLF habitat will be restored, existing MYLF populations will be allowed to expand into restored habitat, and MYLF populations will be re-established in selected basins or waterbodies where they have gone absent. The widespread loss of the ecological function provided by MYLFs is reduced, and the viability of numerous existing MYLF populations is maintained, as much as is possible during the life of this plan.

Use results from restoration efforts and new knowledge from research studies to refine program methodologies over time and mitigate impacts that have the potential to occur during restoration.

- New restoration efforts will be conducted, using two fish eradication methods. The results of these efforts, plus new data from scientific studies, will allow for a robust refinement of restoration methodologies.
- This alternative will have the greatest educational benefit to SEKI and other organizations conducting restoration because it uses several fish eradication tools and several frog restoration methods, the results of which will help inform future recovery efforts.

Restore and protect natural processes in wilderness, using an appropriate range of management actions derived from thorough analyses of potential effects to wilderness character and resources.

- Natural qualities in wilderness will be restored to the maximum extent feasible during the life of this plan by eliminating impacts caused by self-sustaining nonnative trout populations in 85 waterbodies and 31 mi (50 km) of streams, plus connected fish-containing habitat as necessary.

SELECTED ACTION

After reviewing the foreseeable environmental impacts of each alternative, the purpose and need for action, assessing how each alternative meets the restoration goals and objectives, and all public and agency comments, alternative B is the Selected Action. In reaching a decision on the selected action, the NPS carefully considered the multiple laws and policies that apply to the administration of NPS lands, the protection of wilderness character, endangered species preservation and management, the large body of scientific information regarding the impacts of nonnative trout and the use of piscicides, and the public comments that were received during the planning process.

- Under the Selected Action, a prescription (detailed plan of action) for restoration will be developed for each proposed restoration area based on the criteria for basin selection, pre-treatment surveys, habitat size, basin topography, wilderness values, visitor use and field crew safety. Prescriptions will consider the actual distribution of fish, results of invertebrate surveys and unique habitats such as springs and thermal features. Both physical treatment and piscicide treatment methods will be employed.
- Physical treatment is the preferred method under the Selected Action. Physical treatment tools consist of gill-netting, electrofishing, trapping, and disruption and/or covering of redds. Based on current knowledge of the proposed fish eradication sites, physical treatment will be used for 52 waterbodies (27 lakes, 24 ponds, 1 marsh; total of 492 ac/199 ha) and approximately 15 mi (25 km) of streams in 17 basins.
- Piscicide treatment will use a rotenone-based product, currently CFT Legumine™. Piscicide treatment is prescribed where: (1) a lake is too large or lacks accessible shoreline; (2) a stream is too long, steep, or marshy or has other characteristics that make physical treatment ineffective for fish eradication; (3) implementation of physical treatment poses an unacceptable safety risk to field crews; or (4) the selected waterbodies exist in basin complexes that lack natural barriers between most of the individual lakes or are too extensive for physical treatment. In addition, if a waterfall or cascade expected to be a fish barrier at the bottom of a physical treatment area proves inadequate in preventing fish passage, piscicides will be used in the aquatic habitat below the inadequate cascade in order to eradicate fish down to a definitive fish barrier. The waterbodies for piscicide treatment also include a few small sites located on marshy stream reaches where it is infeasible to exclude a waterbody from the reach. Waterbodies that provide more value in the face of climate change (i.e. large, deep, and/or cold waterbodies that can buffer drying and warming) are included for fish eradication in the plan.
- Piscicide treatment will be used for up to 33 waterbodies (4 lakes, 25 ponds, and 4 marshes; total of 142 ac/57 ha) and approximately 16 mi (25 km) of stream in 9 basins. In addition, any fish-containing habitat adjacent to treated lakes, ponds and streams identified during fieldwork will also require treatment (physical or piscicide depending on conditions) in order to eradicate fish from each restoration area. These are generally small areas that are not captured in existing maps of proposed project areas.
- Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 465 waterbodies (221 lakes, 186 ponds, 58 marshes) and hundreds of miles of stream.
- Fishless habitat in the 21 fish eradication basins, plus 34 additional basins where no fish eradication will occur, will receive conservation actions to benefit MYLFs and other native species.

OTHER ALTERNATIVES CONSIDERED

Alternative A: No Action
Under the no action alternative, the existing high elevation aquatic ecosystem restoration effort for 25 waterbodies and 3.7 mi of streams in seven basins would be completed, maintained, and monitored, but no new fish eradication activities would be initiated. Native species and ecological processes in high elevation aquatic ecosystems would continue to be monitored. Research on native species, ecological processes, and their stressors would continue in accordance with NPS policy. After all treatments are

completed, self-sustaining nonnative trout populations would continue to exist in 550 waterbodies (252 lakes, 235 ponds, 63 marshes) and hundreds of miles of stream.

Alternative C: Physical Treatment Preceding Restoration
Alternative C would use physical treatment methods only to eradicate nonnative fish by gill netting, electrofishing, trapping, disturbing and/or covering redds, and blasting rock to create vertical fish barriers. In comparison to alternative B, excluded from the list of proposed restoration waterbodies are long reaches of stream, several large lakes, and interconnected lake complexes that are too large for effective physical treatment. Under this alternative, a prescription for restoration would be developed for each proposed restoration area based on the criteria for basin selection, pre-treatment surveys, habitat size, basin topography, wilderness values, visitor use, field crew safety, and the actual distribution of fish and amphibians.

Physical treatment methods would be applied in 52 waterbodies (27 lakes, 24 ponds, and 1 marsh; total of 492 ac/199 ha) and 15 mi (25 km) of streams contained in 17 basins. In addition, any unsurveyed habitat adjacent to treated lakes, ponds, marshes, and streams found to contain nonnative fish would be treated to eradicate fish from the entire scope of the restoration area. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 498 waterbodies (225 lakes, 211 ponds, 62 marshes) and hundreds of miles of stream.

Alternative D: Piscicide Treatment Preceding Restoration
Alternative D emphasizes speed in recovering habitat because MYLF populations are declining rapidly. To achieve this speed, only piscicide treatment would be used for nonnative fish eradication. Properly applied, piscicides can eliminate fish from targeted waterbodies in 1 to 2 years, in contrast to physical treatment methods which can take up to 6 years for lakes and up to 10 years for streams (NPS 2012A). A prescription for treatment would be developed as described in alternative B. Based on initial examination of maps, staff familiarity with the park, and discussions with other scientists, piscicide treatment would be used for 85 waterbodies (31 lakes, 49 ponds, and 5 marshes; total of 634 ac/257 ha), approximately 31 mi (50 km) of streams, and connected fish-containing habitat as necessary. Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated in this alternative. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 465 waterbodies (221 lakes, 186 ponds, 58 marshes) and hundreds of miles of stream.

ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The Council on Environmental Quality (CEQ) defines the environmentally preferable alternative as — the alternative that would promote the national environmental policy as expressed in NEPA § 101. Section 101 states that it is the continuing responsibility of the federal government to:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

5. Achieve a balance between population and resource use which would permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The identification of the environmentally preferred alternative was based on analyses that balance factors such as number of sites to be treated, physical impacts on the environment, mitigation measures to minimize impacts, achievement of short- and long-term goals for restoration of high elevation ecosystems, and other factors, including the statutory mission of the NPS and the purposes for the project.

Alternative A, no action, maintains the status quo. This alternative limits restoration of native species in high elevation aquatic ecosystems to work initiated in 2001. It does not build on success of the 2001 work which demonstrated that nonnative fish eradication is feasible and beneficial to MYLFs, other native species and ecosystem function within a relatively short time (3 to 10 years). It does not initiate any new restoration efforts to restore and conserve native species in high elevation aquatic ecosystems. It partially supports the short-term goals for restoration of native species diversity and ecological function to SEKI's high elevation aquatic ecosystems, but the long-term goals would not be met. It does not propose any new actions that would further protect or restore the wilderness resources, values, and diversity of recreational experiences. Alternative A would partially promote CEQ criteria 2 and 3 in that there would be no short-term resource degradation or risk to project personnel health and safety from the use of piscicides. However, the no action alternative would not arrest further degradation of MYLF populations in the parks, even in the short term. Over the long term, the failure to expand restoration actions to additional aquatic systems would result in a continued degraded state in these systems and the undesirable consequence of further depletions in MYLF populations. The no action alternative would not further CEQ criteria 1, 4, and 5 because actions proposed in the plan to support the conservation of native species at risk of extirpation in the parks would not be sought, nor would the alternative allow for the restoration of additional high elevation native ecosystems. Alternative A would not result in a better balance between those high elevation ecosystems that are heavily altered by nonnative fish and those that are not.

Alternative B, Prescription Treatment (Physical and Piscicide) Preceding Restoration is the NPS Environmentally Preferred Alternative. It would promote CEQ criteria 1, 4, and 5 to a greater degree than the other alternatives because it would do more to reverse the decline of native species in the parks and restore native ecosystems while minimizing the use of piscicides. This alternative proposes eradication of nonnative fish through the use of physical and piscicide treatment methods to optimize the number and size of restoration areas. Both methods target nonnative fish and could result in short-term adverse effects on native species. However in the long term, native species would be restored to selected high elevation aquatic ecosystems enhancing the preservation of natural aspects of our national heritage. While there would be short term effects to non-target species from the use of piscicides, these products degrade quickly and do not result in long term environmental effects. Angling opportunities would remain plentiful. In the short term, alternative B would not promote CEQ criteria 2 and 3 because it would result in a short-term degradation of natural resources and it would expose parks staff to piscicides. On the other hand, the restoration of MYLF populations and the removal of nonnative fish from additional areas would substantially promote criteria 2 (aesthetics) and criteria 4 over the long term. Alternative B would also promote the attainment of a wide range of beneficial uses over the long term by restoring MYLF populations and native ecosystems and minimizing the undesirable consequences of further reductions in these imperiled species.

Alternative C, Physical Treatment Preceding Restoration proposes eradication of nonnative fish using physical treatment methods only. The number of restoration sites treated under this alternative would be less than two thirds (61%) of the restoration sites treated under alternatives B or D. This alternative would partially promote criteria 2 and 3 in that there would be no short-term resource degradation or risk to project personnel health and safety from the use of piscicides. However, it would not promote CEQ criteria 1, 4, and 5 to the same extent as Alternative B because nonnative fish would be removed from far fewer areas resulting in reduced conservation benefits to native species at risk of extirpation in the parks and native ecosystems. Alternative C would also not promote the attainment of a wide range of beneficial uses in the long term to the same degree as Alternative B because less habitat and fewer MYLF populations would be restored, resulting in reduced native ecosystems restoration when compared with Alternative B.

Alternative D, Piscicide Treatment Preceding Restoration proposes eradication of nonnative fish using piscicide methods only. Piscicide treatment has more short-term effects on native species than physical treatment and thus would increase the need for more extensive restoration efforts after treatment. This alternative would promote CEQ criteria 1, 4, and 5 because it would reverse the decline of native species in the park and restore native ecosystems in selected areas. It would not fully promote CEQ criteria 2 and 3 because it would result in more short-term degradation of natural resources than Alternative B. Similarly, it would result in increased exposure of parks staff to piscicides compared to Alternative B. Over the long term, Alternative D would substantially promote CEQ criteria 2 in that it would result in the restoration of MYLF populations and native ecosystems.

PUBLIC ENGAGEMENT AND AGENCY COORDINATION

PUBLIC SCOPING

Public scoping was conducted from January 17 to February 6, 2007, but comments were accepted as late as April. During that time, the parks received comments from 35 different sources (several people submitted more than one comment letter). Six of the comment letters received were from organizations: High Sierra Hikers Association, Wilderness Watch, California Trout, Californians for Western Wilderness, National Parks Conservation Association, and Californians for Alternatives to Toxics. Five commenters were affiliated with universities, three with businesses, one was affiliated with the USFS, and the parks received 22 comments from unaffiliated individuals.

In late 2007, a newsletter providing an update on the environmental analysis status was sent to approximately 100 individuals, agencies, interest groups, and tribes on the parks' mailing list including all those who provided comments during the scoping period. As a result of the newsletter, four additional comment letters were received between May 2007 and November 2008 and are included in the record. Two of those letters were from unaffiliated individuals (one had previously submitted comments), and two were from organizations, Western Environmental Law Center and High Sierra Hikers Association (previously submitted comments). In total, 37 different individuals, groups, businesses, or agencies submitted comments on the proposed project.

In late 2007, park staff began writing an environmental assessment (EA) for the proposed project. As staff prepared the EA, including the environmental analysis for the proposed project, and re-reviewed the public input on the proposal, it became clear that the project had the potential for significant impacts on the human environment. There was a level of controversy associated with the proposal, the potential for uncertain and potentially significant environmental effects (beneficial and adverse), and that the project could result in unique and unknown environmental effects. For these reasons, in accordance with the National Environmental Policy Act (NEPA) section 102 (2) (C), in early 2009, the superintendent determined that an Environmental Impact Statement (EIS) would be more appropriate for this project.

A notice of intent to prepare an environmental impact statement was published in the *Federal Register* for this project on October 7, 2009 (Vol. 74, No. 193, Pgs. 51617-18). Scoping occurred from October 7 through November 21, 2009. Information about the project scoping was picked up by the Associated Press and was published in area newspapers and on the internet on various public and government websites. Area newspapers that published stories related to the proposed project and scoping include: The Kaweah Commonwealth (October 30), The Visalia Times Delta (October 27), and The Fresno Bee (October 26). Websites included: abclocal.go.com (October 26); cbs13.com (October 26); mercedsunstar.com (October 26); kcbs.com (October 26); fresnobee.com (October 26); ksrw.sierrawave.net (October 7); Save the Frogs (November 18); treehugger.com (November 22); National Parks Traveler (November 20); Sierra Forest Legacy (November 12); and redding.com (October 30). Also the story was broadcast on "The California Report" (November 16), which airs on various local radio stations in California. In addition, further information was provided on the proposed project after scoping ended at Golden Gate Press (December 3) and at alternatives2toxics.org (December 16).

Two public informational meetings were held to provide information on the proposed project during the scoping period. SEKI received 709 comment letters during the scoping period.

In addition to the scoping meetings, alternatives presentations and workshops were held in the area in March and April 2010 to engage the public during the development of alternatives. All scoping commenters plus those on the project mailing list were notified of the meetings (approximately 1,000 people) by either email or regular mail. Between March 11 and April 12, 2010, draft conceptual alternatives were made available from the parks' internet page and through the NPS Planning, Environment, and Public Comment (PEPC) website, and comments were accepted and considered on those alternatives. Eight comment letters were received during the alternatives review period; none provided new alternatives or additional new substantive comments.

PUBLIC REVIEW OF THE PLAN/DEIS

The Restoration Plan/DEIS (NPS 2013A) was available to the public, federal, state, and local agencies, tribes, and organizations for a 60-day public review period starting September 26, 2013. The NPS published a Notice of Availability in the *Federal Register* on October 1, 2013 (Vol. 78, No. 193, Pgs. 60309-11). The NPS posted electronic copies of the Restoration Plan/DEIS to the PEPC website at http://parkplanning.nps.gov/aquatics and provided printed or CD copies of the Restoration Plan/DEIS to 138 interested parties on the parks' mailing list and to those who requested them. A printed copy was provided to 23 area public libraries in Tulare, Inyo, Fresno, and Kern counties. In addition, notification of the Restoration Plan/DEIS was sent by email or regular U.S. mail to 1,309 people on the parks' mailing list. A news release was distributed to media outlets, and was placed on the parks' website. In October 2013, due to an extended shutdown of the federal government, and the unavailability of federal systems that allowed the review of the draft plan, the public review period was extended to December 17, 2013. The extension notice was published in the *Federal Register* on November 1, 2013 (Vol. 78, No. 193, Pgs. 65643-44).

Park staff presented elements of the Restoration Plan/DEIS at three public meetings. During the public review period, the parks received 123 public comment letters: 116 from individuals; 4 from federal, state, county, or local governments; 1 from a tribe; and 2 from recreational or conservation-related interest groups. The analysis of these letters identified 359 substantive comments, from which 48 concern statements were generated. Notably the US Environmental Protection Agency (USEPA) accorded its most favorable rating of "Lack of Objections" to the Restoration Plan/DEIS (letter dated December 20, 2013).

The results of the public comment analysis process and the NPS responses to substantive public comments are provided in "Appendix E: Public Comment Concern/Response Report." A summary of the changes between the draft and final Restoration Plan/FEIS is included in Chapter 1.

PLAN/FEIS

The USEPA's notice of filing and release for public inspection of the Restoration Plan/FEIS was published in the *Federal Register* on June 10, 2016 (Vol. 81, No. 112, Pg. 37592), initiating the 30-day no action period which ended on July 11, 2016. [The NPS's Notice of Availability was published therein on June 13, 2016 (Vol. 81, No. 112, Pgs. 38213-14).] The NPS posted electronic copies of the Restoration Plan/FEIS to the NPS PEPC website. Printed or electronic copies of the Restoration Plan/FEIS were provided to 130 interested parties on the parks' mailing list and to those who requested copies. Printed copies were provided to 18 area public libraries. In addition, a notice of availability of the Restoration Plan/FEIS was sent by email or regular U.S. mail to 1,409 people on the parks' mailing list, and to 104 area tribes, tribal groups, or representatives. A news release was distributed to approximately 150 media outlets, and information was placed on the parks' website. Although the document was released for public inspection, and not review purposes, four recipients of the Restoration Plan/FEIS submitted responses. All but one of them reiterated prior comments (no new substantial information or concerns were provided) that were previously addressed in the FEIS and Public Comment / Concern Response Report (appendix E).

One recipient, who did not provide comments during the public review of the Restoration Plan/DEIS, submitted comments not previously considered. They suggested that the Selected Action include fish eradication in at least 50% of lakes containing nonnative fish in order to be consistent with the Endangered Species Act (to recover MYLF populations and habitat) and to sufficiently restore and conserve native species diversity and ecological function to SEKI's high elevation aquatic ecosystems. This alternative was not considered in the Restoration Plan/FEIS because the amount of fish eradication proposed under the Selected Action is the maximum that is feasible over the 25 to 35 year duration of the plan. The remote, high elevation locations where eradication would occur are only accessible about three months per year. It would not be feasible to eradicate fish from more habitat without vastly increasing the use of piscicides and crew sizes, which would substantially increase adverse effects. In addition, substantial increases in project funding would be necessary. The Selected Action has the full support of the U.S. Fish and Wildlife Service (FWS) (appendix L) and is consistent with their nearly complete conservation strategy. The 85 waterbodies and 31 miles of streams selected for fish eradication represent a large amount of habitat that will greatly contribute to aquatic ecosystem restoration across the parks. In addition, the suite of frog restoration actions in the 21 fish eradication basins plus 34 basins containing fishless habitat will contribute significantly to MYLF recovery. These complementary actions will substantially restore and conserve native species and ecological function and increase protections to MYLFs from nonnative fish, disease, and climate change. Further, this plan is adaptive; project results and field conditions will be evaluated over time and adjusted as necessary to meet conservation goals.

AGENCY AND TRIBAL GOVERNMENT CONSULTATION

U.S. Fish and Wildlife Service

The Endangered Species Act of 1973, as amended (16 USC 1531 et seq.), requires all federal agencies to consult with the FWS to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat. The NPS reviewed the special-status species lists on the FWS website in 2006, 2009, 2012, and again on February 10, 2016 (see appendix F of the Restoration Plan/FEIS). The NPS submitted a biological assessment (BA) to the FWS on February 24, 2016. The FWS responded to the NPS on May 25, 2016 with a Biological Opinion, including concurrence that the Restoration Plan as proposed is not likely to: jeopardize the continued existence of the northern distinct population segment of the mountain yellow-legged frog, the Sierra Nevada yellow-legged frog, the Yosemite toad, the Little Kern golden trout, and the Sierra Nevada bighorn sheep; destroy or adversely modify proposed critical habitat for the northern distinct population

segment of the mountain yellow-legged frog, the Sierra Nevada yellow-legged frog, and the Yosemite toad; or adversely affect designated critical habitat for the Little Kern golden trout and the Sierra Nevada bighorn sheep (appendix L of the Restoration Plan/FEIS).

State of California Central Valley Regional Water Quality Control Board

The Central Valley Regional Water Quality Control Board (CRWQCB) is the regulatory agency which determines whether to grant Waste Discharge Requirements and whether the proposed piscicide treatments are consistent with provisions for piscicide treatments in the Water Quality Control Plan for the Tulare Lake Basin (CRWQCB 2015A), and the Sacramento River Basin and San Joaquin River Basin (CRWQCB 2015B). The CRWQCB provided information to the NPS during and following the public review period on the requirements for project implementation. Prior to project implementation, SEKI will obtain a project-specific National Pollutant Discharge Elimination system (NPDES) permit for rotenone application. The NPDES permit will contain receiving water limits applicable to rotenone projects as contained in the Tulare Basin, and Sacramento and San Joaquin Plans (CRWQCB 2015A, 2015B). It will also require water quality monitoring to verify compliance with receiving water limits within the project area and in downstream waters both during and after the treatment.

CDPR requires that pesticide applications be managed by trained and certified applicators. Though not a requirement for federal land managers, at least one member of the onsite piscicides application crew will be certified by CDPR as an applicator and all of the restoration crew working with piscicides will be trained in proper use of personal protective equipment, product safety measures, and they will operate under the direction of the certified applicator(s).

Area Tribes

The NPS has contacted American Indian tribes and groups having a cultural association with the parks, as well as those in the immediate vicinity, throughout the development of the Restoration Plan/DEIS. Consultation was initiated in 2007 during the scoping period for the EA, and in 2009 during the scoping period for the Restoration Plan/DEIS. In September 2013, the superintendent sent a letter to area tribes asking for their review on the Restoration Plan/DEIS, and invited area tribes to attend a meeting on the project. Information on the Restoration Plan/DEIS was provided to the attendees at the Sierra and Sequoia Tribal Forum Meetings on November 19, 2013. A presentation was provided at that time, along with an invitation to schedule formal government-to-government consultations with individual tribes. No tribal group requested formal consultation during the planning process.

State Historic Preservation Office

Section 106 of the National Historic Preservation Act (NHPA) requires that federal agencies take into account the effect of any proposed undertakings on properties that are listed, or eligible for listing, in the National Register of Historic Places. Since this project involves no ground disturbance and there are no historic properties affected, the assessment of effect is that the project has no potential to cause effects, thus no consultation with the State Historic Preservation Office is required.

CONCLUSION

Overall, of the four alternatives considered, the Selected Action, alternative B, best meets the purpose, need, and objectives of the Restoration Plan/FEIS and is expected to restore native species to selected high elevation aquatic ecosystems, protect and restore endangered MYLF populations, and restore the natural quality of wilderness character while continuing to provide opportunities for primitive and unconfined recreation. The selected action incorporates practical means to avoid or minimize environmental harm and will not result in the impairment of wilderness park resources and values or violate the NPS Organic Act.

As noted, the required minimum 30-day no-action period before approval of the ROD was initiated on June 10, 2016 with the USEPA's Federal Register notification of the filing of the Restoration Plan/FEIS. The no-action period ended on July 11, 2016.

The official responsible for implementing the selected action is the Superintendent of Sequoia and Kings Canyon National Parks.

Approved:

Laura E. Joss
Regional Director, Pacific West Region

August 23, 2016
Date

ATTACHMENT A: MEASURES TO MINIMIZE ENVIRONMENTAL HARM

Sequoia and Kings Canyon National Parks
Restoration of Native Species in High Elevation Aquatic Ecosystems Plan
Record of Decision

The National Park Service (NPS) places a strong emphasis on measures to avoid, minimize, or mitigate potential environmental impacts. The Restoration of Native Species in High Elevation Aquatic Ecosystems Plan / Final Environmental Impact Statement (Restoration Plan/FEIS) for Sequoia and Kings Canyon National Parks (SEKI or the parks) incorporates mitigations to protect natural and cultural resources, wilderness character, and visitors and work crews. These measures also incorporate the mandatory Terms and Conditions and Conservation Measures from the U.S. Fish and Wildlife Service biological opinion. Mitigations are considered part of plan implementation, and must occur prior to, during, or after project implementation.

Action	Responsibility
MEASURES TO PROTECT WILDERNESS CHARACTER, AND NATURAL AND CULTURAL RESOURCES	
Work Crews	
All crews will be instructed in and expected to use minimum impact camping practices and wilderness ethics.	Project lead (NPS Aquatic Ecologist)
Crew camps will be located where they have minimal impact on opportunities for solitude and primitive and unconfined recreation and the natural qualities of wilderness character. Generally, existing camps frequently used by the public will be avoided, but will be used if adequate naturally hardened sites are not available. Naturally hardened sites have a natural abundance of sand, gravel, or rock and a natural lack of grasses and forbs. Where possible, crew camps will be located at base camps used for previous projects, with minimum potential to disrupt wildlife habitat or habits.	Project lead (NPS Aquatic Ecologist)
Crews will be instructed on proper food-storage practices and camps will be inspected to make sure food is properly stored.	Project lead (NPS Aquatic Ecologist)
Water for the crews both at work sites and in camp will be taken from a stream or lake that will be accessed by non-sensitive paths. The crews will be instructed to avoid sensitive areas in both the work sites and crew camp areas.	Project lead (NPS Aquatic Ecologist)
Gray water will be disposed of over 100 ft (30 m) from any surface water and will be poured into a small pit through a screen to remove small food particles. Strained food particles are removed from the area with other trash.	Project lead (NPS Aquatic Ecologist)
Special containers or pit toilets will be used for toilets in all work and camp areas. The containers will be packed or flown out at the end of the field season and disposed of in a sewage treatment facility.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
No motorized equipment will be used in camp. A propane/white gas or battery-powered lantern or headlamp will be used to light the work and cooking area inside the work tent. All other light will be from personal flashlights and headlamps.	Project lead (NPS Aquatic Ecologist)
All equipment, clothing, and gear will be checked for debris, cleaned of any visible plant or soil matter, and gear regularly used in water will be disinfected with quaternary ammonia following SEKI's disinfection protocol, prior to moving to a new site.	Project lead (NPS Aquatic Ecologist)

Stock Use

SEKI's packstock operations will be subject to the same minimum impact standards and grazing regulations as general parks users.	NPS Packer
Packstock (fur and hooves) and equipment will be inspected and cleaned of seeds and dirt, as necessary, before leaving the front country.	NPS Packer
All SEKI grazing restrictions and regulations will be adhered to. Where grazing is not allowed, only supplemental feed products that have been either heat treated or fermented so as to render any weed seeds inviable will be fed to stock.	NPS Packer

Helicopter Use

A helicopter will be used only if determined through the minimum requirement analysis to be the minimum tool necessary for a particular project and project site.	Project lead (NPS Aquatic Ecologist) and Wilderness Coordinator
If a helicopter is determined to be the minimum tool, then a temporary landing zone will be established at the project site. The landing zone should be void of trees and boulders that could pose a threat to helicopter rotors; should be on flat, level surface; minimal exposure to heavy winds; sites with ease of landing (affects load weights that can be delivered); and in proximity to base camp.	NPS Helitack Operations, Supervisory Forestry Technician
No whitebark or foxtail pines may be cut to accommodate a landing zone.	NPS Helitack Operations, Supervisory Forestry Technician
A trained helicopter crewmember will be present at the work area to direct air operations, handle cargo and ensure public and employee safety.	NPS Helitack Operations, Supervisory Forestry Technician
Except in the case of a medical emergency, flights will occur only between 8:00 a.m. and 5:00 p.m. and will follow flight paths to and from the project sites designed to avoid sensitive areas.	NPS Helitack Operations, Supervisory Forestry Technician
Park staff will inform hikers of possible noise intrusions, when they will occur, and alternative routes visitors could use to avoid the noise.	Public Affairs Specialist
Park staff will inform visitors camping near the project sites and landing areas of flights and project activities.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
No helicopter fuel will be stored in wilderness. All helicopter fuel and other supplies not needed on the helicopter during flights will be stored at the frontcountry Ash Mountain Helibase.	NPS Helitack Operations, Supervisory Forestry Technician

Measures to Minimize Harm to Mountain Yellow-legged Frogs

All personnel involved in collection and handling for CMR, translocations, reintroductions, antifungal treatments, and any other methods that involve handling MYLFs will be professional biologists with years of experience with proper handling of endangered amphibians, or–for trained, but less experienced biologists–work under the direct supervision of professionals.	Project lead (NPS Aquatic Ecologist)
Handlers will have wet hands when handling any listed amphibian. No adults in amplexus (mating behavior) will be handled during routine monitoring and research activities.	Project lead (NPS Aquatic Ecologist)
MYLF handling will be kept to the minimum time necessary for effectively completing conservation actions.	Project lead (NPS Aquatic Ecologist)
Expeditious and cautious handling, including proper climate control, will be used during translocations and reintroduction efforts, including transport out of the wilderness, travel time to captive rearing facilities, and transport back to wilderness following captive-rearing.	Project lead (NPS Aquatic Ecologist)
All captive-rearing efforts will be undertaken by professional biologists and/or captive rearing facility staff experienced with animal care and disease management techniques.	Project lead (NPS Aquatic Ecologist)
Collections will be limited to the minimum number of animals necessary to successfully complete recovery actions and FWS will be consulted to obtain the proper permits.	Project lead (NPS Aquatic Ecologist)

Measures to Protect Vegetation

If species of concern are present in work and camp sites, appropriate mitigation measures will be taken, which could include collecting seed or flagging areas during project work to protect the species from onsite activities.	Project lead (NPS Aquatic Ecologist)
Equipment and materials will be inspected for soil and plant parts. Dirty materials will be cleaned before being transported to field sites. Equipment and materials that could acquire seeds from surrounding areas will be covered during transport.	Project lead (NPS Aquatic Ecologist)
A list and / or map of project areas will be maintained so that sites can subsequently be surveyed for invasive nonnative plants.	Project lead (NPS Aquatic Ecologist)
Work crews will inspect their shoes, clothing and equipment for seeds and soil before leaving the front country. Seeds and soil will be removed and placed in bagged garbage.	Project lead (NPS Aquatic Ecologist)

Measures to Protect Wildlife

Crew camps will be located at least 100 ft (30 m) away from aquatic habitat for MYLFs, Yosemite toads, and Little Kern golden trout, and away from ridgeline habitat for bighorn sheep.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
Stock will be kept at least 100 ft (30 m) away from (1) the core aquatic habitat for MYLFs, Yosemite toads, and Little Kern golden trout; and (2) core terrestrial habitat for bighorn sheep.	Project lead (NPS Aquatic Ecologist)
Little Kern golden trout occur in one proposed treatment area (Crytes Basin; NPS unpublished data) included in this plan. If this population was determined to be useful as brood stock for management and restoration of Little Kern golden trout within the recovery plan area, SEKI will work with CDFW to live-capture and move as many fish as possible to an appropriate location outside of the project area.	Project lead (NPS Aquatic Ecologist)
Prior to any approved helicopter flight, the parks' wildlife biologist will provide a map of known bighorn sheep areas, and the helicopter will avoid flying above or landing in those areas; the final approach to the landing zone will stay below the area of the historic sightings. Flights will be suspended if sheep are observed within 0.5 mi (0.8 km) of the project area. The landing zone for the helicopter will be located no less than approximately 500 ft (152 m) from any area where sheep have been observed.	Project lead (NPS Aquatic Ecologist), NPS Wildlife Biologist, NPS Helitack Operations, Supervisory Forestry Technician
All personnel involved in garter snake relocation will be professional biologists with years of experience with proper handling and marking of snakes, or–for trained, but less experienced biologists–work under the direct supervision of professionals.	Project lead (NPS Aquatic Ecologist)
Handling of garter snakes for relocations will be kept to the minimum time necessary for effectively completing each relocation action.	Project lead (NPS Aquatic Ecologist)

Measures to Protect Water Quality

Equipment and materials will be stored at least 100 ft (30 m) from open water to reduce the likelihood of debris or sediment entering surface water.	Project lead (NPS Aquatic Ecologist)
Secondary containment for hazardous materials (e.g. piscicide or white gas) will be incorporated by placing buckets containing a small amount of soil (to minimize splashing of possible spills) under transfers of materials from one container to another. If hazardous materials were nevertheless spilled, they will be cleaned up immediately and will not be allowed to seep deep into the soil or reach open water sources. Absorbent pads will be onsite to absorb pooled hazardous materials. Shovels and bags will be onsite to gather surface soil in the spill area, which will be transported to the frontcountry for remediation.	Project lead (NPS Aquatic Ecologist)
Work crews will use appropriate methods for human waste treatment, which is typically a pit toilet, or special containers for removal to the frontcountry.	Project lead (NPS Aquatic Ecologist)

Measures to Protect Soundscapes

To minimize visitors' disturbance from unnatural sounds, project work will typically occur from 8:00 a.m. to 5:30 p.m.	Project lead (NPS Aquatic Ecologist)
Crew leaders will ensure that the crew's noise levels do not disturb nearby campers.	Project lead (NPS Aquatic Ecologist)
Information may be attached to wilderness permits to advise wilderness users about the need for management action and locations of work activities during their visit to the SEKI wilderness.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
Measures to Protect Cultural Resources	
Should any unknown cultural resources be encountered during implementation of plan activities, all ground disturbance will be immediately stopped. The parks' archeologist or a qualified representative will examine the area as soon as possible and will follow the requirements of the National Historic Preservation Act, and any other applicable cultural resource laws, as needed.	Project lead (NPS Aquatic Ecologist) and Cultural Resource Program Lead
MEASURES TO PROTECT VISITORS AND CREWS	
Measures for Visitor and Crew Safety	
Crews will be instructed in wilderness safety and communication protocols at the beginning of each field season; they will be provided with radios, and have an established, regular call-in time.	Project lead (NPS Aquatic Ecologist)
Crews will abide by the RMS Safety Plan.	Project lead (NPS Aquatic Ecologist)
Any visitors in active restoration areas will be met by a crewmember and kept a safe distance from any restoration activities.	Project lead (NPS Aquatic Ecologist)
Visitor and Crew Safety During Piscicide Treatments	
Experienced piscicide applicators will be directly involved in piscicide treatments in SEKI, and all treatments will be managed by applicators certified by CDPR to apply piscicides in state waters. Though not a requirement for federal land managers, this certification will ensure applications are correct and best management practices are applied during treatment activities. All of the restoration crew working with piscicides will be trained in proper use of PPE, product safety measures, and they will operate under the direction of the certified applicator(s) and in accordance with project safety plans or job hazard analysis.	Project lead (NPS Aquatic Ecologist)
Application of rotenone will be carried out in a manner that strictly adheres to practices permitted by the product labeling, including use of PPE for applicators, controlling public access during application, determining the maximum necessary application concentrations, and all other applicable guidelines.	Project lead (NPS Aquatic Ecologist)
Piscicide applications will be communicated to the public using (1) temporary information and warning signs posted on trails near the treatment area, (2) staff stationed on nearby trails, (3) visits to nearby campsites, 4) verbal contacts by the nearest wilderness rangers, (5) staff at local wilderness permit stations, (6) temporary postings to the parks website and (7) information attached to wilderness permits. Any area closures will be included in the annual updates to the Superintendent's compendium.	Project lead (NPS Aquatic Ecologist), NPS Public Affairs Specialist, NPS Law Enforcement Specialist

Action	Responsibility
Prior to applications and throughout treatments, public access will be restricted through the use of signs located at trailheads and other strategic places.	Project lead (NPS Aquatic Ecologist)

Mitigations Specific to Treatment Type

Gill Netting

While gill-netting, crewmembers will wear waterproof chest waders, safety waist belts, personal floatation devices (PFDs), flip fins, and adequate clothing to remain warm and dry while using float tubes. Crewmembers will be trained to always scan nets for non-target wildlife (primarily birds) when walking along shorelines to allow for a captured animal to be detected and released before mortality has occurred. Crew members without direct experience with handling non-target wildlife will receive training from an experienced biologist in how to safely remove non-target wildlife from nets. The shore ends of nets will be set 3 to 10 ft (1 to 3 m) from shore to provide a buffer for non-target animals to access shoreline habitat. Areas observed to periodically contain many tadpoles and frogs will generally be avoided when placing gill nets.	Project lead (NPS Aquatic Ecologist)

Electrofishing

Crewmembers will wear waterproof chest waders and gloves that do not conduct electricity. Felt-soled boots used for project work will only be used at project sites. Boots will remain at each project site for the summer, and will be transported out of the project area for the winter, where they will be decontaminated before their next use. This process will eliminate the potential to sustain or transport undesirable nonnative species. During electrofishing, crews will continually scan the area in front of their progress for non-target wildlife including mountain yellow-legged frogs. If a non-target species is observed, the electrofisher is turned off until the animal leaves the water or the shocking area. If necessary, crews will capture and move the animal downstream or to adjacent terrestrial habitat and then proceed with electrofishing.	Project lead (NPS Aquatic Ecologist)

Disruption and/or Covering of Redds

Crewmembers will wear wading boots with felt-lined soles that provide improved stability.	Project lead (NPS Aquatic Ecologist)

Fish Traps

While installing and monitoring fish traps, crewmembers will wear wading boots with felt-lined soles that provide improved stability, and gloves to protect their hands while working with the traps.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
Piscicide Use	
Any frogs or tadpoles observed that can be captured by hand, dip net and/or seine will be removed from the piscicide treatment area and placed in a nearby fishless waterbody disconnected from the treatment area while piscicide concentrations dissipate. If adequate fishless habitat is not present at the head of streams to provide upstream source populations of invertebrates for repopulating treated areas, then a section of stream will be physically treated to remove fish and create an upstream source population. A temporary fish barrier will be installed if needed to protect a source population from fish recolonization until fish are eradicated with piscicides. Rotenone drip stations will be placed in secure and stable locations either on the stream bank or on a stand in the stream channel, and are actively monitored by project staff for the duration of the treatment. The drip nozzles of the stations will be placed very close to the water's surface to reduce the potential for piscicide drift to terrestrial environments. Rotenone applied from backpack sprayers is applied with the spray head very close to the water surface to minimize drift onto terrestrial environments. Fish will be collected prior from the project area to the treatment process and placed in net baskets just upstream of drip stations to monitor the effectiveness of the piscicide treatment. Rotenone will be neutralized by the careful addition of potassium permanganate to the water at established locations. Fish baskets will also be placed downstream of the neutralization station. Mortality of these fish will alert workers to potential releases of excess chemical in the event of human or equipment error and potential downstream effects. Treated fish that do not sink will have their swim bladders punctured so the carcasses will sink to the substrate. During and after rotenone treatments, water quality will be monitored to assess the effects of treatment on surface waters and bottom sediments. The monitoring will determine that: (1) effective piscicide concentrations of rotenone were applied; (2) sufficient degradation of rotenone has occurred prior to the resumption of public contact; and (3) rotenone toxicity does not occur outside the project area. An analytical laboratory will analyze water samples for rotenone and rotenolone concentrations as well as for volatile organic compound and semi-volatile organic compound concentrations because CFT Legumine™ contains petroleum distillates. A spill contingency plan will be developed and implemented to address chemical transport and use guidelines, as well as spill prevention and containment that adequately protects water quality. The spill contingency plan will be maintained on site.	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
Piscicide containers will be securely locked or guarded when taken to the field for use. Any piscicide that is spilled will be scooped up (including all contaminated soil) with a shovel, placed in a bag designed for product disposal, and transported out of area for disposal as required on the product label. All personnel assisting in the fish removal will use hardened or durable sites for camping and will be familiar with and practice Leave-No-Trace (LNT) principles. A crew of eight to 15 people is expected to be sufficient to implement most treatments, and a crew of up to 16 to 25 people may be needed for one or more of the largest piscicide treatments. Trails will be used whenever possible to move from one location to another to minimize soil and vegetation disturbance and to prevent establishing new trails. Sensitive plant habitat will be avoided. Treatment activities will be coordinated with wilderness management personnel. To incorporate the results of actual piscicide treatments in SEKI to future treatments, an adaptive management approach will implemented, in which intensive monitoring of the initial piscicide treatments is used to better describe the likely impacts of subsequent treatments, and if necessary, to redesign subsequent treatments to further minimize anticipated impacts.	
Terms and Conditions from the Biological Opinion (Appendix L in the Restoration Plan/FEIS) In order to be exempt from the prohibitions of section 9 of the Endangered Species Act, the NPS must ensure compliance with the following terms and conditions, which implement the reasonable and prudent measure. These terms and conditions are nondiscretionary.	
1. The NPS shall implement the Conservation Measures as described in the biological opinion. 2. Mountain yellow-legged frog surveys, including capture and handling for measurements and examining for infections, shall follow the guidelines found in Knapp and Matthews (2000) as revised during the life of this project, or other guidelines as authorized by the FWS. 3. The use of PIT-tagging and the injection of colored elastomers are authorized to mark individual mountain yellow-legged frogs, and shall be implemented in the following manner: a. No mountain yellow-legged frogs less than 4 centimeters snout-vent length (SVL) shall be PIT-tagged. PIT tags of appropriate size shall be used (8-12 mm). b. Crews shall note any physical or behavioral changes to individual mountain yellow-legged frogs that could possibly be attributed to the insertion of PIT tags or injection of colored elastomer, such as swelling, bleeding, infection, or changes in	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
swimming ability. This information shall be included in the annual reports.	
c. Tissue samples for genetic research may be collected from tadpoles or adult mountain yellow-legged frogs. Tissue samples may be collected from swabbing the skin surface. Alternatively, for genetic research that may require a larger individual sample, clipping of a single toe from post-metamorphs to obtain tissue samples shall be allowed with the use of surgical scissors only.	
4. Collection of individual mountain yellow-legged frogs for examination and treatment of infectious disease.	
a. All captured individual mountain yellow-legged frogs may be examined, swabbed for determining the presence of infectious disease, and treated if a known or experimental treatment is available. Dead or moribund individual mountain yellow-legged frogs should also be swabbed, if practical, to determine cause of death.	
b. If individual mountain yellow-legged frogs are found to have signs of infection or determined to be infected by chytrid fungus (chytridiomycosis), they may be treated using itraconazole. Individuals may be retained in specially designed cages at the collection site for up to two weeks while being treated. Treatment method may vary; however, the field crew must have suitable experience conducting the treatment method.	
5. For the captive rearing and translocation program:	
a. All collection, transport, captive care, and release activities will follow the associated methods and protocols specified in the translocation plan as described in Knapp *et al* (2011) and the Conservation Strategy (Knapp, Appendix A *in* FWS in preparation). Any deviation from these methods and protocols requires prior approval from the FWS.	
b. The NPS, and all captive rearing facilities, shall assure to the maximum extent practicable that all individuals removed will not contract a disease, unless that is part of the immunization procedure for disease treatment. Potential threats to the mountain yellow-legged frog regarding the introduction and/ or spread of disease shall be closely monitored.	
c. Only individuals removed from the wild for captive rearing that are sick, injured, or have no reasonable prospect of being reintroduced to the wild may be euthanized for scientific research and vouchering of specimens, or if deemed fit enough, used for display or public outreach by the holding facility.	
d. The San Francisco Zoo, Oakland Zoo, or other facility authorized by the FWS may receive mountain yellow-legged frogs for captive rearing and husbandry pursuant to the	

Action		Responsibility
Biological Opinion. The following measures shall be implemented by the facility(ies).		
i.	All proposed captive rearing activities for the upcoming season will be submitted in writing for review and approval by the FWS and the California Department of Fish and Wildlife. The FWS will be notified via email within 24 (24) hours following delivery of individual mountain yellow-legged frogs to the captive facility(ies). Notification will include numbers and lifestages of individuals delivered, condition and status of individuals, and collection location. In emergency situations, injured individuals shall be delivered first to a qualified veterinarian or FWS approved biologist.	
ii.	The number of individual frogs taken into captivity annually will not exceed the capacity of the facility(ies) to provide adequate care and husbandry as determined by the FWS.	
iii.	Individuals will be transferred to the captive facilities and returned to the wild using appropriate methods to avoid and minimize harassment, death and injury to the animals. Carrier containers shall keep the individuals cool, adequately hydrated, and free from injury or death due to contact with protruding or sharp objects within the interior.	
iv.	Incoming individuals displaying signs of any infectious pathogens shall be immediately separated upon observation and kept physically isolated (quarantined) from any living amphibians residing in the facility(ies), including mountain yellow-legged frogs from other locations. Infected individuals will be treated by a veterinarian, or by a qualified technician under instruction of a veterinarian, until the individual is evaluated as free of the infection.	
v.	Individuals will be held in an American Zoological Association-approved tank or natural display.	
vi.	Once in captivity, individual frogs will not, under any circumstances, be bred in captivity without the written permission of the FWS.	
vii.	All handling shall be done in an expedient manner with minimal harassment and injury to the individuals being handled. The hands and arms of all workers handling frogs shall be free of lotions, creams, sunscreen, oils, ointment, insect repellent, or any other material that may harm frogs.	

Action	Responsibility
6. For emergency salvage of mountain yellow-legged frogs: a. Only pools that have been determined to be unable to continue supporting eggs or tadpoles until the wet season shall be considered for salvage actions. These pools shall be monitored by SEKI field crews to determine drying rates and assess predation pressures. The NPS will have discretion on the timeline for further action.	
Monitoring Requirements from the Biological Opinion (Appendix L in the Restoration Plan/FEIS) In order to monitor whether the amount or extent of incidental take anticipated from implementation of the project is approached or exceeded, the NPS shall adhere to the following reporting requirements. Should this anticipated amount or extent of incidental take be exceeded, the NPS must immediately reinitiate formal consultation as per 50 CFR 402.16.	
1. For those components of the action that will result in habitat degradation or modification whereby incidental take in the form of harm is anticipated (i.e., fish removal by piscicides), the NPS will coordinate with the FWS before each annual piscicide fish eradication action is anticipated. Once piscicide eradication is initiated, it may be followed through to completion, per the project description in the biological opinion, unless the take limit is exceeded during that action, indicating the need for immediate coordination with the FWS, and re-initiation. Updates shall also include any information about changes in project implementation that result in habitat disturbance not described in the Project Description and not analyzed in the Biological Opinion. 2. For those components of the action that result in direct encounters between listed species and project workers and their equipment, whereby take in the form of harassment, harm, injury, or death occurs that has not been analyzed in the Biological Opinion, the NPS shall immediately contact the Chief Endangered Species Forest Division, at the FWS's Sacramento Fish and Wildlife Office at (916) 414-6600 and via email to report the encounter. If encounter occurs after normal working hours, the NPS shall contact the FWS at the earliest possible opportunity the next working day. 3. The NPS will provide the FWS an annual report of incidental take associated with project activities covered by the biological opinion, which shall include: summary of project activities, total numbers of animals captured/swabbed/tagged/sampled, and the total numbers of individuals accidentally killed or injured. The annual report is due by February 28 of the succeeding calendar year for which the prior field season's activity is being reported. 4. The NPS will provide either: 1) interim documents every five (5) calendar years from the date this project is approved that will include: (a) summary discussions of significant research results; (b) maps and descriptions of completed and ongoing actions; (c) results of restoration efforts, including estimates of population sizes, if appropriate; (d) other pertinent observations	Project lead (NPS Aquatic Ecologist)

Action	Responsibility
regarding the status or ecology of the species; *or* 2) regularly disseminate the required information as part of (ongoing) annual Conservation Strategy meeting updates with the FWS and other agencies per the adaptive management process established in that document. 5. Should incidental take averages indicate higher than anticipated levels of incidental take trending above the authorized ten year incidental take estimates, the NPS will coordinate during the off season with the FWS to evaluate trends, adjust activities, or reinitiate consultation to ensure compliance under the Act. 6. The NPS will provide, no later than ten (10) calendar years following the first complete year of implementation of project activities, information to the FWS indicating project performance, including beneficial impacts in terms of areas of habitat restored, and any population level benefits observed, trends and study findings from monitoring and research, in order to evaluate the beneficial effects to frog populations from overall project activities in the context of incidental take. This project summary report will also include: (a) summary discussions of significant research results; (b) maps and descriptions of completed and ongoing actions; (c) results of restoration efforts, including estimates of population sizes, if appropriate; and (d) other pertinent observations regarding the status or ecology of the species. Presuming SEKI begins this project this season (2016), the calendar date of the first interim project report will be February 28, 2026. 7. The FWS must be notified as soon as possible if large numbers of the northern DPS of the mountain yellow-legged frog, and/ or Sierra Nevada yellow-legged frog are found injured, sick or dead (e.g., due to illness, chemicals, or other factors), foul play is suspected, or unauthorized take of any listed species is observed or suspected. For such incidents, notification should be made by a NPS biologist, NPS law enforcement ranger, or other qualified NPS personnel. We recognize that the activities in this project will occur in the backcountry a substantial distance from roads, telephones, and cellphone for long periods of time, so the notification should be made as soon as practicable. The report of the incident should include the date(s), location(s), habitat description, photographs, maps, preserved specimens (if possible), and any other pertinent information. The FWS contact is the Chief of the Endangered Species Division (Forest) at the Sacramento Fish and Wildlife Office at (916) 414-6621.	
Conservation Recommendation from the Biological Opinion (Appendix L in the Restoration Plan/FEIS)	
The NPS should continue to assist the FWS in implementing the Conservation Strategy and, where applicable, recovery plans for the Northern Distinct Population Segment of the mountain yellow-legged frog, Sierra Nevada yellow-legged frog, Yosemite toad, Little Kern golden trout, and the Sierra Nevada bighorn sheep.	Chief of Natural and Cultural Resources

ATTACHMENT B: DETERMINATION OF NON-IMPAIRMENT

Sequoia and Kings Canyon National Parks
Restoration of Native Species in High Elevation Aquatic Ecosystems Plan
Record of Decision

This document evaluates and determines whether the selected action in the Sequoia and Kings Canyon National Parks' Restoration of Native Species in High Elevation Aquatic Ecosystems Plan/Environmental Impact Statement Record of Decision (Restoration Plan/EIS) will result in impairment to park resources and values. This evaluation is directed by statutes commonly referred to as the NPS Organic Act of 1916 and the NPS General Authorities Act of 1970. Per NPS *Management Policies 2006*, section 1.4.5, an action constitutes an impairment when its impact "will harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values." Whether an impact meets this definition depends on the particular resources that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other past or planned future impacts. An impact on any park resource or value may, but does not necessarily, constitute impairment. An impact will be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance.

The park resources and values that are subject to the non-impairment standard include:

- The parks scenery, natural and historic objects, wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources;
- Cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- Appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- The park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- Any additional attributes encompassed by the specific values and purposes for which the park was established.

The description of the park purpose and significance of Sequoia and Kings Canyon National Parks is found in Chapter 1 of the Restoration Plan/FEIS.

Pursuant to the NPS Guidance for Non-Impairment Determinations (October 31, 2011), non-impairment determinations must include a specific discussion for each park resource and value subject to the non-impairment standard. The discussion must include an explanation as to why the selected action's impacts will not result in impairment. Impairment findings pertain only to park resources and values, and are not necessary for visitor experience, socioeconomics, public health, park operations, or similar topics or concerns. The impact topics that are evaluated for purposes of this impairment determination include special-status species, wildlife, water quality, and natural soundscapes because there is a potential for adverse effects to these resources.

SPECIAL-STATUS SPECIES

In addition to a non-impairment determination, Section 7 of the Endangered Species Act (ESA) requires all federal agencies to ensure that their actions do not compromise the existence or critical habitat of a listed species. Although habitats in the parks support many species with special status, only those species potentially affected by the actions of the Restoration Plan were considered. These species are the two species of mountain yellow-legged frogs *Rana muscosa* and *Rana sierrae*, collectively referred to as MYLFs), the Yosemite toad (*Anaxyrus [Bufo] canorus*), the Little Kern golden trout (*Oncorhynchus mykiss whitei*), and the Sierra Nevada bighorn sheep (*Ovis canadensis sierrae*).

Mountain Yellow-legged Frogs

One of the primary purposes of the selected action is to restore federally endangered MYLFs (FWS 2014) to their previously occupied habitat, and make the MYLF populations more resilient to disease and climate change. Some of the specific project work would temporarily and adversely affect MYLFs because frogs and/or tadpoles could be disturbed, harassed, or killed during treatment actions. The FWS concurred with the NPS determination of *may affect, likely to adversely affect* for MYLFs. In the long term, however, treatment actions, if successful, will benefit and increase the size and resiliency of MYLFs and restore them to currently unoccupied habitat. If successful, the selected action will restore MYLF proposed critical habitat in 85 waterbodies, or 15% of the parks' 550 high elevation waterbodies that contain nonnative fish, and recover MYLF populations in up to 55 lakes basins, a significant beneficial effect and important steps in preventing the extirpation of the two species of MYLF that are present in the parks. The selected action, therefore, will not result in impairment of the Sierra Nevada yellow-legged frog or the northern distinct population segment (DPS) of the mountain yellow-legged frog.

Yosemite toad

The Yosemite toad is listed as a federally threatened species (FWS 2014). Under the selected action, Yosemite toads in two of the treatment basins could be impacted by the treatment activities. The recent detections of Yosemite toads in these areas was in habitat adjacent to (outside) the proposed treatment waterbodies in Upper Evolution, and in habitat on the edge of the proposed treatment waterbodies in McGee. Thus there is low potential for Yosemite toads to be adversely affected by gill netting and electrofishing in McGee and Upper Evolution. Nevertheless, there would be potential for a small number of Yosemite toads to get caught in gill nets and/or electrofishing fields during the treatment period in these areas. There is also the potential for Yosemite toads to be affected by the piscicide treatment in two stream segments in Upper Evolution. However, the treatment would be conducted in August or September, after all Yosemite toad adults would have finished breeding (breeding occurs from mid-May to mid-August) and likely moved from aquatic to nearby terrestrial habitat, which is their typical post-breeding behavior (Kagarise Sherman 1980). In addition, many–and potentially all–tadpoles would have metamorphosed into juvenile toads, which also move from breeding ponds to adjacent terrestrial habitat. Furthermore, if any individuals are observed in treatment habitat, mitigation will be implemented to protect toads, which will further reduce the number Yosemite toads affected by the treatment. Overall, the United States Fish and Wildlife Service (FWS) concurred with the NPS determination of *may affect, likely to adversely affect* for the Yosemite toad. The selected action has low potential to result in adverse

effects on individual Yosemite toads, and will not result in population-level adverse effects. Therefore, the selected action will not result in impairment of this species.

Little Kern Golden Trout (*Oncorhynchus mykiss whitei*)
Little Kern golden trout occur in one of the treatment basins under the selected action (Crytes) and are not expected to be present in any of the remaining treatment basins under this alternative. The majority of treatment actions under the selected action will therefore have no effect on Little Kern golden trout. The selected action will eradicate fish from Crytes using a combination of physical methods (i.e. gill netting and electrofishing in one lake and one lake/pond complex) and piscicides (rotenone in adjacent stream and marsh areas). The fish in the lake/pond complex, considered to be a population of federally threatened Little Kern golden trout, will be eradicated and thus adversely affected. However, this population is nonnative, the basin is not in designated critical habitat, and this population is not part of the recovery plan. Recent genetic analysis shows this population is not genetically pure. If these fish are determined useful as brood stock for management and restoration of Little Kern golden trout within the recovery plan area, SEKI will work with the California Department of Fish and Wildlife (CDFW) to live-capture and move as many fish as possible to an appropriate location outside of the project area. The FWS concurred with the NPS determination of *may affect, likely to adversely affect* for the single population of Little Kern golden trout in the Crytes basin. All other Little Kern golden trout populations in SEKI will continue to be protected. Because the impacts of the selected alternative will not result in species-level effects (i.e., will not be severe for Little Kern golden trout) and will only adversely affect one basin, and all other populations of Little Kern golden trout in SEKI will continue to be protected, there will be no impairment to this species.

Sierra Nevada bighorn sheep
Sierra Nevada bighorn sheep occur in one of the treatment basins under this alternative (Sixty Lake) and were reintroduced in 2015 in one additional treatment basin (Laurel). Bighorn sheep are not expected to be present in any of the remaining treatment basins under this alternative. The majority of fish removal actions under this alternative will therefore have no effect on bighorn sheep. Project activities in the two areas within or nearby bighorn sheep occupied habitat may result in temporary short term disturbances. The FWS concurred with the determination of *may affect, but not likely to adversely affect* for the Sierra Nevada bighorn sheep and the determination that the use of piscicides would result in a slight modification of bighorn sheep critical habitat. Because the severity and duration of the impacts of the selected action will be low, the effects are limited to two areas occupied by sheep, the timing of the impacts will avoid critical breeding seasons, and there will not be population-level impacts, the selected action will not result in impairment to Sierra Nevada bighorn sheep.

The U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, concurred that the selected action in the Restoration Plan/FEIS is not likely to jeopardize the continued existence of the northern distinct population segment of the mountain yellow-legged frog, the Sierra Nevada yellow-legged frog, the Yosemite toad, the Little Kern golden trout, and the Sierra Nevada bighorn sheep

WILDLIFE

Vertebrates and invertebrates that occur in the project area could be affected by actions proposed in this Restoration Plan/FEIS.

Vertebrates
The project activities will result in short-term adverse effects on vertebrates due to the potential for disturbance, injury, or mortality to individuals from the presence of work crews, and from gill netting, electrofishing, and piscicide use. However, the selected action will result in substantial long-term beneficial effects on native vertebrates due to: (1) increased natural food sources as existing MYLF,

Pacific treefrog, and invertebrate populations increase to a larger size in response to nonnative trout removal, and (2) the potential for extirpated MYLF populations to be reestablished in treated habitat. Because the adverse effects are slight and temporary, and the long-term beneficial effects of ecosystem restoration on vertebrate populations greatly outweigh the short-term adverse effects, the selected action will not result in impairment to vertebrates.

Invertebrates
Invertebrates known to occur in the project area and that use water as habitat for all or most of their life cycles (benthic and pelagic macroinvertebrate and zooplankton species, hereafter referred to as "aquatic invertebrates" and "zooplankton," respectively) will receive the most effects by implementing the selected action. Gillnetting and electrofishing-related activities in 52 waterbodies and 15 mi (25 km) of streams result in slight and inconsequential adverse effects on individuals from project-related actions, such as walking in lakes and streams leading to disturbance, and potentially being stunned by electrofishers.

The most substantial adverse effect would occur for some invertebrate species from piscicide treatment in 33 waterbodies and 16 miles (25 km) of streams due to disturbance, injury or mortality to individuals and reduction in abundance and diversity of populations. Studies that assessed recovery of benthic invertebrate assemblages in lakes after treatment with piscicides generally showed no long-term decreases in abundance or taxa richness (Houf and Campbell 1977); no difference in taxa richness within 6 months (Blakely et al. 2005); and no differences between pre- and post-treatment samples within 1 year of treatment (Melaas et al. 2001).

There would be substantial long-term beneficial effects on invertebrates in 85 waterbodies and 31 mi (50 km) of streams contained in 21 basins. With the removal of a major predator (nonnative trout) invertebrate populations will increase in abundance, distribution, and diversity at the treatment sites. The restoration of MYLF populations to be reestablished in treated habitat would benefit ecosystem processes and native species, including invertebrates as a whole. Tadpoles cycle nutrient levels through algal grazing and waste excretion, and both frogs and tadpoles are prey to predatory invertebrates. Because the adverse effects from project-related actions are short term, and the beneficial effects greatly outweigh the adverse effects, the selected action will not result in impairment to invertebrates.

WATER QUALITY

There is the potential for short-term adverse effects on water quality from project activities. Increased turbidity from walking in streams and lakes while conducting treatment activities would be minimal and localized. The use of piscicide and its neutralizer in 33 waterbodies and approximately 16 miles of streams would result in short-term adverse impacts on surface water quality. Piscicide treatments would result in a reduction of dissolved oxygen for up to 3 weeks as the rotenone degrades, and there is a slight potential for fish decomposition to alter dissolved oxygen levels. Turbidity could be altered from piscicide use and neutralization due to a temporary change in water color. Rotenone will not alter acidity or dissolved ions, however the use of potassium permanganate may alter conductivity slightly in the short term due to its ionic nature. Bacteria in water may be elevated with the decomposition of dead fish, but these effects would be mitigated due to the cooler water temperatures, oligotrophic conditions, and the seasonal mixing of lakes which allow nutrient and bacteria loads to be flushed from the treatment areas. Because the effects are slight, localized to the treatment areas or just downstream, and temporary, the project will not result in impairment to water quality.

NATURAL SOUNDSCAPES

Noise levels from human voices in a localized area would be temporary and create negligible adverse effects on the natural soundscape around the project sites. As restoration is completed at each site,

components of the natural soundscape would be restored. As the work is completed, this alternative would provide for a long-term benefit to natural soundscapes. If fully successful, the sounds of frogs, insects, birds and mammals within the restoration sites would come closest to the pristine sounds that are heard in a natural environment, resulting in a beneficial effect on the natural soundscapes in these areas. Therefore, there is no potential for impairment to the natural soundscapes.

CONCLUSION

The Restoration Plan/FEIS provides the long-term management direction to help restore and conserve SEKI's high elevation aquatic species and ecosystems for the next 25-35 years. Preserving and restoring native wildlife and the communities and ecosystems in which they occur is one of the guiding principles for managing biological resources in national parks (NPS 2006A).

In the professional judgment of the superintendent, the implementation of the selected action will not result in impairment of the parks' resources or values whose conservation is necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the parks; that are key to the natural or cultural integrity of the parks or to opportunities for enjoyment of the parks; or that are identified as significant in the parks' 2007 General Management Plan or other relevant NPS planning documents.

This conclusion is based on the analyses presented in the Restoration Plan/FEIS, which incorporates consideration of the parks' enabling legislation, mission statement, and desired conditions, goals and objectives of the Restoration of Native Species in High Elevation Aquatic Ecosystems Plan, input from subject matter experts, reference of scientific literature, peer-review by scientists, and the results of our consultation with the U.S. Fish and Wildlife Service under Section 7 of the ESA.

ATTACHMENT C: WILD AND SCENIC RIVERS ACT ANALYSIS INCLUDING SECTION 7(A) DETERMINATION

Sequoia and Kings Canyon National Parks
Restoration of Native Species in High Elevation Aquatic Ecosystems Plan
Record of Decision

Background

The *National Wild and Scenic Rivers Act of 1968* (WSRA; 16 USC § 1271 et seq.) establishes the national wild and scenic rivers systems to preserve and protect selected rivers, or segments of rivers, in their free-flowing condition. Section 1(b) of the WSRA states that "certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

Of the major watersheds within Sequoia and Kings Canyon National Parks (SEKI or parks) – the North Fork of the Kern River (28.9 miles) and the Middle and South Forks of the Kings River (53.6 miles) are designated as "wild," which means rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. A short segment of the South Fork of the Kings River (7.6 miles) is designated as "recreational," which means rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

The 2007 *Final General Management Plan/Final Environmental Impact Statement* (GMP) for SEKI establishes a vision for what the parks should be, including broadly defined desired future conditions for natural and cultural resources and visitor experiences, and includes a comprehensive river management plan for rivers within SEKI that have been designated by Congress as components of the national wild and scenic rivers system. The GMP reiterated the goals and objectives of the 1999 *Natural and Cultural Resources Plan* (RMP).

The GMP broadly established desired conditions for various natural resources. Many desired conditions are relevant to this *Restoration of Native Species in High Elevation Aquatic Ecosystems Plan / Final Environmental Impact Statement* (Restoration Plan/FEIS), including:

> Populations of native plant and animal species function in as natural a condition as possible except where special management considerations are warranted.
>
> Native species populations that have been severely reduced or extirpated from the park are restored where feasible and sustainable.
>
> The National Park Service (NPS) will strive to protect the full range of genetic types (genotypes) of native plant and animal populations in the parks by perpetuating natural evolutionary processes and minimizing human interference with evolving genetic diversity.
>
> Exotic species will not be introduced into the parks (except under special circumstances).
>
> The management of populations of exotic plant and animal species, up to and including eradication, will be undertaken whenever such species threaten park resources or public health and wherever control is prudent and feasible.

The NPS will maintain all the components and processes of naturally evolving park ecosystems.

The NPS will re-establish natural functions and processes in human-disturbed natural systems in the parks unless otherwise directed by Congress. The NPS will restore the biological and physical components of human-disturbed systems as necessary, accelerating both their recovery and the recovery of landscape and community structure and function. The NPS will seek to return human-disturbed areas to conditions and processes representing the ecological zone in which the damaged resources are situated.

The NPS will, within park boundaries, identify, conserve, and attempt to recover all federally listed threatened, endangered, or special-concern species and their essential habitats. As necessary, the NPS will control visitor access to and use of essential habitats, and may close such areas to entry for other than official purposes. Active management programs (such as monitoring, surveying populations, restorations, exotic species control) will be conducted as necessary to perpetuate, to the extent possible, the natural distribution and abundance of threatened or endangered species, and the ecosystems upon which they depend. Ongoing consultation related to threatened or endangered species will occur with the U.S. Fish and Wildlife Service (FWS) should any actions take place in the habitat of such species.

The NPS will identify all state and locally listed threatened, endangered, rare, declining, sensitive, or special concern species and their essential habitats that are native to and present in the parks. These species and their essential habitats will be considered in NPS planning and management activities.

The natural and beneficial values of wetlands are preserved and enhanced.

The NPS will avoid, whenever possible, the pollution of park waters by human activities occurring within and outside parks.

NPS and NPS-permitted programs and facilities are maintained and operated to avoid pollution of surface and ground waters.

Protection of stream features will primarily be accomplished by avoiding impacts to watershed and riparian vegetation, and by allowing natural fluvial processes to proceed unimpeded.

Wild and Scenic Rivers within Sequoia and Kings Canyon National Parks

Most of the parks' major watersheds include sections of river designated or eligible for designation under the WSRA. The goal of designating a river as wild and scenic is to preserve its free-flowing condition, water quality, and outstandingly remarkable values for the benefit and enjoyment of present and future generations. Outstandingly remarkable values may include scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values and individual segments may be designated as wild, scenic, or recreational. The classification of a river segment indicates the level of development on the shorelines, the level of development in the watershed, and the accessibility by road or trail. Wild river areas are those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America. Scenic river areas are those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads. Recreational river areas are those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

On November 3, 1987, the entire park segments of the Middle Fork and South Fork of the Kings River (61 mi) were added to the wild and scenic river system, with 53.6 miles classified as wild and the lowest

7.6 miles of the South Fork Kings River within the park classified as recreational. The entire park segment of the North Fork of the Kern River (29 mi) was added to the wild and scenic river system and was classified as wild on November 24, 1987.

Table K-1. Designated and Eligible Wild and Scenic Rivers with SEKI

River	Designation	Mileage
North Fork of the Kern River	Wild	28.9 miles
Middle Fork of the Kings River	Wild	29.5 miles
South Fork of the Kings River – Upper Segment	Wild	24.1 miles
South Fork of the Kings River – Lower Segment	Recreational	7.6 miles
South Fork of the San Joaquin River	Eligible - Wild	11.4 miles
East Fork of the Kaweah – Upper Segment	Eligible – Wild	1.0 mile
East Fork of the Kaweah – Middle Segment	Eligible – Recreational	5.2 miles
East Fork of the Kaweah – Lower Segment	Eligible – Wild	8.0 miles
Marble Fork of the Kaweah – Upper Segment	Eligible - Wild	4.1 miles
Marble Fork of the Kaweah – Lower Segment	Eligible – Recreational	11.2 miles
Middle Fork of the Kaweah – Upper Segment	Eligible - Wild	10.9 miles
Middle Fork of the Kaweah – Lower Segment	Eligible - Recreational	7.6 miles
South Fork of the Kaweah	Eligible – Wild	11.4 miles

Designated or Eligible Wild and Scenic Rivers Potentially Affected by Proposed Project Work

While none of the proposed project work would be conducted directly in the corridor / river bed of a designated or proposed wild and scenic river, actions are proposed in tributaries to a Wild and Scenic River corridor. Proposed fish eradication basins that are watersheds and/or tributaries feeding Wild and Scenic rivers include:

- Dusy, Rambaud, Barrett, Amphitheater, Horseshoe, Slide, and Swamp for the *Middle Fork of the Kings River*.

  Dusy, Rambaud, Barrett, Swamp, and Slide basins would utilize only physical treatment methods, and Horseshoe would utilize physical followed by piscicide methods. Amphitheater would utilize piscicide methods.

- Sixty Lake, Brewer, Vidette, and Upper Bubbs Creek for the *South Fork of the Kings River*

  Sixty Lake would utilize piscicide methods and Upper Bubbs Creek would utilize physical followed by piscicide methods. Vidette would utilize only physical methods.

- Upper Kern, East Wright, Milestone, Laurel, and Crytes for the *North Fork of the Kern River*.

The Upper Kern would utilize physical methods and may also use piscicide methods if a fish barrier is confirmed downstream of the treatment area. East Wright and Milestone would utilize physical methods only, and Crytes would utilize physical methods followed by piscicide use. Laurel would utilize piscicide methods.

None of the proposed restoration sites are within the designated segments of these rivers, and all of the treatment sites except one are at least 1 mile from the listed river. None of the restoration activities would occur within the designated segments of any wild and scenic rivers.

One site proposed for piscicide treatment is near the headwaters of the North Fork of the Kern River, with the downstream edge of the treatment area approximately 650 feet from the designated wild and scenic river. Therefore, this evaluation was completed to address this treatment area and its potential effects on the North Fork of the Kern River.

Wild and Scenic Rivers Section 7(a) Evaluations

When Congress enacted the WSRA in 1968, it sought to prevent decades of damming, dredging, and diversion from spreading to some of the nation's most spectacular waterways. Section 7(a) of the act specifies restrictions on hydro and water resource development projects and directs the managing agency to specify a process that will be followed in determining whether or not a proposed water resources project is appropriate.

Why is Free Flow Important to a River System?

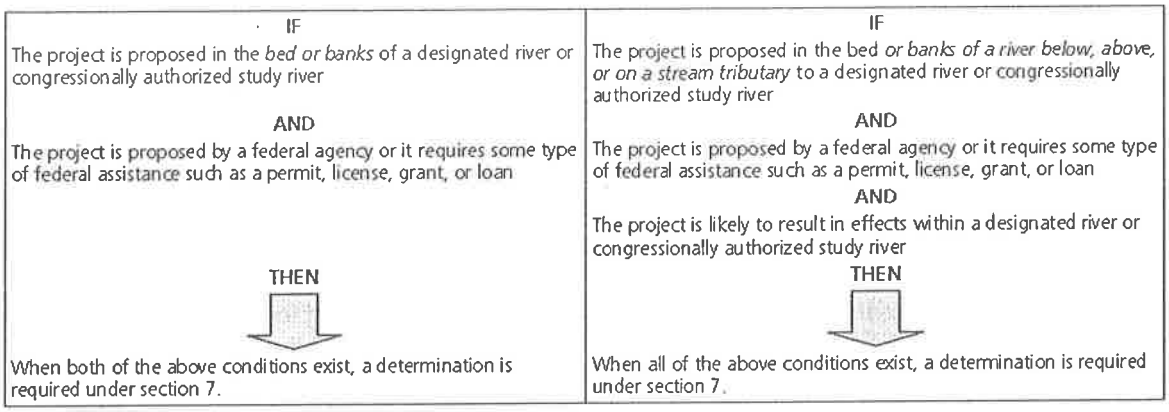
- Free-flowing rivers disperse valuable nutrients in adjacent meadows and stream habitats during flood events.
- Aquatic species require varied habitat created by a dynamic river system.
- Constriction and hardening of river channels, as caused by levees, riprap, and bridges, can alter the river's energy and natural course, causing it to erode its banks and damage valuable habitat, particularly during flood events.

Examples of water resources projects include, but are not limited to, dams, water diversion projects, fisheries habitat and watershed restoration/enhancement projects, bridge and other roadway construction/reconstruction projects, bank stabilization projects, channelization projects, levee construction, recreation facilities such as boat ramps and fishing piers, and activities that require a section 404 permit from the U.S. Army Corps of Engineers (USACE). The Restoration Plan/FEIS includes projects with the purpose of habitat restoration and/ or enhancing a particular outstandingly remarkable value.

Standards

The need for a section 7(a) review is determined by the standards shown in Figure K-1.

Figure K-1. Standards to determine the need for a WSRA Section 7(a) analysis.



Federally Assisted Projects on Wild and Scenic Rivers

The law prohibits any federally assisted water resources project that would have a "direct and adverse effect" on the values for which a river was added to the wild and scenic rivers system. For actions described in the Restoration Plan/FEIS, the NPS is responsible for making the final determination as to whether a proposed water resources project would have a direct and adverse impact on river values. The agency coordinates its evaluation process with other agencies that are required to review and comment on the project. Depending on the type and location of the project, such agencies might include the FWS, the U.S. Environmental Protection Agency, the U.S. Forest Service, the Bureau of Land Management, and the USACE. Review of WSRA section 7(a) projects are also coordinated with other environmental review processes, such as those required by the National Environmental Policy Act (NEPA) and the National Historic Preservation Act, as appropriate. Potential water resources projects that are found to have a direct and adverse effect on the values of a designated river must be either redesigned and resubmitted for a subsequent section 7(a) determination, abandoned, or reported to the Secretary of the Interior and the United States Congress, in accordance with the act. Since the proposed project does not involve construction, and none of the proposed or alternative work elements would occur within the bed or banks of a wild and scenic river, there would be no direct effects on the values present in the wild and scenic river.

Federally Assisted Projects Below, Above, or on Tributaries of a Wild and Scenic River

For federally assisted projects below, above, or on tributaries of a wild and scenic river, the river-administering agency evaluates non-hydroelectric project proposals under an 'invade the area or unreasonably diminish' standard. Typical projects that meet this definition are water resources projects visible from the designated river, such as dams, and upstream diversion structures because they have the potential to affect scenic, recreational, and fish and wildlife values in the designated river.

Because actions are proposed under the Restoration Plan/FEIS that are above or on the tributaries of wild and scenic rivers, a determination needs to be made if the scenic, recreational, and fish and wildlife values in the designated rivers would be affected.

The Purpose of the Section 7(a) Determination

The purpose of this determination is to evaluate the potential of the actions described in the Restoration Plan/FEIS to either invade or diminish the scenic, recreational, fish, or wildlife values of the wild and scenic river.

Authority

The authority for this determination is found in section 7(a) of the WSRA. Section 7(a) states that:

> No department or agency of the United States shall assist by loan, grant, license or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreation, and fish and wildlife values present in the area on the date of designation of a river as a component of the national wild and scenic rivers system.

While the WSRA does not prohibit development along a river corridor, it does prohibit activities that would interfere with the free-flowing condition of the river or degrade the values for which it was designated wild and scenic. The WSRA specifies guidelines for the determination of appropriate actions in the bed and banks of the river and either below, above, or on a tributary to a wild and scenic river.

As the designated river manager for the wild and scenic river segments located within the boundaries of SEKI, the NPS must carry out a determination of effects on all proposed water resources projects.

Section 7(a) Determination Process

The description of the WSRA section 7(a) determination process contained in this section is adapted from a technical report by the Interagency Council (IWSRCC 2004). In conformance with the guidance contained in that report, the NPS will undertake the following steps as part of its section 7(a) determination process for nonemergency projects:

- Describe the purpose and need of the proposed project and its location, duration, magnitude, and relationship to past and future management activities.
- Analyze the potential impacts of the proposed project on the values for which the river was designated wild and scenic. This analysis will follow the guidelines provided by the Wild and Scenic Rivers Act, section 7(a) Technical Report of the Interagency Council (2004), and other applicable guidance.
- Define the likely duration of the projected impacts.
- Assess the effects of the projected impacts on the achievement or timing of achievement of the management objectives of the Restoration Plan/FEIS (based on WSRA).
- Use this analysis to make a WSRA section 7(a) determination. This determination will document the effects of the proposed activity, including any direct and adverse effects on the values for which the river was designated as wild and scenic.
- Redesign and resubmit any water resources projects found to have a direct and adverse effect on the values of this designated river for a subsequent section 7(a) determination. In the event that a project cannot be redesigned to avoid direct and adverse effects on the values for which the river was designated, the NPS will either abandon the project or advise the Secretary of the Interior in writing and report to Congress in writing in accordance with section 7(a) of the act.
- Follow WSRA section 7(a) procedures to determine if projects above or below the designated river or on its tributary streams would invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the designated corridor.

The Purpose of the Proposed Project

The purpose of the Restoration Plan/FEIS is to guide management actions by the NPS to restore and conserve native species diversity and ecological function to selected high elevation aquatic ecosystems that have been adversely impacted by human activities including the introduction of nonnative fish, and to increase the resistance and resilience of these species and ecosystems to human induced environmental modifications such as disease and unprecedented climate change. The overall goal of the Restoration Plan/FEIS is to restore clusters of waterbodies to a fishless state in strategic locations across SEKI to create high elevation ecosystems having more favorable habitat conditions for the persistence of native species and ecosystem processes.

The Restoration Plan/FEIS presents a range of alternative management actions to restore and conserve native species diversity and ecological function to selected high elevation aquatic ecosystems in SEKI that have been disturbed by human activities, particularly the stocking of nonnative trout. The Restoration Plan/FEIS describes the no action alternative and three action alternatives that are being considered during this planning effort, and presents an analysis of the impacts of the alternatives on the natural, cultural and physical resources in SEKI. The alternatives represent a range of reasonable and feasible options for addressing the goals and objectives of the plan and the issues and concerns raised by parks staff, other government agencies, and members of the public during the plan's scoping process. Upon conclusion of the Restoration Plan/FEIS planning effort, one of the four alternatives would become the Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and guide future restoration management actions for a period of 25 to 35 years, with an internal evaluation of management effectiveness scheduled every 5 to 10 years.

Description of the Proposed Actions and Alternatives

The four management alternatives are summarized below. Alternative B is the management preferred alternative.

Alternative A: No Action
Under the "No Action" alternative, the existing high elevation aquatic ecosystem restoration effort for 25 waterbodies would be completed, maintained and monitored, but no new fish eradication activities would be initiated. Native species and ecological processes in high elevation aquatic ecosystems would continue to be monitored. Research on native species, ecological processes and their stressors would continue in accordance with NPS policy. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 550 waterbodies (252 lakes, 235 ponds, 63 marshes) and hundreds of miles of stream.

Alternative B: Prescription Treatment (Physical and Piscicide) Preceding Restoration
Under this alternative, a prescription (detailed plan of action) for restoration would be developed for each proposed restoration area based on the criteria for basin selection, pre-treatment surveys, habitat size, basin topography, wilderness values, visitor use and field crew safety. Prescriptions would consider the actual distribution of fish, results of amphibian surveys and whether any unique habitats were detected (such as springs). Physical treatment (gill netting, electrofishing, disturbing redds and/or temporarily covering redds with boulders) would be utilized. Piscicide treatment methods would be considered for waterbodies determined infeasible for physical treatment.

Based on current knowledge of the proposed fish eradication sites, physical treatment would be applied in 52 waterbodies (27 lakes, 24 ponds, 1 marsh; total of 492 ac/199 ha) and approximately 15 miles (25 km) of streams in 17 basins, and piscicide treatment would be applied in 33 waterbodies (4 lakes, 25 ponds, and 4 marshes; total of 142 ac/57 ha) and approximately 16 miles (25 km) of streams in 9 basins. In

addition, any unsurveyed habitat adjacent to treated lakes, ponds, marshes and streams found to contain nonnative fish would also require treatment in order to eradicate fish from the geographic area. Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated in this alternative. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 465 waterbodies (221 lakes, 186 ponds, 58 marshes) and hundreds of miles of stream.

Alternative C: Physical Treatment Preceding Restoration

Alternative C would use physical treatment methods only to eradicate nonnative fish by gill netting, electrofishing, disturbing and/or covering redds, and blasting rock to create vertical fish barriers. In comparison to alternative B, excluded from the list of proposed restoration waterbodies are long reaches of stream, several large lakes, and interconnected lake complexes that are too large for effective physical treatment. Under this alternative, a prescription for restoration would be developed for each proposed restoration area based on the criteria for basin selection, pre-treatment surveys, habitat size, basin topography, wilderness values, visitor use, field crew safety, and the actual distribution of fish and amphibians.

Physical treatment methods would be applied in 52 waterbodies (27 lakes, 24 ponds, and 1 marsh; total of 492 ac/199 ha) and approximately 15 miles (25 km) of streams contained in 17 basins. In addition, any unsurveyed habitat adjacent to treated lakes, ponds, marshes and streams found to contain nonnative fish would be treated to eradicate fish from the entire scope of the restoration area. Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated in this alternative. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 498 waterbodies (225 lakes, 211 ponds, 62 marshes) and hundreds of miles of stream.

Alternative D: Piscicide Treatment Preceding Restoration

Alternative D emphasizes speed in recovering habitat because mountain yellow-legged frogs (MYLF; *Rana muscosa* and *Rana sierrae*) populations are declining rapidly. To achieve this speed, only piscicide treatment would be used for nonnative fish eradication. Properly applied, piscicides can eliminate fish from targeted waterbodies in 1 to 3 years, in contrast to physical treatment methods which can take up to 6 years for lakes and up to 10 years for streams. A prescription for treatment would be developed as described in alternative B. Based on initial examination of maps, staff familiarity with the park, and discussions with scientists, piscicide treatment would be used for 85 waterbodies (31 lakes, 49 ponds, and 5 marshes; total of 634 ac/257 ha), approximately 31 miles (50 km) of streams, and connected fish-containing habitat as necessary. Although the total acreage requiring treatment may change slightly based on site-specific survey information and prescription development, the number of waterbodies and stream miles identified for treatment represents the maximum number of waterbodies to be treated in this alternative. After all treatments are completed, self-sustaining nonnative trout populations would continue to exist in 465 waterbodies (221 lakes, 186 ponds, 58 marshes) and hundreds of miles of stream.

In addition, there are a number of activities described as common to all action alternatives. These include the development of criteria for the selection of basins for restoration; the development of criteria for selection of crew camp locations; ecosystem restoration and management, including protection and rebuilding extant populations of MYLFs where opportunities still exist and reintroducing MYLFs to locations where populations have recently gone extinct; monitoring restoration work and ecosystem responses; continuing research; and fish disposal methods.

Methodology for Analyzing Impacts

The impact analysis evaluates how each alternative would affect outstandingly remarkable values for designated wild and scenic rivers within or near the proposed project areas and determines if the project would "invade the area or unreasonably diminish" the standards for which the wild and scenic river was designated.

The initial question to be addressed is whether or not the proposed project invades the designated river. The term 'invade' is defined as "encroachment or intrusion upon." If the proposed project does not invade the designated river, the next question to be answered, relative to the standard in section 7(a), is whether or not the proposed project would "unreasonably diminish" any of the specified values. Given that the standard implies that some diminution of values may be determined reasonable, there are two questions to consider:

1. Does the proposed project cause diminution of the scenic, recreation, and fish and wildlife values of the designated river as present at the date of designation?

2. If there is diminution, is it unreasonable? This would suggest an evaluation of the magnitude of the loss. Factors to be considered include:

- whether the value contributed to the designation of the river (i.e., an outstandingly remarkable value)
- the current condition and trends of the resource (If diminution is determined unreasonable, measures might be recommended to reduce adverse effects to within acceptable levels.)

Since no project work would occur directly in any wild and scenic river segment, there would be no direct encroachment or intrusion upon the river. Therefore, the evaluation is based on project work proposed in tributaries or watersheds that could potentially feed wild and scenic rivers (either designated or suitable). The rivers that could be affected by one or more of the alternatives include the Middle Fork and South Fork of the Kings River, and the North Fork of the Kern River (Figure K-2).

Description of Designated River Segments and Outstandingly Remarkable Values for Potentially Affected Wild and Scenic Rivers

Outstandingly Remarkable Values

Outstandingly remarkable values are the river-related and dependent values that make the river segment unique and worthy of special protection, and they form the basis for the river's designation as part of the wild and scenic rivers system. The values include scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values or features. A feature must be judged to be unique, rare, or exemplary to the extent that it stands out as among the best on a regional or national basis. River and affiliated land management practices are to concentrate on protecting these values.

Middle Fork and South Fork of the Kings River

The Kings River is the largest free-flowing river in the Sierra Nevada. Approximately 88.8 river miles of the Middle Fork, South Fork, and main stem of the Kings River were added to the national wild and scenic rivers system on November 3, 1987 (PL 100-150). The designated reaches include:

- the Middle Fork from its headwaters at Lake Helen between Muir Pass and Black Giant Mountain to its confluence with the main stem (29.5 miles)

- the South Fork from its headwaters at Lake 11599 to its confluence with the main stem (31.7 miles)
- the main stem of the Kings River from the confluence of the Middle Fork and the South Fork to the point at elevation 1,595 feet above mean sea level (this portion is outside the park and is managed by the U.S. Forest Service)

These reaches encompass the entire Middle and South Forks, which are largely in Kings Canyon National Park. The NPS manages the 61.2 miles of the Middle and South Forks within Kings Canyon National Park and the U.S. Forest Service the remaining 27.6 miles. The portions of the Middle and South Forks managed by the NPS begin in glacial lakes above timberline and flow through deep, steep-sided canyons, over falls and cataracts, and eventually become an outstanding whitewater rafting river in Sequoia National Forest. Both the Middle and South Forks flow through extensive and spectacular glacial canyons. All of the Middle Fork is within designated wilderness, as is the upper portion (24.1 miles) of the South Fork.

The lower 7.6-mile portion of the South Fork canyon is known as the Kings Canyon, giving the park its name. The Kings Canyon, including the Cedar Grove developed area, is the only segment of the Kings River accessible by motor vehicle.

Outstandingly Remarkable Values for the Middle and South Fork of the Kings River:

- Middle Fork of the Kings River (29.5 miles within Kings Canyon National Park) — Wild. This free-flowing river segment is wholly in designated wilderness. It is accessible only by trail and is primitive in nature, qualifying it for wild classification.
- South Fork of the Kings River (the upper 24.1 miles within Kings Canyon National Park) — Wild. This free-flowing river segment is wholly in designated wilderness. It is accessible only by trail and is primitive in nature, qualifying it for wild classification.
- South Fork of the Kings River (the lower 7.6 miles within Kings Canyon National Park) — Recreational. Lodging, campgrounds, and other amenities for park visitors are located in or near the river corridor. The river corridor also contains a road that runs parallel to the river, and three road bridges cross the river, thus qualifying it for recreational classification.

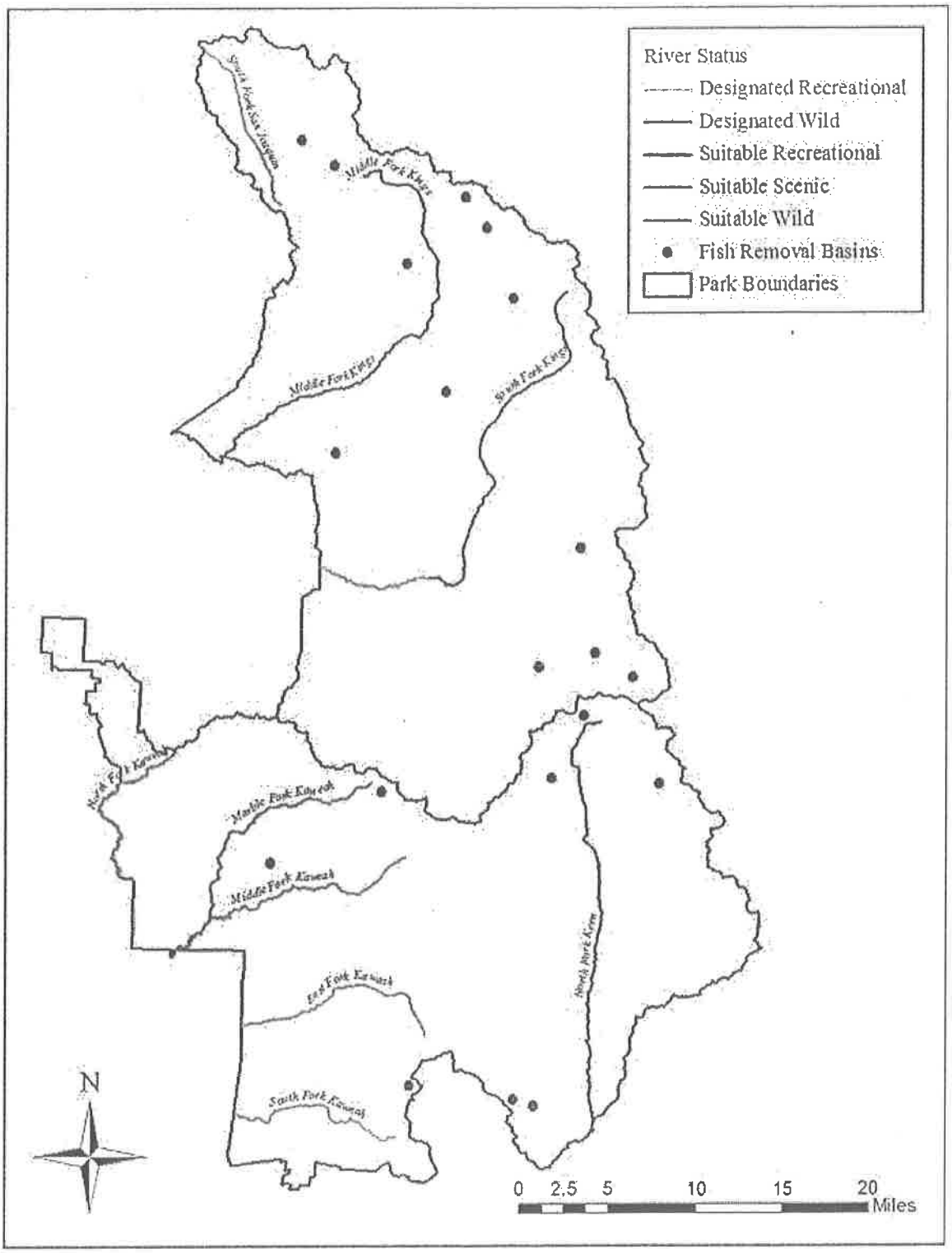
Proposed fish eradication basins that contain portions of these rivers or are watersheds feeding these rivers include:

- Dusy, Rambaud, Barrett, Amphitheater, Horseshoe, Slide and Swamp for the *Middle Fork of the Kings River*;
- Sixty Lake, Brewer, Vidette and Upper Bubbs Creek for the *South Fork of the Kings River.*

North Fork of the Kern River

The North Fork of the Kern River was added to the national wild and scenic rivers system on November 24, 1987 (PL 100-174). This 78.5- mile segment extends from its headwaters at the 12,000-foot contour just south of Harrison Pass Lake below the Kings-Kern Divide and off the west slopes of Mount Whitney in Sequoia National Park to the Tulare-Kern county line. The NPS manages the upper 28.9 miles of the North Fork within Sequoia National Park, and the U.S. Forest Service manages the remainder of the river, which flows almost entirely through national forest land, including the Golden Trout Wilderness. The upper river portion is free flowing for over 61 miles, the longest stretch of free-flowing river in the Sierra Nevada, and it is classified as wild. The lower 17.5-mile stretch managed by the U.S. Forest Service is classified as recreational due to road accessibility and minor impoundments.

Figure K-2 Locations of proposed fish eradication basins in relation to Designated and Suitable Wild and Scenic Rivers in SEKI.



Outstandingly Remarkable Values for the North Fork of the Kern River:

- North Fork of the Kern River (the entire 28.9 miles within Sequoia National Park) — Wild. This free-flowing river segment is wholly in designated wilderness. It is accessible only by trail and is primitive in nature, qualifying it for wild classification.

Proposed fish eradication basins that contain portions of these rivers or are watersheds feeding these rivers include:

- Upper Kern, East Wright, Milestone, Laurel, and Crytes for the *North Fork of the Kern River.*

Does the Proposed Project "Invade" the Wild and Scenic Rivers?

None of the proposed restoration sites are within the designated segments of these rivers. All of the sites proposed for piscicide use, except one, are far from designated wild and scenic rivers or river segments. The site in Upper Kern basin is proposed for piscicide treatment and is near the headwaters of the North Fork of the Kern River, which is designated as "Wild" under the WSRA. The furthest downstream points in the two streams proposed for piscicide treatment are approximately 200 meters and 250 meters upstream of the wild and scenic river boundary. While no work would occur directly within designated sections of these rivers, proposed fish eradication basins would be located within the watersheds feeding these rivers.

None of the alternatives would affect the free-flowing character of any designated wild and scenic river. Outstandingly remarkable values which could be affected by project activities include scenic, recreational fish, and wildlife. Impacts are evaluated in general terms of whether they would be beneficial or adverse to these outstandingly remarkable values. Beneficial impacts would result from actions that protect and enhance these values, while adverse impacts would result from actions that reduce those values. The duration of the impact considers whether the impact would be temporary and/or associated with transitional types of activities or if the impact would occur over a longer period and alter the outstandingly remarkable river values.

Because none of the project work would occur within a wild and scenic river corridor, the flow chart in Figure K-3 was used to determine if a section 7(a) determination is warranted. Because the project has the potential to affect recreation, fish, and wildlife values present in the wild and scenic river, a section 7(a) determination is included using the following methodologies in Table K-2.

Table K-2. Wild and Scenic Rivers Impact and Intensity Descriptions

Impact Intensity	Intensity Description
Negligible	Impacts would not be detectable to most visitors and would have no discernible effect on a river's outstandingly remarkable values.
Minor	Impacts would be slightly detectable to some visitors but are not expected to have an overall effect on a river's outstandingly remarkable values.
Moderate	Impacts would be clearly detectable by many visitors and could have an appreciable effect on a river's outstandingly remarkable values.
Major	Impacts would have a substantial and noticeable effect to most visitors or the river's outstandingly remarkable values.

Short-term—Impacts occur during project work; Long-term—Impacts are ongoing after project work is completed.

Impact Analysis of Outstandingly Remarkable Values Under Each Alternative

Impacts of Elements Common to All Alternatives

Impacts on Outstandingly Remarkable Values (Scenic, Recreational, Fish and Wildlife): Crew camps, helicopter use, restoration of mountain yellow-legged frogs, monitoring, research, and fish disposal would have no direct effects on designated ORV because none of these activities would occur within designated river segments. Stock use would pass through river corridors. These trips would be minimal but sometimes would involve overnight stays. In upper basin areas upstream from wild and scenic rivers, there would be no on scenic values because crews working and camping in project areas would not be visible from a wild and scenic river or its banks. Recreational, fish, and wildlife values in areas of upstream of wild and scenic river segments would be changed as ecosystems are restored, primarily due to an increase in opportunities to view native wildlife; and these changes would have the potential to spread into the designated wild and scenic river segments in the future. This would result in beneficial effects to the recreation, fish, and wildlife ORV.

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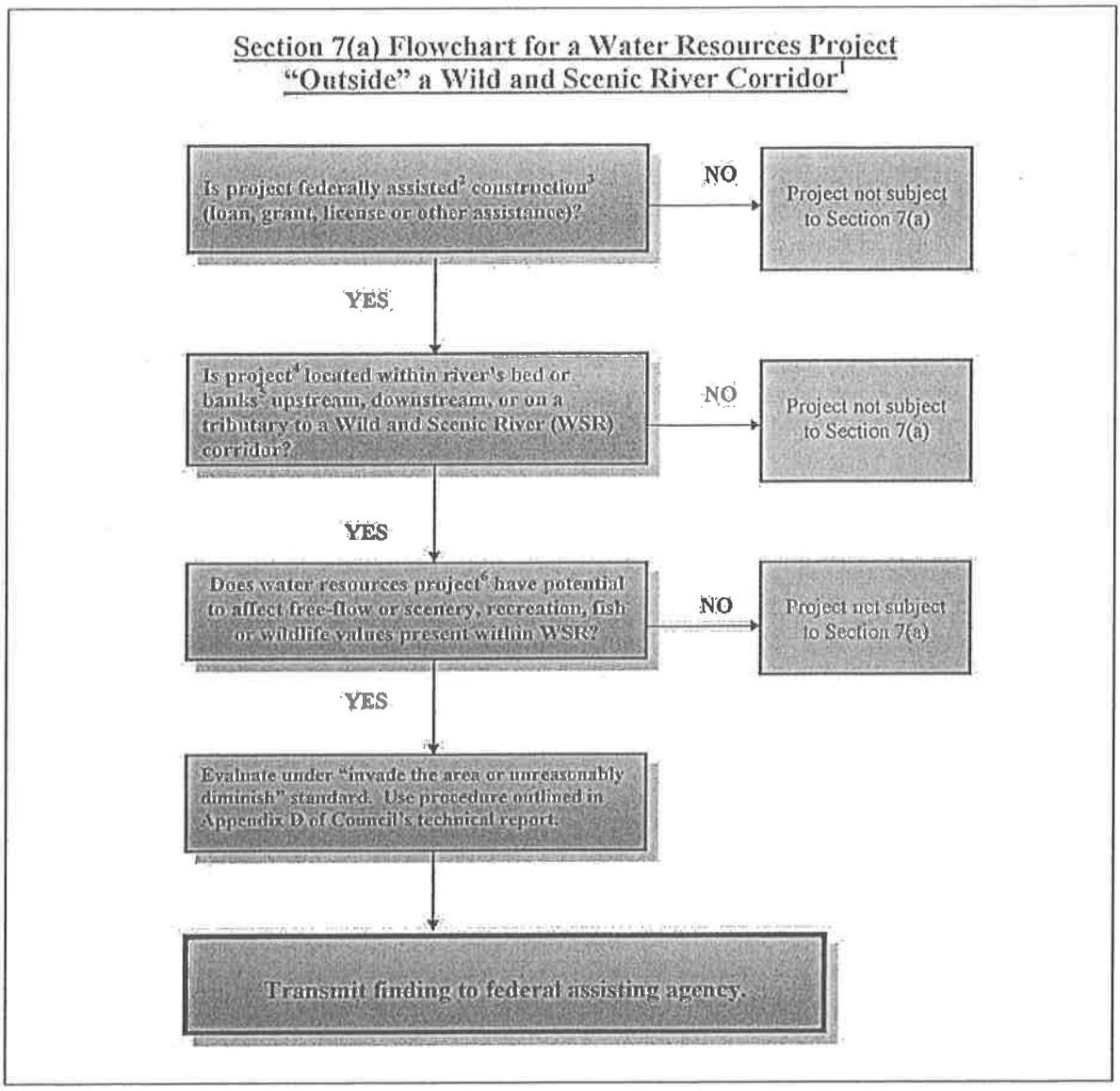
Figure K-3 Flowchart for a water resources project "outside" a wild and scenic river corridor.



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[1] **A wild and scenic river (WSR)** means a river and the adjacent area within the boundaries of a component of the National Wild and Scenic Rivers System pursuant to section 3(a) or 2(a)(ii) of the Wild and Scenic Rivers Act (WSRA). **Outside** the corridor means a project located upstream, downstream or on a tributary to a WSR.

[2] **Assistance** means loan, grant, license, or other assistance in the construction of any water resources project.

[3] **Construction** means any action carried on with Federal assistance affecting the free-flowing characteristics of a WSR.

[4] **Water resources project** means any federally assisted construction that would affect free-flowing characteristic, as defined in Section 16(b) of the WSRA (see footnote 5), or affect the scenic, recreational, fish or wildlife values within the WSR. Projects that typically meet this definition are dams, diversion structures and projects that can be seen from the WSR because they have the potential to affect these characteristics and values in the WSR. This definition also includes licenses and exemptions of hydropower projects under Part I of the Federal Power Act, as amended (41 Stat. 1063; 16 U.S.C. 791a et seq.), assuming a nexus as describe in footnote 6.

[5] **Bed or banks** is an interpretation of Section 16(b) of the WSRA, which defines free-flowing, in part, as "existing or flowing in natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway." Generally the applicability of Section 7(a) is limited to the area within the ordinary high water mark (OHWM) of the river. OHWM is defined in 33 CFR Part 328.3(e) as "...that line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

[6] Requires a **nexus** between the proposed upstream, downstream or tributary project and the WSR or such project is not a water resources project for purposes of a Section 7(a) determination. Projects that have the potential to affect *free-flow, or scenery, recreation, fish or wildlife values* of the WSR are dams, upstream diversion structures and projects that can be seen from the WSR as they have the potential to affect these characteristics and values in the WSR.

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Impacts of Alternative A: No action

Impacts on Outstandingly Remarkable Values: The impacts associated with the current program are the physical removal of nonnative fish prior to restoration. There would be no work within the designated segments of wild and scenic rivers and therefore no direct effects resulting from this alternative on the outstandingly remarkable river values. However, continuing the ongoing restoration program would result in some changes to seven basins which feed, wholly or partially, the three rivers designated under the WSRA. There would be long-term beneficial effects on native fish and wildlife populations (see the following sections in the Restoration Plan/FEIS: Impacts to Special Status Species, Wildlife, and Visitor Experience and Recreational Opportunities). These effects, such as increased chances of wildlife viewing, could cascade down the basins, indirectly enhancing certain attributes of the recreation, fish, and wildlife ORV inside designated sections of the wild and scenic rivers.

Cumulative Effects: The 2007 GMP established a vision for the management of wild and scenic rivers within SEKI, and identified river protection measures that are employed for projects within the river boundaries (extending 0.25 mile on each side of the designated river sections), tributaries and the overall watershed. This project meets the goals established by the GMP and adheres to the river protection measures. The project areas are remote and the outstandingly remarkable values are protected in parks' wilderness areas. No past, ongoing, and future proposed actions are degrading the outstandingly remarkable values of designated wild and scenic rivers within the parks, thus there are no cumulative effects.

Conclusion: There would be long-term beneficial effects on recreation, fish, and wildlife ORV.

Impacts of Alternative B: Prescription Treatment Preceding Restoration (Preferred Alternative)

Impacts on Outstandingly Remarkable Values: The impacts associated with physical treatment would be the same as alternative A only expanded to include additional sites in Dusy, Rambaud, Barrett, Amphitheater, Horseshoe, Slide and Swamp, which are upstream from the Middle Fork of the Kings River; Sixty Lake, Brewer, Vidette and Upper Bubbs Basins, which are upstream from the South Fork of the Kings River; and Upper Kern, Milestone, East Wright, Laurel and Crytes, which are upstream from the North Fork of the Kern River. All of these treatment sites are outside the designated portions of these wild and scenic rivers. In addition, this alternative involves the proposed use of piscicides in selected treatment sites. All of the sites proposed for piscicide use, except one, are far from designated wild and scenic rivers or river segments. The site in Upper Kern basin is proposed for piscicide treatment and is near the headwaters of the North Fork of the Kern River, which is designated as Wild under the WSRA. The furthest downstream points in the two streams proposed for piscicide treatment are approximately 650 ft and 820 ft (200 m and 250 m) upstream of the wild and scenic river boundary.

The treatment with piscicides could result in short-term adverse effects to the recreation, fish and wildlife ORV. However, because the furthest downstream treatment site is 650 ft (200 m) upstream of the wild and scenic river boundary, these effects are unlikely to occur. Yearly treatments would involve less than 3 miles (4.8 km) of stream and generally no more than three lakes. Some years there may be no piscicide treatments in this area. Piscicides would cause mortality to all gill breathing organisms in the treatment site, which would have major adverse effects to the fish and gill-breathing wildlife upstream of the designated wild and scenic river segment. However, this effect would be short-term as native wildlife populations are expected to recover, based on similar work at other areas (see Restoration Plan/FEIS for citations).

Given the mobility of some wildlife species benefitting from aquatic restoration, the beneficial effects of this alternative are likely to extend within the designated wild and scenic river boundaries – and be

beneficial for the recreation, fish, and wildlife ORV. Effects of piscicide use on water quality are discussed in the water quality impact topic in chapter 4.

Cumulative Effects: In the long-term, outstandingly remarkable values would continue to be protected in the parks' wild and scenic rivers. The project areas are remote and the outstandingly remarkable values are protected in parks' wilderness areas. No past, ongoing, and future proposed actions are degrading the outstandingly remarkable values of designated wild and scenic rivers within the parks, thus there are no cumulative effects.

Conclusion: There would be long-term beneficial effects on the recreation, fish, and wildlife ORV.

Impacts of Alternative C: Physical Treatment Preceding Restoration

Impacts on Outstandingly Remarkable Values: The impacts associated with physical treatment would be the same as alternative B. In upper basin areas upstream of designated wild and scenic river segments, there would be decreased angling opportunities in the short and long term, and increased recreational opportunities associated with viewing native wildlife in the long-term. Within the designated wild and scenic river segments, there would be long-term beneficial effects to the recreation, fish, and wildlife ORV as native wildlife is restored by implementing this alternative.

Cumulative Effects: The cumulative effects would be the same as alternative B.

Conclusion: In the long-term there would be beneficial effects to recreational values associated with native wildlife viewing, and beneficial effects to wildlife within and adjacent to wild and scenic rivers.

Impacts of Alternative D: Piscicide Treatment Preceding Restoration

Impacts on Outstandingly Remarkable Values: This alternative would be similar to alternative B, only more areas would be treated with piscicides and work would occur over a shorter period of time. All of the sites except one are far from designated wild and scenic rivers or river segments. One site (Upper Kern Basin) proposed for piscicide treatment is near the headwaters of the North Fork of the Kern River. The furthest downstream points in the two streams proposed for piscicide treatment are approximately 650 ft and 820 ft (200 m and 250 m) upstream of the wild and scenic river boundary. The North Fork of the Kern River is designated as Wild under the WSRA. As explained in alternative B, there would be long-term adverse effects on recreational opportunities related to decreased recreation (fishing) in upper basin areas upstream of the designated wild and scenic rivers, and long-term beneficial effects on the recreation, fish, and wildlife ORV within the designated wild and scenic river segments.

Cumulative Effects: The cumulative effects to outstandingly remarkable values would be the same as alternative B.

Conclusion: There would be long-term beneficial effects on native wildlife populations. The cumulative effects would be short-term, negligible and adverse and would occur outside of the designated wild and scenic river boundaries, but long-term and beneficial cumulative effects would occur within the designated wild and scenic river boundaries.

Does the proposed project unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area as of the date of designation?

The Restoration Plan/FEIS includes actions to improve native wildlife habitat within the watershed and/or tributaries of the Middle and South Fork of the Kings River, and the North Fork of the Kern River. The proposed actions would remove nonnative trout from lakes, streams, and marshes that are upstream of the designated river corridors using a variety of methods, including physical removal methods and piscicides.

here would be no direct effects to the wild and scenic river corridors. In addition, the proposed project would enhance the other recreation, fish, and wildlife values present in the area due to the restoration of native species that would occur as a result of the project work.

Section 7(a) Determination

Using the Restoration Plan/FEIS as the basis for the section 7(a) determination and implementing specific mitigation measures outlined in Chapter 2 of the plan, the NPS has determined that the proposed projects would not invade the Wild and Scenic Middle and South Forks of the Kings River, and the North Fork of the Kern River, or unreasonably diminish the scenic, recreational, fish, and wildlife values present in the area as of the date of designation.

Recommended:

8/12/16

RS Superintendent, Sequoia and Kings Canyon National Parks — Date

Approved:

8/23/16

Pacific West Regional Director — Date

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 25, 2016

SUBJECT: Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad

RECOMMENDATION: Review draft correspondence concerning the Final Rule designating critical habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad, and authorize the Chair to sign.

SUMMARY DISCUSSION: During the September 20th, 2016 Board meeting Staff was directed to draft correspondence to the U. S. Fish and Wildlife Service's (USFWS) final ruling for the Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment (DPS) of the Mountain Yellow-Legged Frog, and the Yosemite Toad. Critical habitat for these species is proposed in Inyo County and adjacent to the County along the crest of the Sierra Nevada.[1]

The final ruling did not address a number of the County's concerns which had previously been expressed through numerous correspondences with the USFWS and during meetings with USFWS staff. The draft correspondence addresses the response given to the County's concern of "fish free habitat" as a primary constituent element (PCE); disappointment in areas not removed from critical habitat listed given the County's explicit request; the need for a more robust economic analysis to include the economic impacts to the County; and the need to address threats to the three species beyond predation alone.

ALTERNATIVES: The Board may direct staff to edit the correspondence to USFWS and/or include or eliminate items.

OTHER AGENCY INVOLVEMENT: Department of Interior, USFWS; other agencies with jurisdiction (U.S. Forest Service, California Department of Fish and Wildlife, etc.); neighboring Counties.

FINANCING: General funds are utilized to monitor federal rule making.

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1 Refer to inyoplanning.org/projects/USFW_YellowLeggedFrog.htm, regulations.gov (Docket No. FWS-R8-ES-2012-0074), or fws.gov/sacramento/outreach/Public-Advisories/SierraAmphibian_Proposals/outreach_PA_SierraAmphibian_Proposals.htm for more information about the proposal, including the County's previous input.

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

Attachment: Draft Correspondence

October 25, 2016

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

Re: Final Ruling of Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad

Dear Secretary Jewell;

On behalf of the Inyo County Board of Supervisors, I am writing to express our deep concern regarding the U.S. Department of Fish and Wildlife's (USFWS) final rule for the Critical Habitat designation for the Sierra Nevada Yellow-legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-legged Frog, and the Yosemite Toad.

The County is grateful for the opportunity to participate in development of the listing for the above species, and commends you and your staff for the hard work undertaken to solicit the input of a concerned public and incorporate them into this final rule. We are committed to working with the USFWS to reverse the decline of these species and we recognize that these actions will require substantial efforts locally as well as regionally and nationally.

We also want to thank USFWS for removing specific lakes in the 3D and 3E subunit areas of the Sierra Nevada Yellow-legged Frog; Rock Creek, Rock Creek Lake, Lamarck Lakes, Lamarck Creek, and South Lake. These waterbodies, along with 11 others, were deemed critical to Inyo County's economy in a May 2014 correspondence with Ms. Jennifer Norris (USFWS Field Supervisor, Sacramento office).

Our aversion to the final ruling is due to the lack of responses given to the County's concerns on a number of topics including: Primary constituent elements (PCEs) preventing otherwise lawful activities; disregard for the County's express request to remove waterbodies critical to the County's economy from the designated critical habitat area; the need for a more robust economic analysis to include the economic impacts to the County of Inyo; and the need to address threats to the three species beyond predation.

Little has been done to refine the final critical habitat rule to ensure that otherwise lawful activities will not be unnecessarily curtailed or prohibited, and to ensure defined primary constituent elements specify only those features which are truly essential habitat for the species. Based on the final listing rule, this would exclude lower elevation lakes, where the species does

not currently and has not historically existed, as well as highly valued and successful fisheries. We encourage the USFWS adopt the mission of the California Department of Fish and Wildlife's (CDFW) High Mountain Lakes Project to "manage lakes and streams in a manner which maintains or restores native biodiversity and habitat quality, supports viable populations of native species, and provides for recreational opportunities considering historical and future use patterns" in developing balanced recovery plans in the future. Below is an inventory of waterbodies deemed essential to the County's economy, developed in partnership with the California Department of Fish and Wildlife and consistent with the High Mountain Lakes Project (consistent with USFWS's goal), still within the Critical Habitat boundary:

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	**Deficient Primary Constituent Elements**[1] Section 3(5)(A)(i)	**Exclusion Benefits** Section 4(b)(2)	**Resulting in Extinction** Section 4(b)(2)
1. South fork of Bishop Creek beginning at and downstream from Bishop Lake (Subunit 3E)	• Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
2. Treasures Lakes 1 and 2, and downstream (Subunit 3E)	• Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area, including one of the only fisheries with Golden Trout.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is a low priority as a potential recovery site in CDFW's High Mountain Lakes Project.

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

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	**Deficient Primary Constituent Elements**[2] Section 3(5)(A)(i)	**Exclusion Benefits** Section 4(b)(2)	**Resulting in Extinction** Section 4(b)(2)
3. North Fork of Bishop Creek in the Paiute Pass drainage, beginning at and downstream from Paiute Pass (Subunits 3E, 13)	• Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • This area is a CDFW experimental fishery, developed in collaboration with local business and stakeholders.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
4. Pine Creek, beginning at and downstream of Golden Lake (Subunit 13)	• Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed fishery and recreation area • Fish removal is not a threat to Yosemite Toad, so fish removal should not be considered a management strategy.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
5. Robinson Lake (Subunit 3F)	• Self-sustaining fish population • Isolated, poor habitat • Moderately-easy to access fishery and recreation area • Not in Wilderness Boundary.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.

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

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	**Deficient Primary Constituent Elements**[3] Section 3(5)(A)(i)	**Exclusion Benefits** Section 4(b)(2)	**Resulting in Extinction** Section 4(b)(2)
6. The North Fork of Independence Creek, beginning at and downstream from Heart Lake (Subunit 3F)	• Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
7. The North Fork of Big Pine Creek, beginning at and downstream of Third Lake (Subunit 3E)	• Self-sustaining fish population • Easily accessed, heavily used fishery and recreation area • CDFW experimental fishery • Bd fungus positive: existing population has been recently infected and potentially extirpated.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
8. Baker Creek beginning at and downstream from Thunder and Lightning Lake (Subunit 3E)	• Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • Bd fungus positive existing population has been recently infected and potentially extirpated.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.

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

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	**Deficient Primary Constituent Elements**[4] Section 3(5)(A)(i)	**Exclusion Benefits** Section 4(b)(2)	**Resulting in Extinction** Section 4(b)(2)
9. The Coyote Flats – the West Fork of Coyote Creek, downstream of Coyote Lake, Baker Creek (Bd positive), and Cow Creek (Bd positive) (Subunit 3E)	• *Bd* fungus positive • Easily accessed OHV and recreation area • Grazing lease • Rocky Bottom Lake and Funnel Lake seasonal snowmelt lakes and therefore are unsuitable habitat for frogs • Not in Wilderness Boundary.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in the Coyote Flats supports approximately 400 head of cattle, which represents an estimated $376,000 contribution the agriculture sector of the Inyo County economy.	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.
10. Mulkey Meadows (Subunit 5B)	• Grazing lease • Native populations of Golden Trout • Bd fungus positive – though populations have subsisted.	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in Mulkey Meadows supports approximately 235 head of cattle, which represents an estimated $221,000 contribution the agriculture sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
11. Birch Creek[5]	• Easily accessed OHV and recreation area. • Grazing lease	• Site visits to this popular fishery support the estimated annual $17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy.	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.

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

[5] The County requests that Birch Creek be removed from the Critical Habitat area per the suggestion of the US Forest Service.

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

We would like to reiterate the concerns we have of the final economic analysis (FEA) including modification impacts to fishing stocking, grazing and recreation activities as a result of the critical habitat designation. Review of the best available science indicates threats to the species included in the economic analysis have been overstated or incorrectly identified.

Similar impacts were reviewed in an Economic Analysis of Critical Habitat Designation for the Mountain Yellow-Legged Frog in August 2006 (2006 Economic Analysis), for a proposed critical habitat covering 8,770 acres in Los Angeles, San Bernardino, and Riverside Counties. The analysis was completed by the same contractor that completed the proposed economic analysis for the underlying critical habitat designation (2013 Economic Analysis). The 2006 Economic Analysis found "Total future impacts, including costs resulting from modification to fishing and other types of activity, range from $11.4 million to $12.9 million (undiscounted) over twenty years" (2006 Analysis, ES-2) and that "Recreational trout fishing comprised 57% of the impacts (2006 Analysis, ES-5). The final rule critical habitat designation is over 200 times larger than that proposed in southern California, yet the 2013 Economic Analysis found only $17,500 in impacts over 17 years and 100% of that was attributed to consultation between the agencies (2013 Economic Analysis, ES-11).

The FEA failed to provide any analysis of the direct economic impacts that would result from implementation of conservation efforts requested by USFWS to avoid potential adverse modification to critical habitat, including consideration of impacts to numerous federally permitted businesses that operate within the proposed critical habitat area, and direct economic losses associated with restricted access and recreational opportunities. The FEA indicates that direct economic impacts associated with fish stocking and recreation would be limited to administrative costs; however, as a result of the 2006 critical habitat designation in Los Angeles, San Bernardino, and Riverside Counties, a U.S. District Court Judge ordered the ongoing closure of areas of the Angeles National Forest, including rerouting 4.5 miles of the Pacific Crest Trail. Similar closures or access restrictions in Inyo County would have devastating impacts to our regional economy. The DEA suggests that the local economy will be able to make long-term adjustments in response to regulatory changes and management actions. As described in the

economic analysis prepared for Inyo County discussed below, impacts of this scale are difficult if not impossible to adjust to, particularly given Inyo County's unique economic constraints.

In contrast, an economic impact analysis of the currently proposed critical habitat designation prepared by Inyo County found that restrictions placed on fishing stocking, recreation and grazing would have devastating consequences to Inyo County's fragile economy. The study indicated that if visitors chose to vacation elsewhere due to restrictions to fish stocking and other recreational activities, including hiking and backpacking, the economic impact to the Inyo County could be as high as $17 million annually (this number may be adjusted due to the exclusion of waterbodies in the 3D and 3E subunits). Between 25 and 40 percent of businesses that primarily cater to recreational activities within the critical habitat area could be detrimentally impacted by management actions intended to reduce threats to the species as identified in the proposed listing and designation. In addition, restrictions to grazing allotments could result in estimated losses of $6.9 million over 20 years.

Based on the tremendous discrepancy between the findings of Inyo County's economic analysis and the USFWS economic analysis, as well as the large discrepancies between USFWS process used in the 2006 Economic Analysis and 2013 Economic Analysis, analyzing the same species, Inyo County requests USFWS to complete a new economic analysis on the proposed critical habitat designation. A new economic analysis should follow the letter and intent of the RFA and the Final Rule recognizing all the probable economic impacts, public and private, created by the designation.

Further, the final rule does little to combat the known impact of disease and pathogens, including chytrid fungus (*Batrachochytrium dendrobatidis* (Bd)), on the three species of amphibians. USFWS has stated that no additional conservation efforts intended to reduce the spread of Bd would be undertaken, therefor focusing only on physical impairments resulting in a greater loss to culture and economies surrounding these habitats.

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

Sincerely,

Jeff Griffiths, Chairperson
Inyo County Board of Supervisors

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

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: WATER DEPARTMENT

FOR THE BOARD MEETING OF: OCTOBER 25, 2016

SUBJECT: APPOINTMENT OF TWO APPLICANTS TO FILL VACANCIES ON THE WATER COMMISSION

DEPARTMENTAL RECOMMENDATION:

Request Board consider the Letters of Interest received for appointment to the Water Commission and appoint two Water Commissioners with terms ending December 31, 2019.

SUMMARY DISCUSSION:

The Water Commission currently has two vacancies both terms ended December 31, 2015. The Clerk of the Board has advertised these vacancies in accordance with County policy. Letters of Interest (attached) were received from the following; Bruce Dishion, Sally Manning, Daris Moxley, and Mike Prather.

ALTERNATIVES:

Not appoint a Commissioner at this time, and re-advertise to fill the vacancies.

Designate an ad hoc committee to interview the respondents and make recommendations to the Board.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

Water Commission stipends and travel expenses are paid from the Water Department budget (024102).

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 (*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.)
N/A	Approved:_____ Date_____

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

Darcy Ellis

From: Laura Piper
Sent: Friday, September 23, 2016 11:39 AM
To: Darcy Ellis
Subject: FW: Commissioner appointment

Darcy,

Please see below Commissioner Dishion's request to be reappointed to the Water Commission.

Thank you,

Laura Piper
Administrative Analyst
Inyo County Water Department
P. O.Box 337 – 135 S Jackson
Independence, CA 93526
PH 760-878-0002 FX 760-878-2552
lpiper@inyocounty.us

-----Original Message-----
From: Bruce & Sherry Dishion [redacted]
Sent: Friday, September 23, 2016 11:11 AM
To: Laura Piper
Subject: Commissioner appointment

Hi Laura, I am requesting to be reappointed to the water commission for a new term. Please forward my request to the board of supervisors. Thank you , Bruce C. Dishion

[redacted]

October 3, 2016

Inyo County Board of Supervisors
P. O. Box N
Independence, CA 93526

Dear Board of Supervisors:

Interest in Serving on Inyo County Water Commission

Thank you for this opportunity to be considered for appointment to the Inyo County Water Commission.

As you are probably aware, I'm well qualified to serve on this commission. I have a strong commitment to the long-term well-being of Owens Valley's people and environment. I worked as a plant ecologist for Inyo County Water Department from 1985 - 2008, so I have first hand experience and deep knowledge of the Inyo/LA Water Agreement and all the related documents (Green Book, EIR, MOU, etc.). In 1992, I completed a Ph.D. in Botany (with an emphasis on ecology, from UC Davis). I did my dissertation work in Owens Valley, studying water usage by native plants. The research, monitoring, and analyses I conducted during my tenure with the Water Department provided important understanding regarding the environmental consequences of groundwater withdrawal and surface water diversions on the valley. I'm intimately familiar with the vegetation, hydrology, climate, geology, land-use, and fauna, and their interactions. I have been to nearly all Inyo County Water Commission, Technical Group, and Standing Committee meetings held since 1989.

I would be honored to serve as an Inyo Water Commissioner, but I know there is too much work to do. Some things that need to be addressed by Inyo County include:

- Resurrecting and attempting to fulfill the goals of the 1991/92 Drought Recovery Policy
- Adopting a plan for periodic full recovery of groundwater to plant root zones throughout the valley's wellfields, sufficient for vegetation (plant community) recovery and soil water recharge. This is also known as "The Green Book." We know what's needed scientifically, it just takes Inyo County leadership and perseverance to implement it.
- Halting all DWP pumping to fill the second barrel of its Aqueduct until all (yes, all) the mitigation measures are implemented, and, for those projects with goals, until the goals are achieved. The California Environmental Quality Act (CEQA) allowed the project to proceed because of a promise that adverse impacts would be mitigated to less than significant. However, to this day, 25 years after Inyo County adopted the Water Agreement, many mitigation measure have not been properly implemented. DWP is pumping and exporting water; the county is being deprived of its needs for environmental and economic betterment.

- Proactively applying California's new Sustainable Groundwater Management Act to all of the Owens Valley Groundwater Basin.

Inyo County and Owens Valley in particular are on the verge of ecologic, and with it, economic collapse. Water has been exported from the valley for the past hundred years, and, given our geographic setting, there is no reasonable method for making up for the loss. Mono Basin still has a lake, thanks to a non profit group that rallied to protect it, but Owens Valley lost its lake. The climate is changing, our glaciers are melting, and the dust is blowing – from new sources every year. Unlike a lot of California, we do not have a nearby ocean or basin from which we can siphon, borrow, or steal water. Our groundwater has been exported at a high rate since 1970, water tables are significantly depressed (with regard to wetlands and vegetation that need groundwater), and DWP "takes" water at every opportunity: from tribes, ranchers, communities, mitigation projects, and people's yards! As most people know, in one human generation from 1905 to the 1930s, DWP ruthlessly caused a socioeconomic upheaval in this valley. What most people fail to realize is that DWP's campaign never ended. Beginning in earnest in 1970, DWP proceeded to pump excessively, turning our meadows to weeds and dust. Recently, DWP has turned to withholding water from people (Bishop Creek Water Association, Mammoth, tribes, and ranches) and revising its land use policies with terms that will kill what little economic prosperity exists in the valley. Community leaders need to stop living in denial and take the long view. With the way things are going, and if nothing is done to alter the course, the valley truly will dry up and blow away.

I desire to be part of the effort to achieve environmental justice for Owens Valley. The Water Commission, along with your Board, could work together to make some changes.

Please feel free to contact me if you have any questions. I'm happy to submit a resume, *curriculum vitae*, and/or other documentation in support of my qualifications. Thank you for considering my application for serving on the Inyo County Water Commission.

Sincerely,

Sally Manning

Sara J. "Sally" Manning, Ph.D.

September 28. 2016

Board of Supervisors
PO Box N
Independence, Ca 93526

I would again ask the board to consider my request to be appointed to the Inyo County Water Commission for the term to expire December 31, 1019.

Thank You

Daris Moxley

Daris Moxley
[redacted]
Bishop, Ca 93514

Inyo County Board of Supervisors
P.O. Drawer N
Independence, CA 92326

2016 OCT -3 PM 1:02

September 29, 2016

Dear Supervisors,

I would like to be considered for reappointment to the Inyo County Water Commission. It has been gratifying to me personally. The Commission has been productive in its work these last few years and I hope to help continue that course.

Our Commission meetings have become more regular and we have set goals each year that are review at year's end. There has been good attendance by individuals and organizations that has helped bring important information to the public and ensure that discussion is based on the facts.

We have conducted several fieldtrips each year to places such as Laws, McNally Ponds/Pastures, Five Bridges and Big Pine. We hope to have another to visit the Lower Owens River Water Trail and Owens Lake.

It has been a pleasure to serve on the Inyo County Water Commission.

Mike Mike Prather

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
19

Consent X Departmental ☐ Correspondence Action ☐ Public Hearing

☒ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Water Department

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Inyo County/Los Angeles Standing Committee Meeting – October 27, 2016

DEPARTMENTAL RECOMMENDATION:

A meeting of the Inyo County/Los Angeles Standing Committee is scheduled for October 27, 2016 in Los Angeles, California. Pursuant to Resolution 99-43 and the Long-Term Water Agreement, your Board sets policy for the County's representatives to the Standing Committee. The Water Department requests your Board consider the attached draft agenda and provide direction to the County's Standing Committee representatives.

SUMMARY DISCUSSION:

The Technical Group is meeting on October 13th to set the Standing Committee agenda. At this time, it is anticipated that the Standing Committee agenda may include approval of reduced water supply to the McNally Ponds and Pasture Enhancement/Mitigation Project, modifications to the Green Book's vegetation monitoring provisions, and consideration of the Owen River Water Trail Project. An agenda will be circulated prior to the October 25 Board of Supervisors meeting.

McNally Ponds. The Technical Group (June 27, 2016) agreed to this recommendation:

> *Pursuant to water Agreement Section IV.A, the Standing Committee agrees that LADWP will not supply water to that portion of McNally Ponds Project that is west of US Highway 6, including the waterfowl ponds and adjacent 100 acre native pastureland, during the 2016-17 runoff year. The remainder of the McNally Ponds Project shall remain in effect and shall receive water.*

Staff will also update the Standing Committee on progress toward developing an alternative to the existing project that is more feasibly supplied with water.

Revisions to the Green Book's vegetation monitoring provisions. As part of the resolution to a dispute over vegetation conditions in the vicinity of the Black Rock Fish Hatchery ("Blackrock 94 dispute"), the Standing Committee agreed that:

> *The Parties will enter into a facilitated process with the Ecological Society of America (ESA) to develop and implement vegetation monitoring procedures and detailed analytical procedures for determining if a measurable change in vegetation has occurred, is occurring, or will occur. The monitoring methods and procedures shall be able to compare vegetation cover and composition to the vegetation cover and composition obtained during LADWP's initial vegetation inventory between 1984 and 1987. The monitoring methods and analytical procedures shall also be able to distinguish and recognize trends in vegetation cover and composition. The Parties shall use the vegetation monitoring and analytical procedures in determining if any change in vegetation cover or composition is measurable pursuant to Water Agreement IV.B and Green Book Section I.C.*

Inyo and LADWP staff worked with a panel of experts assembled by the ESA to evaluate the current line-point vegetation monitoring activities. During the Blackrock 94 dispute, Inyo and LADWP staff argued over the relative merits of two vegetation monitoring programs conducted separately by the two agencies. The panel endorsed either program as sufficient for the Technical Group's needs, concluding that:

> *The ESA Team finds that current vegetation monitoring and analysis methods used by ICWD and LADWP continue to be widely used and accepted by the scientific community. However, the utility of these methods for detecting changes in vegetation due to groundwater withdrawal could be strengthened by taking the following steps.*
>
> 1) *Review, consolidate, and update monitoring methods and analyses, including selecting a single monitoring protocol (either permanent or randomized transects), determining a consistent sample size based on agreement about the level of change the agencies wish to detect, and considering co-locating some area-based measures with transects to test the feasibility of eventually transitioning to area-based monitoring.*
>
> 2) *Improve the monitoring design to more closely correspond with variation along groundwater pumping and other biophysical and management gradients.*
>
> 3) *Periodically review and as appropriate adopt new technologies, including remote sensing and handheld or aerial sensors, to increase monitoring accuracy.*
>
> 4) *Develop models of groundwater/vegetation dynamics in conjunction with improved monitoring methods.*
>
> 5) *Use applied adaptive management experiments to determine causal relationships between vegetation and factors that affect it, including groundwater, grazing, fire, and invasive species. We believe that the diverse environment of the Owens Valley, in combination with Green Book mandates and the long history of monitoring is an ideal setting for understanding influences of a range of management options during an era of environmental change. Expanding the "tool box" of management options with known effectiveness available to the agencies could significantly improve their ability to meet future challenges in uncertain future environments, while continuing to meet existing requirements.*

Staff is currently developing language that will replace the Green Book's section describing the annual line-point monitoring. The new language leaves the basic methods largely intact, but describes how Inyo and LADWP will implement a joint program, provides more detail as to how the methods will be conducted, and gives some general options for how that data will be analyzed to determine whether a measurable change has occurred.

Assessment of mitigation projects. Staff is preparing an evaluation of the status of mitigation projects. The Water Department and LADWP each evaluate the condition of mitigation projects in their respective annual reports. This evaluation systematically assesses whether each project is complete (e.g., spring and seep inventory), ongoing as needed (e.g., air quality mitigation at construction sites), implemented and ongoing (e.g., irrigation projects), implemented but not meeting goals (e.g., certain revegetation projects),

or in progress (e.g., certain other revegetation projects). The Water Department and LADWP are each independently making this evaluation and then comparing areas of agreement and disagreement. This effort is not finished.

Owens River Water Trail Project. Inyo County's proposal to the State River and Parkways Grant Program to develop 'river trail' on the Lower Owens River has been approved for funding. The proposal is to clear obstructions in the river channel between Lone Pine Station Road and Keeler Bridge so that canoes, kayaks, etc. can travel that section of the river. The project also improves the flow of water through the system which may improve water quality and reduce aggradation, both chronic problems in the lower part of the LORP. Unresolved issues are maintenance costs and site access.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

LADWP.

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 (*Must 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: 10/14/16

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: CLERK OF THE BOARD
By: Darcy Ellis, Assistant to the Clerk of the Board

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Approval of Minutes

DEPARTMENTAL RECOMMENDATION: Request approval of the minutes of the Board of Supervisors regular meeting of October 4, 2016.

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

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

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 (*Must 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: 10/20/16
(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 ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☒ Informational

FROM: Alisha McMurtrie, Treasurer-Tax Collector

FOR THE BOARD MEETING OF: October 25, 2016

SUBJECT: Treasury Status Report for the Quarter Ending September 30, 2016

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

CAO RECOMMENDATION:

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

ALTERNATIVES: N/A

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

FINANCING: N/A

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

DEPARTMENT HEAD SIGNATURE: Alisha McMurtrie Date: 10/13/16
Alisha McMurtrie, Treasurer-Tax Collector

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

ALISHA McMURTRIE
TREASURER-TAX COLLECTOR

TO: Honorable Members of the Inyo County Board of Supervisors
FROM: Alisha McMurtrie, Treasurer-Tax Collector
SUBJECT: Report of the Status of the Inyo County Treasury as of: September 30, 2016
DATE: October 13, 2016

The following status report of the County Treasury as of September 30, 2016 is provided pursuant to the provisions of Section 53646(b) of the Government Code.

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

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

The weighted average maturity of the investments of the Treasury was 513 days.

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

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

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

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

- Various Inyo County Departments and treasury pool participants maintain and administer bank checking accounts outside the County Treasury.
- Inyo County's PARS relationship for our OPEB investment began in June 2010. To date: the PARS balance as of:8/31/16 was $5,644,578,83 (Principal: $3,950,000.00 + Interest = $1,761,474.81 less Fees:$-66,895.98)

C: Members of the Inyo County Treasury Oversight Committee

TREASURER'S DAILY RECONCILIATION
DATE: 9-30-16

AUDITOR'S BALANCES

Balance Forward - Cash in Treasury		$119,998,923.73
Plus: Auditor Adjustments Payroll		
Deposit Authorizations		$869,553.47
Fees		
Less: Co. Checks Pd 09/29/30		(96,174.74)
Auditor JE# to adjust		
Acct. Analysis (UB Fees)		
Outgoing Electronic Wires		
	-$88,440.00	ICOE Wire
	-$272,775.18	CO P/R Fed Tax
	-$43,731.84	CO P/R St Tax
	-$33,500.00	Vendor Payment
	-$9,458.33	Vendor Payment
	-$301.00	NACHA
	-$733,302.14	CO P/R
	-$764.29	CASDU Payment
	-$1,757,968.73	ICOE Payroll
	-$20,018.02	Chrtr-Yth Bld St Tax
	-$4,176.60	Chrtr-The Ed Corp St Tax
	-$4,310.41	Chrtr-Coll Bridge St Tax
	-$66,391.12	ICOE State Tax
	-$373,434.15	ICOE Fed Tax
	-$48,779.00	Chrtr-La Ed Corp Fed Tax
	-$104,002.99	Chrtr-Yth Bld Fed Tax
Ending "Claim on Cash in Treasury"		$117,210,948.66

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TREASURER'S BALANCE:

Cash on Hand:	Vault	$7,400.00
	Drawer	$285.18
Bank Deposits on Hand:		

BANK ACCOUNTS:

Union Bank - General Account.	$3,991,305.12
El Dorado - Cash Account	$220,290.00
El Dorado- Directs Account	$10,000.00
Eastern Sierra- General Account	$0.00

INVESTMENTS:		% Invested	
		Agency	*Limit*
Local Agency Investment Fund	$19,300,000.00		
UBS Money Market	$1,500,000.00	*1.28%*	of 10.00%
Federal Agencies	$ 45,965,840.00	*39.22%*	of 100.00%
CD	$27,626,812.86	*23.57%*	of 30.00%
Local Agency Debt	$529,948.72	*0.45%*	of 100.00%
Commercial Paper	$ 13,407,510.01	*11.44%*	of 15.00%
Corporate Obligation	$ 4,652,203.11	*3.97%*	of 30.00%

TOTAL TREASURY BALANCE:	$117,211,595.00	
Difference: (Treasury SHORT or OVER)	$646.34	
Explanation of Difference:	$646.34	Tax Opay not receipted

NOTES

Investments Maturing Over 1 Year	$ 65,665,573.92	*56.02%* of 60.00%

Prepared By:_____

UnionBank

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

As of: 30-Sep-2016

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Cash & Cash Equivalents	ABBEY NATL TREASURY DC/P 12/19/16	19-Dec-2016	00280NMK3	2,000,000.0000	$1,986,026.67 USD	$1,996,280.00 USD			$10,253.33 USD		
Cash & Cash Equivalents	BANK OF TOKYO MITS DC/P 3/10/17	10-Mar-2017	06538BQA4	3,000,000.0000	$2,981,215.00 USD	$2,984,460.00 USD			$3,245.00 USD		
Cash & Cash Equivalents	BANK OF TOKYO MITS DC/P 11/09/16	09-Nov-2016	06538BL92	1,500,000.0000	$1,493,625.00 USD	$1,498,935.00 USD			$5,310.00 USD		
Cash & Cash Equivalents	NATIXIS NY DC/P 3/02/17	02-Mar-2017	63873JQ29	4,000,000.0000	$3,971,026.67 USD	$3,982,000.00 USD			$10,973.33 USD		
Cash & Cash Equivalents	NATIXIS NY DC/P 3/03/17	03-Mar-2017	63873JQ37	3,000,000.0000	$2,975,616.67 USD	$2,985,150.00 USD			$9,533.33 USD		
Government Obligations	FFCB BDS 0.900% 12/26/17	26-Dec-2017	3133ECB45	5,000,000.0000	$4,997,500.00 USD	$4,997,550.00 USD			$50.00 USD		
Government Obligations	FFCB BDS 0.930% 11/17/17	17-Nov-2017	3133EFPH4	2,000,000.0000	$2,000,000.00 USD	$2,003,260.00 USD	AA+		$3,260.00 USD		
Government Obligations	FFCB BDS 0.950% 7/01/19	01-Jul-2019	3133EGJC0	3,000,000.0000	$3,000,000.00 USD	$3,000,840.00 USD	AA+		$840.00 USD		
Government Obligations	FFCB BDS 1.190% 7/13/20	13-Jul-2020	3133EGLB9	2,000,000.0000	$1,999,000.00 USD	$1,990,520.00 USD	AA+		($8,480.00) USD		
Government Obligations	FFCB BDS 1.300% 11/25/19	25-Nov-2019	3133EGBK0	2,000,000.0000	$1,997,000.00 USD	$1,999,980.00 USD	AA+		$2,980.00 USD		
Government Obligations	FFCB BDS 1.420% 5/18/20	18-May-2020	3133EGAX3	1,000,000.0000	$999,490.00 USD	$1,000,010.00 USD	AA+		$520.00 USD		
Government Obligations	FHLB BDS 0.530% 12/05/16	05-Dec-2016	3130A6RF6	5,000,000.0000	$4,999,000.00 USD	$5,003,000.00 USD	AA+		$4,000.00 USD		
Government Obligations	FHLB BDS 1.000% 3/29/18	29-Mar-2018	3130A7H73	2,000,000.0000	$2,000,000.00 USD	$2,001,200.00 USD	AA+		$1,200.00 USD		
Government Obligations	FHLB BDS 1.250% 6/27/18	27-Jun-2018	313383JQ5	3,000,000.0000	$3,000,000.00 USD	$3,019,320.00 USD			$19,320.00 USD		
Government Obligations	FHLB BDS S/U 1.350% 9/30/21	30-Sep-2021	3130A9DH1	3,000,000.0000	$3,000,000.00 USD	$2,997,000.00 USD	AA+		($3,000.00) USD		
Government Obligations	FHLMC NTS 1.350% 11/26/19	26-Nov-2019	3134G9KW6	1,000,000.0000	$1,000,000.00 USD	$1,000,020.00 USD	AA+		$20.00 USD		
Government Obligations	FNMA BDS 1.150% 5/24/19	24-May-2019	3136G2YF8	2,000,000.0000	$2,000,000.00 USD	$2,000,780.00 USD	AA+		$780.00 USD		
Government Obligations	FNMA NT 1.400% 11/26/19	26-Nov-2019	3136G2YA9	2,000,000.0000	$2,000,000.00 USD	$2,000,680.00 USD	AA+		$680.00 USD		
Government Obligations	FNMA NT 1.500% 5/26/21	26-May-2021	3136G3PR0	2,000,000.0000	$2,000,000.00 USD	$2,001,200.00 USD	AA+		$1,200.00 USD		
Government Obligations	FNMA NTS 1.250% 5/06/21	06-May-2021	3135G0K69	2,000,000.0000	$1,983,900.00 USD	$1,998,380.00 USD	AA+		$14,480.00 USD		
Government Obligations	FNMA NTS 1.550% 7/27/21	27-Jul-2021	3136G3H24	6,000,000.0000	$6,000,000.00 USD	$5,980,440.00 USD	AA+		($19,560.00) USD		
Government Obligations	FNMA NTS 1.625% 11/27/18	27-Nov-2018	3135G0YT4	3,000,000.0000	$2,989,950.00 USD	$3,048,450.00 USD	AA+		$58,500.00 USD		
Corporate Obligations	1ST GEN BK ROWLAND CD0.900% 7/31/17	31-Jul-2017	320337BD9	248,000.0000	$248,000.00 USD	$248,937.44 USD	N/A		$937.44 USD		
Corporate Obligations	ALLY BK MIDVALE C/D 1.100% 4/23/18	23-Apr-2018	02006LQJ5	250,000.0000	$250,000.00 USD	$251,645.00 USD	N/A		$1,645.00 USD		
Corporate Obligations	ALPINE BK ILL C/D 0.700% 1/30/17	30-Jan-2017	02082CBD1	248,000.0000	$248,000.00 USD	$248,151.28 USD	N/A		$151.28 USD		
Corporate Obligations	AMERICAN EXP CENT C/ 2.250% 6/17/20	17-Jun-2020	02587DYV4	248,000.0000	$248,000.00 USD	$254,284.32 USD	N/A		$6,284.32 USD		
Corporate Obligations	AMERICAN ST BK C/D 1.450% 2/05/20	05-Feb-2020	029728AT9	245,000.0000	$245,000.00 USD	$252,205.45 USD	N/A		$7,205.45 USD		
Corporate Obligations	AMERN EXP SVGS BK C/D1.650% 7/09/18	09-Jul-2018	02587CDK3	248,000.0000	$248,000.00 USD	$250,529.60 USD	N/A		$2,529.60 USD		
Corporate Obligations	AMEX CENTRN C/D 1.950% 5/07/20	07-May-2020	02587DXT0	245,000.0000	$245,000.00 USD	$251,262.20 USD	N/A		$6,262.20 USD		
Corporate Obligations	BANK AMERICA BD 1.650% 3/26/18	26-Mar-2018	06050TLY6	250,000.0000	$251,812.86 USD	$251,037.50 USD	A		($775.36) USD		
Corporate Obligations	BANK BARODA NY YC/D 0.800% 3/21/17	21-Mar-2017	06062QNT7	240,000.0000	$240,000.00 USD	$240,223.20 USD	N/A		$223.20 USD		
Corporate Obligations	BANK HAPOALIM C/D 2.050% 1/15/21	15-Jan-2021	06251AL40	245,000.0000	$245,000.00 USD	$255,135.65 USD	N/A		$10,135.65 USD		

UnionBank

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

As of: 30-Sep-2016

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Corporate Obligations	BANK INDIA YC/D 0.750% 3/22/17	22-Mar-2017	06279HJX2	240,000.0000	$240,000.00 USD	$240,225.60 USD	N/A		$225.60 USD		
Corporate Obligations	BANK SNB C/D 0.700% 1/20/17	20-Jan-2017	065050AF3	248,000.0000	$248,000.00 USD	$248,141.36 USD	N/A		$141.36 USD		
Corporate Obligations	BANKUNITED A SVGS BK 0.900% 5/24/17	24-May-2017	066519BE8	249,000.0000	$249,000.00 USD	$249,498.00 USD	N/A		$498.00 USD		
Corporate Obligations	BARCLAYS BK C/D 2.200% 9/16/20	16-Sep-2020	06740KJK4	248,000.0000	$248,000.00 USD	$257,111.52 USD	N/A		$9,111.52 USD		
Corporate Obligations	BEAL BK USA LV C/D 0.700% 3/22/17	22-Mar-2017	07370WXT8	240,000.0000	$240,000.00 USD	$240,225.60 USD	N/A		$225.60 USD		
Corporate Obligations	BENCHMARK BK PLANO CD0.700% 2/10/17	10-Feb-2017	08160AAF3	248,000.0000	$248,000.00 USD	$248,156.24 USD	N/A		$156.24 USD		
Corporate Obligations	BENEFICIAL MUT C/D 1.250% 4/27/20	27-Apr-2020	08173QBP0	248,000.0000	$248,000.00 USD	$251,000.80 USD	N/A		$3,000.80 USD		
Corporate Obligations	BERKSHIRE BK C/D 0.650% 6/05/17	05-Jun-2017	084601FS7	248,000.0000	$248,000.00 USD	$248,275.28 USD	N/A		$275.28 USD		
Corporate Obligations	BK NORTH CAROLINA C/ 1.100% 5/30/18	30-May-2018	06414QXG9	248,000.0000	$248,000.00 USD	$250,313.84 USD	N/A		$2,313.84 USD		
Corporate Obligations	BMO HARRIS BK C/D 0.550% 12/16/16	16-Dec-2016	05581WEF8	240,000.0000	$240,000.00 USD	$240,031.20 USD	N/A		$31.20 USD		
Corporate Obligations	BMW BK N.A. SL C/D 2.250% 12/18/20	18-Dec-2020	05580ADM3	245,000.0000	$245,000.00 USD	$253,538.25 USD	N/A		$8,538.25 USD		
Corporate Obligations	BOSTON PRIV BK C/D 0.850% 2/05/18	05-Feb-2018	101120DG5	248,000.0000	$248,000.00 USD	$248,032.24 USD	N/A		$32.24 USD		
Corporate Obligations	BRAND BKG CO GA C/D 0.550% 12/30/16	30-Dec-2016	105245GC2	240,000.0000	$240,000.00 USD	$240,033.60 USD	N/A		$33.60 USD		
Corporate Obligations	BRIDGEWATER BK C/D 1.500% 8/17/20	17-Aug-2020	108622ET4	248,000.0000	$248,000.00 USD	$255,028.32 USD	N/A		$7,028.32 USD		
Corporate Obligations	BTC BK BETHANY C/D 1.200% 2/19/19	19-Feb-2019	05577FAQ1	248,000.0000	$248,000.00 USD	$248,069.44 USD	N/A		$69.44 USD		
Corporate Obligations	CALIF REPUB BK C/D 0.750% 2/17/17	17-Feb-2017	13057CAM0	248,000.0000	$248,000.00 USD	$248,307.52 USD	N/A		$307.52 USD		
Corporate Obligations	CAPITAL ONE BK C/D 2.250% 7/01/20	01-Jul-2020	140420SX9	248,000.0000	$248,000.00 USD	$255,653.28 USD	N/A		$7,653.28 USD		
Corporate Obligations	CAPITAL ONE C/D 2.300% 7/15/20	15-Jul-2020	14042E4P2	248,000.0000	$248,000.00 USD	$256,578.32 USD	N/A		$8,578.32 USD		
Corporate Obligations	CARDINAL BK C/D 0.800% 3/23/17	23-Mar-2017	14147VFC5	248,000.0000	$248,000.00 USD	$248,399.28 USD	N/A		$399.28 USD		
Corporate Obligations	CAROLINA ALLIANCE C/D1.200% 6/24/19	24-Jun-2019	14376RAT4	248,000.0000	$248,000.00 USD	$252,464.00 USD	N/A		$4,464.00 USD		
Corporate Obligations	CARROLL CNTY ST C/D 1.200% 8/12/20	12-Aug-2020	145087AH5	248,000.0000	$248,000.00 USD	$247,876.00 USD	N/A		($124.00) USD		
Corporate Obligations	CELTIC BK UTAH C/D 0.850% 3/30/17	30-Mar-2017	15118RKM8	248,000.0000	$248,000.00 USD	$248,362.08 USD	N/A		$362.08 USD		
Corporate Obligations	CENTRAL BK C/D 1.900% 12/31/20	31-Dec-2020	152524BH6	245,000.0000	$245,000.00 USD	$245,828.10 USD	N/A		$828.10 USD		
Corporate Obligations	CIT BANK SLC UT C/D 2.300% 6/30/20	30-Jun-2020	17284DDN9	248,000.0000	$248,000.00 USD	$255,638.40 USD	N/A		$7,638.40 USD		
Corporate Obligations	CITIZENS PROGRESSI CD1.250% 2/12/19	12-Feb-2019	176544AA2	248,000.0000	$248,000.00 USD	$251,509.20 USD	N/A		$3,509.20 USD		
Corporate Obligations	CITIZENS ST BK OKE CD0.850% 3/24/17	24-Mar-2017	17669WFP5	248,000.0000	$248,000.00 USD	$248,354.64 USD	N/A		$354.64 USD		
Corporate Obligations	COMENITY CAP BK C/D 1.000% 4/27/18	27-Apr-2018	20033AKC9	250,000.0000	$250,000.00 USD	$250,525.00 USD	N/A		$525.00 USD		
Corporate Obligations	COMMERCIAL BK C/D 1.750% 5/29/20	29-May-2020	201282HB9	245,000.0000	$245,000.00 USD	$252,274.05 USD	N/A		$7,274.05 USD		
Corporate Obligations	COMMUNITY FINL C/D 1.600% 2/17/21	17-Feb-2021	20364ABA2	248,000.0000	$248,000.00 USD	$256,330.32 USD	N/A		$8,330.32 USD		
Corporate Obligations	CONNECTONE BK C/D 1.350% 7/09/18	09-Jul-2018	20786ABE4	248,000.0000	$248,000.00 USD	$250,105.52 USD	N/A		$2,105.52 USD		
Corporate Obligations	CONTINENTAL BK C/D 1.100% 1/29/20	29-Jan-2020	211163FQ8	248,000.0000	$248,000.00 USD	$250,792.48 USD	N/A		$2,792.48 USD		
Corporate Obligations	DOLLAR BK FED C/D 1.450% 7/30/18	30-Jul-2018	25665QAS4	248,000.0000	$248,000.00 USD	$250,656.08 USD	N/A		$2,656.08 USD		
Corporate Obligations	EAGLEBANK BETHESDA	20-Jul-2018	27002YCX2	245,000.0000	$245,000.00 USD	$245,085.75 USD	N/A		$85.75 USD		

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
	0.900% 7/20/18										
Corporate Obligations	EAST BOSTON SVGS C/D 1.700% 8/23/19	23-Aug-2019	27113PAK7	248,000.0000	$248,000.00 USD	$255,082.88 USD	N/A		$7,082.88 USD		
Corporate Obligations	ENERBANK USA UT C/D 1.500% 12/24/18	24-Dec-2018	29266NW78	245,000.0000	$245,000.00 USD	$248,464.30 USD	N/A		$3,464.30 USD		
Corporate Obligations	EVERBK JACKSONVILL CD2.050% 8/28/20	28-Aug-2020	29976DA59	248,000.0000	$248,000.00 USD	$257,637.28 USD	N/A		$9,637.28 USD		
Corporate Obligations	EVERGREEN BK GRP C/D 0.800% 5/30/17	30-May-2017	300185DH5	248,000.0000	$248,000.00 USD	$248,664.64 USD	N/A		$664.64 USD		
Corporate Obligations	FARM BUR BK FSB C/D 1.000% 2/19/19	19-Feb-2019	307660KJ8	248,000.0000	$248,000.00 USD	$248,014.88 USD	N/A		$14.88 USD		
Corporate Obligations	FIDELITY BK C/D 0.700% 2/10/17	10-Feb-2017	316041CX8	248,000.0000	$248,000.00 USD	$248,156.24 USD	N/A		$156.24 USD		
Corporate Obligations	FIRST BUS BK C/D 1.450% 5/28/19	28-May-2019	31938QL69	248,000.0000	$248,000.00 USD	$251,784.48 USD	N/A		$3,784.48 USD		
Corporate Obligations	FIRST BUSINESS BK C/ 1.600% 1/21/20	21-Jan-2020	31938QR30	245,000.0000	$245,000.00 USD	$252,889.00 USD	N/A		$7,889.00 USD		
Corporate Obligations	FIRST NATL BK C/D 1.100% 1/22/18	22-Jan-2018	32114LAN9	248,000.0000	$248,000.00 USD	$250,172.48 USD	N/A		$2,172.48 USD		
Corporate Obligations	FIRST SOURCE BK C/D 1.800% 2/28/20	28-Feb-2020	33646CFN9	248,000.0000	$248,000.00 USD	$256,546.08 USD	N/A		$8,546.08 USD		
Corporate Obligations	FIRST SVC BK GREEN CD1.500% 11/12/20	12-Nov-2020	33640VBG2	248,000.0000	$248,000.00 USD	$255,985.60 USD	N/A		$7,985.60 USD		
Corporate Obligations	FIRSTBANK PR C/D 1.000% 2/21/17	21-Feb-2017	33767AND9	248,000.0000	$248,000.00 USD	$248,342.24 USD	N/A		$342.24 USD		
Corporate Obligations	FRONTIER BK C/D 0.700% 1/30/17	30-Jan-2017	359067CK9	248,000.0000	$248,000.00 USD	$248,148.80 USD	N/A		$148.80 USD		
Corporate Obligations	GOLDMAN SACHS BK C/D 1.900% 5/06/20	06-May-2020	38148JSU6	248,000.0000	$248,000.00 USD	$253,904.88 USD	N/A		$5,904.88 USD		
Corporate Obligations	GUARANTY ST BK & TR 1.600% 6/30/20	30-Jun-2020	401228AW1	245,000.0000	$245,000.00 USD	$252,489.65 USD	N/A		$7,489.65 USD		
Corporate Obligations	HADDON SVGS BK C/D 1.000% 7/20/17	20-Jul-2017	404730AU7	248,000.0000	$248,000.00 USD	$249,116.00 USD	N/A		$1,116.00 USD		
Corporate Obligations	HERITAGE BK C/D 0.850% 3/29/18	29-Mar-2018	42724JDF9	248,000.0000	$248,000.00 USD	$248,042.16 USD	N/A		$42.16 USD		
Corporate Obligations	HOMESTREET BK C/D 0.750% 1/20/17	20-Jan-2017	43785QHJ5	248,000.0000	$248,000.00 USD	$248,285.20 USD	N/A		$285.20 USD		
Corporate Obligations	HSBC BANK USA C/D S/ 1.625% 12/09/20	09-Dec-2020	40434AE62	248,000.0000	$248,000.00 USD	$248,664.64 USD	N/A		$664.64 USD		
Corporate Obligations	IBERIABANK LAFAY C/D 0.900% 4/17/17	17-Apr-2017	45083AFB3	248,000.0000	$248,000.00 USD	$248,629.92 USD	N/A		$629.92 USD		
Corporate Obligations	IBM SR GLBL NT 2.250% 2/19/21	19-Feb-2021	459200JF9	1,000,000.0000	$1,003,600.00 USD	$1,029,050.00 USD	AA-		$25,450.00 USD		
Corporate Obligations	INVESTORS BK C/D 1.100% 4/30/18	30-Apr-2018	46176PEA9	250,000.0000	$250,000.00 USD	$252,042.50 USD	N/A		$2,042.50 USD		
Corporate Obligations	INVESTORS BK C/D 1.600% 2/25/19	25-Feb-2019	46176PEK7	248,000.0000	$248,000.00 USD	$253,041.84 USD	N/A		$5,041.84 USD		
Corporate Obligations	INVESTORS CMNTY BK 0.700% 1/13/17	13-Jan-2017	46147URE2	248,000.0000	$248,000.00 USD	$248,176.08 USD	N/A		$176.08 USD		
Corporate Obligations	IOWA ST BK C/D 1.550% 7/29/20	29-Jul-2020	46256YAH2	245,000.0000	$245,000.00 USD	$253,249.15 USD	N/A		$8,249.15 USD		
Corporate Obligations	IROQUOIS FED SVGS C/ 1.600% 8/12/20	12-Aug-2020	46355PBV9	248,000.0000	$248,000.00 USD	$248,917.60 USD	N/A		$917.60 USD		
Corporate Obligations	ISRAEL DISC BK YC/D 1.250% 1/16/18	16-Jan-2018	465076HX8	248,000.0000	$248,000.00 USD	$249,964.16 USD	N/A		$1,964.16 USD		
Corporate Obligations	KEY BK NA OH C/D 1.300% 1/22/18	22-Jan-2018	49306SVX1	248,000.0000	$248,000.00 USD	$250,170.00 USD	N/A		$2,170.00 USD		
Corporate Obligations	KS BK INC C/D 0.700% 1/23/17	23-Jan-2017	48266PBL5	248,000.0000	$248,000.00 USD	$248,292.64 USD	N/A		$292.64 USD		
Corporate Obligations	KS STATEBANK C/D 1.550% 8/19/20	19-Aug-2020	50116CAJ8	248,000.0000	$248,000.00 USD	$255,020.88 USD	N/A		$7,020.88 USD		
Corporate Obligations	LAKESIDE BK C/D 1.500% 2/28/19	28-Feb-2019	51210SKU0	248,000.0000	$248,000.00 USD	$253,056.72 USD	N/A		$5,056.72 USD		
Corporate Obligations	LANDMARK CMNTY BK C/D1.000% 5/04/18	04-May-2018	51507LAU8	250,000.0000	$250,000.00 USD	$251,660.00 USD	N/A		$1,660.00 USD		

UnionBank

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

As of: 30-Sep-2016

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Corporate Obligations	LCA BK CORP PK C/D 1.650% 11/25/19	25-Nov-2019	501798HN5	248,000.0000	$248,000.00 USD	$254,599.28 USD	N/A		$6,599.28 USD		
Corporate Obligations	LIVE OAK BKG CO C/D 1.250% 12/10/18	10-Dec-2018	538036CC6	248,000.0000	$248,000.00 USD	$251,447.20 USD	N/A		$3,447.20 USD		
Corporate Obligations	LUANA SVGS BK C/D 1.300% 3/29/19	29-Mar-2019	549103SU4	245,000.0000	$245,000.00 USD	$246,506.75 USD	N/A		$1,506.75 USD		
Corporate Obligations	LUBBOCK NATL BK C/D 1.550% 7/29/20	29-Jul-2020	549152CM6	245,000.0000	$245,000.00 USD	$252,323.05 USD	N/A		$7,323.05 USD		
Corporate Obligations	MARLIN BUSINESS BK 0.900% 10/18/18	18-Oct-2018	57116AMF2	245,000.0000	$245,000.00 USD	$245,347.90 USD	N/A		$347.90 USD		
Corporate Obligations	MARLIN BUSINESS C/D 1.100% 4/29/19	29-Apr-2019	57116ALN6	248,000.0000	$248,000.00 USD	$250,031.12 USD	N/A		$2,031.12 USD		
Corporate Obligations	MB FINL BK NA C/D 1.400% 6/03/19	03-Jun-2019	55266CPU4	248,000.0000	$248,000.00 USD	$253,059.20 USD	N/A		$5,059.20 USD		
Corporate Obligations	MEDALLION BK UT C/D 1.400% 8/31/18	31-Aug-2018	58403BZ41	248,000.0000	$248,000.00 USD	$251,593.52 USD	N/A		$3,593.52 USD		
Corporate Obligations	MERCANTIL COMMERCE CD1.650% 6/24/21	24-Jun-2021	58733ACY3	248,000.0000	$248,000.00 USD	$249,731.04 USD	N/A		$1,731.04 USD		
Corporate Obligations	MERCANTILE TR BK C/D 1.500% 2/28/19	28-Feb-2019	587550EL4	248,000.0000	$248,000.00 USD	$253,059.20 USD	N/A		$5,059.20 USD		
Corporate Obligations	MERRICK BK SO J C/D 1.350% 11/30/18	30-Nov-2018	59013JLT4	248,000.0000	$248,000.00 USD	$251,479.44 USD	N/A		$3,479.44 USD		
Corporate Obligations	MIZUHO BK USA C/D 0.600% 11/18/16	18-Nov-2016	60688MRN6	249,000.0000	$249,000.00 USD	$249,007.47 USD	N/A		$7.47 USD		
Corporate Obligations	NBC OKLA OKLA C/D 0.550% 12/23/16	23-Dec-2016	62879PAC6	240,000.0000	$240,000.00 USD	$240,096.00 USD	N/A		$96.00 USD		
Corporate Obligations	ORRSTOWN BK C/D 2.000% 8/28/20	28-Aug-2020	687377DS7	248,000.0000	$248,000.00 USD	$248,243.04 USD	N/A		$243.04 USD		
Corporate Obligations	PACIFIC PREMIER BK 0.650% 7/28/17	28-Jul-2017	69478QDM9	248,000.0000	$248,000.00 USD	$248,190.96 USD	N/A		$190.96 USD		
Corporate Obligations	PNC FINL SERV 2.600% 7/21/20	21-Jul-2020	69353RES3	1,000,000.0000	$1,027,646.53 USD	$1,031,640.00 USD	A		$3,993.47 USD		
Corporate Obligations	POST OAK BK C/D 1.150% 12/21/18	21-Dec-2018	737449AS7	248,000.0000	$248,000.00 USD	$251,241.36 USD	N/A		$3,241.36 USD		
Corporate Obligations	PRIVATEBANK & TC C/D 1.100% 5/06/19	06-May-2019	74267GVC8	248,000.0000	$248,000.00 USD	$250,031.12 USD	N/A		$2,031.12 USD		
Corporate Obligations	PRIVATEBANK & TC C/D 1.500% 5/26/21	26-May-2021	74267GVG9	248,000.0000	$248,000.00 USD	$249,887.28 USD	N/A		$1,887.28 USD		
Corporate Obligations	READING CO-OPERAT C/D0.650% 3/17/17	17-Mar-2017	755324AU4	240,000.0000	$240,000.00 USD	$240,081.60 USD	N/A		$81.60 USD		
Corporate Obligations	RIDGESTONE BK BR C/D 0.700% 1/20/17	20-Jan-2017	76610TDQ8	248,000.0000	$248,000.00 USD	$248,287.68 USD	N/A		$287.68 USD		
Corporate Obligations	SAFRA NATL BK NY C/D 0.700% 5/18/17	18-May-2017	78658QWL3	248,000.0000	$248,000.00 USD	$248,255.44 USD	N/A		$255.44 USD		
Corporate Obligations	SALLIE MAE BK C/D 2.000% 12/09/19	09-Dec-2019	795450XF7	245,000.0000	$245,000.00 USD	$251,419.00 USD	N/A		$6,419.00 USD		
Corporate Obligations	SANTANDER BK NA C/D 0.600% 3/16/17	16-Mar-2017	80280JMD0	240,000.0000	$240,000.00 USD	$240,223.20 USD	N/A		$223.20 USD		
Corporate Obligations	STATE BK INDIA C/D 2.100% 8/19/19	19-Aug-2019	856283ZA7	248,000.0000	$248,000.00 USD	$255,010.96 USD	N/A		$7,010.96 USD		
Corporate Obligations	SUMMIT CMNTY BK C/D 0.650% 3/30/17	30-Mar-2017	86604XKS4	240,000.0000	$240,000.00 USD	$240,312.00 USD	N/A		$312.00 USD		
Corporate Obligations	SYNCHRONY BK C/D 1.900% 4/24/20	24-Apr-2020	87165FGF5	248,000.0000	$248,000.00 USD	$254,780.32 USD	N/A		$6,780.32 USD		
Corporate Obligations	TRANS ALLIANCE BK CD 0.700% 2/13/17	13-Feb-2017	89388CAN8	248,000.0000	$248,000.00 USD	$248,290.16 USD	N/A		$290.16 USD		
Corporate Obligations	TRIUMPH BK C/D 1.100% 11/22/17	22-Nov-2017	89678LED5	248,000.0000	$248,000.00 USD	$249,736.00 USD	N/A		$1,736.00 USD		
Corporate Obligations	UBS BK USA SALT C/D 1.650% 6/07/21	07-Jun-2021	90348JAR1	248,000.0000	$248,000.00 USD	$249,825.28 USD	N/A		$1,825.28 USD		
Corporate Obligations	ULTIMA BK MINN C/D 0.700% 1/20/17	20-Jan-2017	90385LCC1	248,000.0000	$248,000.00 USD	$248,287.68 USD	N/A		$287.68 USD		
Corporate Obligations	UNION BK & TR CO C/D 0.750% 5/19/17	19-May-2017	905200CB5	248,000.0000	$248,000.00 USD	$248,629.92 USD	N/A		$629.92 USD		

UnionBank

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

As of: 30-Sep-2016

Asset Type	Asset Short Name	Maturity Date	CUSIP	Shares/Units	Cost Basis	Market Value	S&P Rating	Moody's Rating	Net Unrealized Gain/Loss	Annual Yield	Estimated Annual Income
Corporate Obligations	**UNION BK CALIF MTN 2.250% 5/06/19**	**06-May-2019**	**90520EAF8**	**1,600,000.0000**	**$1,610,880.00 USD**	**$1,620,128.00 USD**	**A+**		$9,248.00 USD		
Corporate Obligations	WASHINGTON TR CO C/D 1.400% 6/04/19	04-Jun-2019	940637HJ3	248,000.0000	$248,000.00 USD	$253,054.24 USD	N/A		$5,054.24 USD		
Corporate Obligations	**WELCH ST BK OK C/D 1.050% 8/19/19**	**19-Aug-2019**	949095AY9	**248,000.0000**	$248,000.00 USD	**$248,012.40 USD**	**N/A**		$12.40 USD		
Corporate Obligations	WELLS FARGO BK 1.650% 1/22/18	22-Jan-2018	94988J5A1	1,000,000.0000	$1,010,076.58 USD	$1,002,900.00 USD	AA-		($7,176.58) USD		
Corporate Obligations	**WELLS FARGO BK C/D 1.250% 4/30/20**	**30-Apr-2020**	94986TTT4	**250,000.0000**	$250,000.00 USD	**$251,357.50 USD**	**N/A**		$1,357.50 USD		
Corporate Obligations	WESTERN ST BK C/D 2.000% 9/04/20	04-Sep-2020	95960NJC2	248,000.0000	$248,000.00 USD	$248,000.00 USD	N/A		$0.00 USD		
Corporate Obligations	**WESTFIELD BANK C/D 0.900% 5/30/17**	**30-May-2017**	**96009JAJ6**	**248,000.0000**	**$248,000.00 USD**	**$248,644.80 USD**	**N/A**		**$644.80 USD**		
Corporate Obligations	WEX BK C/D 1.000% 7/30/18	30-Jul-2018	92937CDY1	248,000.0000	$248,000.00 USD	$248,644.80 USD	N/A		$644.80 USD		
Corporate Obligations	**WORLDS FOREMOST C/D 1.300% 5/14/18**	**14-May-2018**	**981571BE1**	**200,000.0000**	**$200,000.00 USD**	**$201,170.00 USD**	**N/A**		**$1,170.00 USD**		
Subtotals											
Cash & Cash Equivalents					**$13,407,510.01 USD**	**$13,446,825.00 USD**			**$39,314.99 USD**		**$0.00 USD**
Government Obligations					**$45,965,840.00 USD**	**$46,042,630.00 USD**			**$76,790.00 USD**		**$0.00 USD**
Corporate Obligations					**$32,279,015.97 USD**	**$32,620,061.78 USD**			**$341,045.81 USD**		**$0.00 USD**
Total					**$91,652,365.98 USD**	**$92,109,516.78 USD**			**$457,150.80 USD**		**$0.00 USD**

Inyo County Treasury
Weighted Average Maturity

	Formula			
Maturity Date	Principle X	# of Days to Maturity	= Daily Average	$ Amount of Security
F/A Securities				
12/5/2016	5	66	330	$ 4,999,000.00
11/17/2017	2	413	826	$ 2,000,000.00
12/26/2017	5	452	2260	$ 4,997,500.00
3/29/2018	2	545	1090	$ 2,000,000.00
6/27/2018	3	635	1905	$ 3,000,000.00
11/27/2018	3	788	2364	$ 2,989,950.00
5/24/2019	2	966	1932	$ 2,000,000.00
7/1/2019	3	1004	3012	$ 3,000,000.00
11/25/2016	2	56	112	$ 1,997,000.00
11/26/2019	2	1152	2304	$ 1,000,000.00
11/26/2019	2	1152	2304	$ 2,000,000.00
5/18/2020	1	1326	1326	$ 999,490.00
7/13/2020	2	1382	2764	$ 1,999,000.00
5/6/2021	2	1679	3358	$ 1,983,900.00
5/26/2021	2	1699	3398	$ 2,000,000.00
7/27/2021	6	1761	10566	$ 6,000,000.00
9/30/2021	3	1826	5478	$ 3,000,000.00
Totals			29285	$ 45,965,840.00
Commercial Paper				
11/9/2016	1.5	40	60	$ 1,493,625.00
12/19/2016	1.5	80	120	$ 1,986,026.67
3/2/2017	1.25	153	191.25	$ 3,971,026.67
3/3/2017	3	154	462	$ 2,975,616.67
3/10/2017	3	161	483	$ 2,981,215.00
Totals			1316.25	$ 13,407,510.01
CD's				
11/18/2016	0.25	49	12.25	$ 249,000.00
12/16/2016	0.25	77	19.25	$ 240,000.00
12/23/2016	0.25	84	21	$ 240,000.00
12/30/2016	0.25	91	22.75	$ 240,000.00
1/13/2017	0.25	105	26.25	$ 248,000.00
1/20/2017	0.25	112	28	$ 248,000.00
1/20/2017	0.25	112	28	$ 248,000.00
1/20/2017	0.25	112	28	$ 248,000.00
1/20/2017	0.25	112	28	$ 248,000.00
1/23/2017	0.25	115	28.75	$ 248,000.00
1/30/2017	0.25	122	30.5	$ 248,000.00
1/30/2017	0.25	122	30.5	$ 248,000.00
2/10/2017	0.25	133	33.25	$ 248,000.00
2/10/2017	0.25	133	33.25	$ 248,000.00
2/13/2017	0.25	136	34	$ 248,000.00
2/17/2017	0.25	140	35	$ 248,000.00

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

Inyo County Treasury
Weighted Average Maturity

2/21/2017	0.25	144	36	$	248,000.00
3/16/2017	0.25	167	41.75	$	240,000.00
3/17/2017	0.25	168	42	$	240,000.00
3/21/2017	0.25	172	43	$	240,000.00
3/22/2017	0.25	173	43.25	$	240,000.00
3/22/2017	0.25	173	43.25	$	240,000.00
3/23/2017	0.25	174	43.5	$	248,000.00
3/24/2017	0.25	175	43.75	$	248,000.00
3/30/2017	0.25	181	45.25	$	248,000.00
3/30/2017	0.25	181	45.25	$	240,000.00
4/17/2017	0.25	199	49.75	$	248,000.00
5/18/2017	0.25	230	57.5	$	248,000.00
5/19/2017	0.25	231	57.75	$	248,000.00
5/24/2017	0.25	236	59	$	249,000.00
5/30/2017	0.25	242	60.5	$	248,000.00
5/30/2017	0.25	242	60.5	$	248,000.00
6/5/2017	0.25	248	62	$	248,000.00
7/20/2017	0.25	293	73.25	$	248,000.00
7/28/2017	0.25	301	75.25	$	248,000.00
7/31/2017	0.25	304	76	$	248,000.00
11/22/2017	0.25	418	104.5	$	248,000.00
1/16/2018	0.25	473	118.25	$	248,000.00
1/22/2018	0.25	479	119.75	$	248,000.00
1/22/2018	0.25	479	119.75	$	248,000.00
2/5/2018	0.15	493	73.95	$	248,000.00
3/26/2018	0.25	542	135.5	$	251,812.86
3/29/2018	0.25	545	136.25	$	248,000.00
4/23/2018	0.25	570	142.5	$	250,000.00
4/27/2018	0.25	574	143.5	$	250,000.00
4/30/2018	0.25	577	144.25	$	250,000.00
5/4/2018	0.25	581	145.25	$	250,000.00
5/14/2018	0.2	591	118.2	$	200,000.00
5/30/2018	0.25	607	151.75	$	248,000.00
7/9/2018	0.25	647	161.75	$	248,000.00
7/9/2018	0.25	647	161.75	$	248,000.00
7/20/2018	0.25	658	164.5	$	245,000.00
7/30/2018	0.25	668	167	$	248,000.00
7/30/2018	0.25	668	167	$	248,000.00
8/31/2018	0.25	700	175	$	248,000.00
10/18/2018	0.25	748	187	$	245,000.00
11/30/2018	0.25	791	197.75	$	248,000.00
12/10/2018	0.25	801	200.25	$	248,000.00
12/21/2018	0.25	812	203	$	248,000.00
12/24/2018	0.25	815	203.75	$	245,000.00
2/12/2019	0.25	865	216.25	$	248,000.00
2/19/2019	0.25	872	218	$	248,000.00
2/19/2019	0.25	872	218	$	248,000.00
2/25/2019	0.25	878	219.5	$	248,000.00
2/28/2019	0.25	881	220.25	$	248,000.00
2/28/2019	0.25	881	220.25	$	248,000.00

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

Inyo County Treasury
Weighted Average Maturity

3/29/2019	0.25	910	227.5	$	245,000.00
4/29/2019	0.25	941	235.25	$	248,000.00
5/6/2019	0.25	948	237	$	248,000.00
5/28/2019	0.25	970	242.5	$	248,000.00
6/3/2019	0.25	976	244	$	248,000.00
6/4/2019	0.25	977	244.25	$	248,000.00
6/24/2019	0.25	997	249.25	$	248,000.00
8/19/2019	0.25	1053	263.25	$	248,000.00
8/19/2019	0.25	1053	263.25	$	248,000.00
8/23/2019	0.25	1057	264.25	$	248,000.00
11/25/2019	0.25	1151	287.75	$	248,000.00
12/9/2019	0.25	1165	291.25	$	245,000.00
1/21/2020	0.25	1208	302	$	245,000.00
1/29/2020	0.25	1216	304	$	248,000.00
2/5/2020	0.25	1223	305.75	$	245,000.00
2/28/2020	0.25	1246	311.5	$	248,000.00
4/24/2020	0.25	1302	325.5	$	248,000.00
4/27/2020	0.25	1305	326.25	$	248,000.00
4/30/2020	0.25	1308	327	$	250,000.00
5/6/2020	0.25	1314	328.5	$	248,000.00
5/7/2020	0.25	1315	328.75	$	245,000.00
5/29/2020	0.25	1337	334.25	$	245,000.00
6/17/2020	0.25	1356	339	$	248,000.00
6/30/2020	0.25	1369	342.25	$	248,000.00
6/30/2020	0.25	1369	342.25	$	245,000.00
7/1/2020	0.25	1370	342.5	$	248,000.00
7/15/2020	0.25	1384	346	$	248,000.00
7/29/2020	0.25	1398	349.5	$	245,000.00
7/29/2020	0.25	1398	349.5	$	245,000.00
8/12/2020	0.25	1412	353	$	248,000.00
8/12/2020	0.25	1412	353	$	248,000.00
8/17/2020	0.25	1417	354.25	$	248,000.00
8/19/2020	0.25	1419	354.75	$	248,000.00
8/28/2020	0.25	1428	357	$	248,000.00
8/28/2020	0.25	1428	357	$	248,000.00
9/4/2020	0.25	1435	358.75	$	248,000.00
9/16/2020	0.25	1447	361.75	$	248,000.00
11/12/2020	0.25	1504	376	$	248,000.00
12/9/2020	0.25	1531	382.75	$	248,000.00
12/18/2020	0.25	1540	385	$	245,000.00
12/31/2020	0.25	1553	388.25	$	245,000.00
1/15/2021	0.25	1568	392	$	245,000.00
2/17/2021	0.25	1601	400.25	$	248,000.00
5/26/2021	0.25	1699	424.75	$	248,000.00
6/7/2021	0.25	1711	427.75	$	248,000.00
6/24/2021	0.25	1728	432	$	248,000.00
Totals			21563.9	$	27,626,812.86

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

Inyo County Treasury
Weighted Average Maturity

Corporate Obligation				
1/22/2018	1	479	479	$ 1,010,076.58
5/6/2019	1.6	948	1516.8	$ 1,610,880.00
7/21/2020	1	1390	1390	$ 1,027,646.53
2/19/2021	1	1603	1603	$ 1,003,600.00
Totals			4988.8	$ 4,652,203.11
Treasury Loans				
2015-01	0.15	1370	205.5	$ 132,847.43
2015-02	0.035	1065	37.275	$ 30,187.61
2015-03	0.04	1065	42.6	$ 37,734.51
2014-03	0.38	1442	547.96	$ 329,179.17
Totals			833.335	$ 529,948.72
LAIF				
6/30/2016	1.9	1	1	$ 19,300,000.00
UBS				
6/30/2016	1.5	1	1	$ 1,500,000.00
GRAND TOTAL:			57989.285	$ 112,982,314.70

513 Days* Weighted Average Maturity
As of: September 30, 2016
*Days are determined at a per million rate.

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

cc: TTC
Aud
CAO
10/10/16

PUBLIC AGENCY RETIREMENT SERVICES | PARS

COUNTY OF INYO
PARS OPEB Trust Program

Monthly Account Report for the Period
8/1/2016 to 8/31/2016

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

Account Summary

Source	Beginning Balance as of 8/1/2016	Contributions	Earnings	Expenses	Distributions	Transfers	Ending Balance as of 8/31/2016
Employer Contribution	$5,622,261.34	$0.00	$22,317.49	$0.00	$0.00	$0.00	$5,644,578.83
Totals	**$5,622,261.34**	**$0.00**	**$22,317.49**	**$0.00**	**$0.00**	**$0.00**	**$5,644,578.83**

Investment Selection

Moderate HighMark PLUS

Investment Objective

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

Investment Return

			Annualized Return			
1-Month	3-Months	1-Year	3-Years	5-Years	10-Years	Plan's Inception Date
0.40%	3.53%	6.12%	6.12%	7.42%	-	6/16/2010

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.
Account balances are inclusive of Trust Administration (unless invoiced), Trustee and Investment Management fees