



County of Inyo Board of Supervisors

July 19, 2016

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on July 19, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Tothoroh, Rick Pucci, Mark Tillemans and Matt Kingsley.

PUBLIC COMMENT Chairman Griffiths asked for public comment and there was none.

CLOSED SESSION Chairman Griffiths recessed open session at 8:35 a.m. to convene in closed session with all Board members present to discuss the following items: No. 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) No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (one case) No. 4 **CONFERENCE WITH LABOR NEGOTIATORS** – (Government Code Section 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, Information Services Director Brandon Shults, County Counsel Marshall Rudolph and Assistant County Counsel John Vallejo. No. 5 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – (Government Code Section 54956.8). Property: APNs 002-054-013 (on North Edwards Street in Independence) and 002-133-03 (on Clay Street in Independence). Agency Negotiators: Kevin Carunchio and Marshall Rudolph. Negotiating Parties: Inyo County and the Judicial Council of California. Under negotiation: Price and terms of payment.

OPEN SESSION Chairman Griffiths recessed closed session and reconvened the meeting in open session at 10:13 a.m. with all Board members present.

PLEDGE Assistant Clerk of the Board Ellis led the pledge of allegiance.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, however, and would recess to closed session at the end of the meeting to continue discussions.

PUBLIC COMMENT Chairman Griffiths asked for public comment and there was none.

COUNTY DEPARTMENT REPORTS Inyo County-Clerk-Registrar of Voters Kammi Foote told the Board the filing period for the November 8, 2016 election opened yesterday and would end August 12, 2016, for City Council, school districts, hospital districts and resource boards. She said seventeen statewide measures have been approved to go on the ballot so far, covering topics that include a cap on prescription drug prices, two measures regarding the death penalty, firearms and ammunition sales, marijuana legalization and a referendum to overturn a ban on the use of single-use plastic bags. She said the entire list is on the California Secretary of State’s website. Supervisor Pucci mentioned the vote-by-mail only concept and said he’d like to hear more about it after the election. Foote said she’d be back in mid-August to address the issue and any questions the Board has.

(continued)
COUNTY
DEPARTMENT
REPORTS

Assessor David Stottlemire told the Board that both unsecured and secured tax rolls are closed, totaling \$4,032,953,955 for a 2 percent increase over last year. He said while other counties are showing increases of 11, 12 or 13 percent, they're in high-growth areas. He said Inyo County's numbers are at least stable. He said he hoped to get on the agenda for next week to discuss the numbers more. Stottlemire also noted his office had several reports due to the State that it would be working on over the next month.

Water Director Dr. Bob Harrington told the Board that with the assistance of a facilitator from the Department of Water Resources, his department has been conducting a public outreach campaign regarding the Sustainable Groundwater Management Act with the goal of preparing an assessment of groundwater in the Owens Valley. Tonight they would be meeting with representatives from community service districts and municipal water companies.

Chief Probation Officer Jeff Thomson noted it is Probation Services Week and thanked the Board for passing a proclamation acknowledging such at last week's meeting. He said he wanted to publicly thank his employees who do a wonderful job day in and day out. He said there are five officers who supervise more than 500 folks in Inyo County, from Bishop to Shoshone. Thomson said they are also highly trained for residential field tactics, dealing with rehabilitation, and cognitive behavior therapy, and couldn't get all that done without the support staff. He said he is proud to be their chief. Supervisor Kingsley said he appreciated the tremendous effort it takes to provide services in the far southeast reaches of Inyo County.

CLERK-RECORDER
ATPAC CRIIS
SOFTWARE
LICENSING PAYMENT

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to authorize payment to AtPac in an amount of \$10,772 for the annual CRIIS™ Software License Maintenance and Support Fee, contingent upon the adoption of the 2016-2017 budget. Motion carried unanimously.

CLERK-RECORDER
DFM ASSOC.
SOFTWARE
LICENSING PAYMENT

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve payment to DFM Associates in an amount of \$13,738.80 for the annual DFM Associates Software License Maintenance and Support Fee, contingent upon the Board's adoption of the 2016-2017 annual budget. Motion carried unanimously.

BOARD OF
SUPERVISORS
APPOINTMENT TO
BISHOP RURAL FIRE
PROTECTION DIST.

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to appoint Robert Winzenread to the Bishop Rural Fire Protection District Board, to complete a four-year term ending July 1, 2020. (*Notice of Vacancy resulted in request for appointment being received from Mr. Winzenread.*) Motion carried unanimously.

INFORMATION
SERVICES
SUNGUARD
MAINTANENCE
AGREEMENT

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to ratify the renewal of a Software Maintenance Agreement between SunGuard Public Sector and the County of Inyo for the County's enterprise accounting system, IFAS, for the period of July 1, 2016 through June 30, 2017 in an amount not to exceed \$36,740, contingent on Board approval of the Fiscal Year 2016-2017 budget. Motion carried unanimously.

COUNTY COUNSEL
CONFLICT OF
INTEREST CODE
BIENNIAL REPORTS

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: 1) Receive and approve the 2016 Conflict of Interest Code Biennial Reports from the following County Departments (Attachments A.1. through A.8.): A.1. Clerk-Recorder; A.2. County Counsel; A.3. District Attorney; A.4. Planning; A.5. Probation; A.6. Sheriff; A.7. Treasurer-Tax Collector; A.8. Water; and 2) Receive and approve the amended Conflict of Interest Code for the following Departments (Attachments B.1. through B.3.): B.1. County Counsel; B.2. Planning; and B.3. Water. Motion carried unanimously.

ROAD DEPT. SOLE-
SOURCE CONTRACT
WITH STATE FOR
ANNUAL REPORT

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) Approve the sole-source contract between the County of Inyo and State of California for the preparation of the Annual Road Report, in an amount not to exceed \$4,000 for the Fiscal Year ending June 30, 2016; B) Designate the Road Commissioner to sign the Road Report per State Law; and C) Authorize the Road Commissioner to sign the contract, contingent upon the Board's adoption of the Fiscal Year 2016-2017 budget. Motion carried unanimously.

PW/AWARDING OF
BID AND CONTRACT
FOR BISHOP SLURRY
SEAL TO

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) Award the bid for the Inyo County/City of Bishop Slurry Seal Project to Environmental Concepts of Tehachapi, CA in the amount of \$264,204; B) Approve and award the construction contract for the project to Environmental Concepts of Tehachapi, CA in the amount of \$264,204; C) Authorize the

*ENVIRONMENTAL
CONCEPTS*

Chairperson to execute the project contract, contingent upon obtaining appropriate signatures and the adoption of the Fiscal Year 2016-2017 budget; and D) 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. Motion carried unanimously.

*PW/AWARDING OF
BID AND CONTRACT
TO TERMINIX*

Moved by Supervisor Kingsley and seconded by Supervisor Tothoroh to: A) Award the bid for IPC Services to Terminix of Bishop, CA in the amount of \$5,985; B) Approve and award the contract for IPC Services to Terminix of Bishop, CA, for the period of July 1, 2016 through June 30, 2019, in the amount of \$17,955; and C) Authorize the Chairperson to execute the IPC Services contract, contingent upon obtaining appropriate signatures and the adoption of the Fiscal Year 2016-2017 and future budgets. Motion carried unanimously.

*SHERIFF'S SOLE-
SOURCE CONTRACT
WITH MORPHO TRUST
FOR LIVESCAN*

Moved by Supervisor Kingsley and seconded by Supervisor Tothoroh to: A) Approve MorphoTrust USA, Inc. as the sole-source provider for the annual maintenance of the two Livescan Fingerprint machines located at the Jail facility and the one at the Bishop PD; and B) Authorize payment to MorphoTrust USA, Inc. for the annual maintenance of the two Livescan Fingerprint machines located at the Jail facility and the one at the Bishop PD, in the amount of \$16,000, contingent upon the adoption of the Fiscal Year 2016-2017 budget. Motion carried unanimously.

*VSO/SUBVENTION
AND MEDI-CAL
CERTIFICATION OF
COMPLIANCE*

Moved by Supervisor Kingsley and seconded by Supervisor Tothoroh to approve and authorize the Chairperson to sign the Subvention and Medi-Cal Certificate of Compliance for Fiscal Year 2016-2017. Motion carried unanimously.

*CAO/EMERGENCY
SERVICES EMPG
GRANT APPLICATION/
APPROVAL OF
AUTHORIZED AGENT*

CAO Kevin Carunchio explained Inyo County Emergency Services was seeking approval to apply for almost \$129,000 in State funds through a program that has been around awhile but which the County had decided not to participate in the past few years because of an overwhelmingly onerous application process. However, he said that emergencies keep racking up in Inyo County and it is difficult for staff just to keep up with the daily influx of emails from CalOES while performing their other duties. Carunchio also noted the CalOES director made a point of telling the CSAC director that Inyo County was the only county that didn't apply for the grant. So he said Inyo County is proposing to apply for the grant and use the money to create a stand-alone emergency services position to take care of the day-to-day CalOES tasks and be there as a sort of de facto herder of pre- and post-disaster information. Carunchio said the position will need to be created through the budget but the grant application is due now. Supervisor Rick Pucci praised County Emergency Services staff for doing a great job on the application and said the County should go after whatever funding it can. Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to: A) approve the submittal of the Federal Fiscal Year 2016 Emergency Management Performance Grant (EMPG) Program Application and authorize the County Administrator, as the designated Authorized Agent, to sign the grant application, as well as any and all accompanying documents by approving "Governing Board Resolution No. 2016-28" designating the County Administrator/Director of Emergency Services as the County's Authorized Agent to execute for, and on behalf of Inyo County, an application to be filed with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and sub awarded through the State of California; and (C) authorize the Chairperson to sign the Resolution Addendum letter; and D) direct the County Administrator, if the County is awarded a 2016 EMPG award, to execute any grant awards only upon adoption of the Fiscal Year 2016-2017 County Budget with the inclusion of the necessary budget to provide identified match funding, and the inclusion of the position of Emergency Services Manager in the Authorized Staffing. Motion carried unanimously.

PW PERMISSION TO WITHDRAW STATE PARKS GRANT APPLICATION AND REAPPLY NEXT CYCLE

Courtney Smith with Public Works reminded the Board that it directed staff on March 1, 2016 to apply for a State Parks grant application to pay for a National Environmental Protect Agency-required environmental analysis of impacts resulting from jurisdictional agreements between the County and Inyo National Forest (INF) for County roads that cross INF land and are proposed for combined use. He said the work includes archeology and biological studies by a consultant of approximately 48.6 miles of County roads, completion of an environmental assessment, reimbursement to County Planning staff and County Counsel for their time reviewing the document, and reimbursement to INF staff for their time reviewing the document. The County received \$156,268 out of a requested \$446,615. He said Public Works basically wants to know if the County will receive the entire funding amount before undertaking such a costly project. State Parks said the County wouldn't be getting the entire funding amount and the applicant who scored second best behind the County would be happy to take the funding if Inyo withdrew its application. Supervisor Kingsley noted that maybe Inyo County's grant application could be more competitive next cycle if it teamed up with the Inyo National Forest, since most of the projects that got funding this cycle are national forests. He pointed out that Sierra National Forest got \$700,000-plus for something called "Add Roads and Trails." Smith noted that land management agencies do inherently score better on these types of competitive grants and he said he thinks the County can work with both INF and State Parks in gaining an edge in the competition for the \$4 million available next grant cycle. Public Works Director Clint Quilter noted that the INF was very helpful in working with the County this grant cycle. Smith said it is a risk to turn the money down now but it also a risk to take it now when there's a good chance the County will win a grant next year with the support of the INF and be able to have a superior project. Supervisor Tillemans asked for updates on work involving the Adventure Trails Project. Supervisor Kingsley said with full grant funding, the Public Works project will be extremely helpful in clearing up a lot of uncertainty involving roads. Supervisor Pucci said the project is also a chance for the County to help the INF meet some of its goals identified in the current Draft Forest Plan Revision. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) Choose not to enter into a grant agreement with the State Parks to complete a partially funded grant; and B) Authorize the Public Works Director to complete steps necessary to withdraw the grant application, so that the County can apply for the entire project in a future year. Motion carried unanimously.

WATER DEPT. LETTER TO CALIF. WATER COMMISSION OVER BASIN SUBDIVISION DENIAL

Water Director Dr. Bob Harrington went before the Board asking approval to send a letter to the California Water Commission (CWC) asking it to not accept the Department of Water Resources' (DWR) recommendation to reject the County's request to subdivide the Owens Valley Groundwater Basin into two subbasins. The DWR is scheduled to present its draft recommendation to the CWC on July 21, and the Water Department wanted the County's response on record before the CWC makes a final decision at its September 21, 2016 meeting. Harrington said the County made its initial request for the subbasins under the Sustainable Groundwater Management Act, which promises to provide local agencies with the tools to manage their own groundwater basins. The three local agencies whose jurisdictional boundaries about the Inyo-Mono groundwater basin are the County of Inyo, County of Mono and the Tri-Valley Groundwater Management District, each of whom adopted a formal resolution in support of subdividing the basin between Laws (Inyo) and Chalfant (Mono). He said the boundary line was selected based on scientific and jurisdictional reasons; data and other documents supporting these reasons were submitted to the DWR. The DWR then made a draft recommendation that the County's request be "Denied with Modifications" – the addition of a subbasin that includes Fish Slough. Harrington said the DWR did not provide any analysis to support its recommendation but he did he receive the equivalent of a courtesy call saying the DWR didn't believe there was adequate evidence of groundwater flow barrier that the Water Department claimed, and that local tribes had opposed the request. There is some question as to whether that opposition was conveyed through the proper channels, i.e., via the public record during the DWR's recent 30-day public comment period. After the DWR made its recommendation, the Big Pine Tribe drafted a letter to the California Water Commission asking it to uphold the DWR's denial of Inyo's request. In the letter, the Tribe accuses the County of making minimal efforts to engage stakeholders at the local level, which Harrington said simply isn't true considering the groundwater basin split was an agenda item at 11 meetings subject to the Brown Act in Inyo and Mono counties and the Tri-Valley area, and three public workshops were held on SGMA in general. He said all of those meeting agendas and minutes were submitted to the DWR along with Inyo's request. Supervisor Totheroh called the Tribe's definition of minimal interesting.

(continued)
WATER DEPT. LETTER
TO CALIF. WATER
COMMISSION OVER
BASIN SUBDIVISION
DENIAL

The letter also includes the statement that the Tribe requested a government-to-government consultation with the County and was ignored. Harrington clarified that the Water Department responded to the Tribe's Environmental Office as requested and asked what nature of consultation the Tribe wanted (elected official to elected official or staff to staff) but never received a response. Chairperson Griffith then commented on the disingenuous nature of the Tribe's letter given that fact. Harrington said all comments received by the County – a letter from the Tribe and two individuals – were included in its proposal package sent to the DWR. Supervisor Tillemans asked whether any of the comments received by the County included any significant scientific backup showing why the basin shouldn't be split. Harrington said no. The letters did express concern about Fish Slough, concern the County shares. However, Harrington said, the Water Department believes the parties' opposition to the County's plan actually does more harm to Fish Slough as it diminishes focus on the area. Supervisor Tillemans expressed his frustration that the DWR had no real justification to deny the County's request and the opposition had no real scientific justification for opposing it. Bishop resident Phillip Anaya said it brought him great joy to hear of the DWR's recommendation. He then began to complain about only receiving a copy of the Water Department's draft letter today. Chairperson Griffiths asked Assistant Clerk of the Board of Supervisors Ellis whether the letter was included in the online agenda packet. She explained she did not post it online because it was in early draft form, but she did make it available to anyone who asked for a copy. County Counsel Marshall Rudolph said the County is under no legal obligation to make copies available ahead of time, or to even make agenda backup material public at all but does so as a courtesy. Anaya said with DWP wanting to pump water out of the Five Bridges area, the real concern should be the boundary between the adjudicated area and the non-adjudicated area. He questioned where the authority of the Long-Term Water Agreement would stop. Anaya then noted the very fragile situation in Fish Slough and said instead of spending time opposing the DWR, the County should be working on ways to manage the non-adjudicated areas in an endangered basin. He also said BLM did extensive studies and the hydrology of Fish Slough was not clear in that they couldn't tell where the water was really coming from. He called the DWR's recommendation an important step in considering larger boundaries not necessarily for a hydrological reason but for a political one. Chairman Griffiths asked about impacts associated with neighboring Groundwater Sustainability Areas (GSAs). Harrington said SGMA requires coordination between GSAs and provides that flexibility given the fact that hydrology doesn't stop at geographical boundaries. Supervisor Kingsley noted then that if the subbasin split is approved, the Tri-Valley Groundwater Management District will have to develop a GSA and accompanying plan that takes into account Fish Slough. Harrington said at the end of the day, with or without the split, Fish Slough's steadily declining groundwater discharge will be addressed. Anaya said the impacts the County really has to clearly understand and worry about are those on LADWP and the Long-Term Water Agreement. He said sending a letter to the CWC now is premature because its final decision will not be made for months. Earl Wilson said joining with Mono County is probably a good idea and there is a precedent for it. CAO Carunchio said it's correct this week's CWC meeting will not result in a final decision. But he said it is the County of Inyo, Mono County and every other county in California that bears responsibility for complying with SGMA and it is them that will suffer – no other entities – by losing state funding. He also noted that if Inyo County goes into probationary status, it will be private property rights, not the City of Los Angeles', that will be impacted in the basin, and the responsibility to prevent that lies solely with the Board of Supervisors. Harrington said the consequences were even more daunting than the CAO described. He explained that a probationary status initiates a process where the DWR comes in and creates an interim management plan for your basin. If you still fail to produce a Groundwater Sustainability Plan (GSP) in the timeline given, you'll be fined. CAO Carunchio emphasized the importance of getting the County's position on the record with the CWC and preserved for posterity so that down the road when private property rights are impacted, Inyo and Mono counties' original recommendations for the basin will be known. Carunchio noted that when the state was first proposing SGMA, it promised counties the flexibility to create GSAs and GSPs to fit their needs. So it's particularly disappointing, he said, to develop a plan for how the County wants to manage its basin for scientific, hydrological and political effectiveness, only to have it rejected based on apparent side conversations that were not part of the public record. Carunchio said the Water Department went to a lot of effort in developing that plan and conducting a lot of outreach, and should be applauded for being aggressive and taking an early approach. Supervisor Kingsley said it's meaningful that all three local jurisdictions support the split. He told Anaya he was hearing his concerns but thought they would be addressed on the course the County was pursuing.

(continued)
WATER DEPT. LETTER
TO CALIF. WATER
COMMISSION OVER
BASIN SUBDIVISION
DENIAL

Supervisor Totheroh said he was very concerned about Fish Slough and thought there were different ways of addressing it, but having the record show how the County proposed doing it is important. He said he felt the County's plan was probably the easiest way to address the challenges there. Chairperson Griffiths said it felt like they were arguing over six and half-a-dozen, because everyone was concerned about Fish Slough. He said he doesn't really fully comprehend strong opinions either way because the issues at Fish Slough have to be figured out anyway. But he noted the evidence given by the USGS and even the DWR suggests the Tri-Valley area and Owens Valley really are two separate areas. He said in other parts of the state, giant puddles of water are being chopped into several different basins so he is not sure why it has become a contentious issue here. Anaya spoke again, saying he was gratified the County was concerned about Fish Slough. But he said the County decided to use a scientific methodology with its plan rather than take the more cumbersome political route and is now getting a lot of blowback. Chairman Griffiths said he didn't see a whole lot of blowback from his perspective. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the Water Department's letter to the CWC, with the addition of language conveying the extent of the County's outreach efforts and the support it received from other agencies, as well as language that the County does not oppose the inclusion of Fish Slough but believes the area will be better served by its original plan; and to authorize the Chairperson to sign. Motion carried unanimously.

MAMMOTH AIRPORT
PRESENTATION

Town of Mammoth Lakes Public Works Director Grady Dutton presented the Board a status update on the Mammoth Airport, which he said underwent its annual FAA Part 139 inspection in May. He said the inspection turned up zero safety issues and was followed by another clean bill of health from the Caltrans Aeronautics Division in June. He then talked about the facilities and challenges at the airport. He said while tiny, the terminal is in great shape. As for the number of cancelled flights in and out of Mammoth, he said the figures tend to be exaggerated but were at 16 percent this winter, unfortunately mostly occurring on Thursdays and Fridays. He said about half of the cancellations were caused by wind, which is the Town's main concern regarding the airport. He noted that in addition to ongoing discussions among himself, CAO Carunchio, Inyo County Public Works Director Clint Quilter, members of the Eastern Sierra Council of Governments, and the FAA, two Town councilmembers were currently engaged in community outreach partially devoted to gauging public sentiment about commercial air service. Dutton said that in these discussions, the Town has been focused as much on Inyo County as it has been on Mono County. He said he doesn't think Inyo and Mono need a regional airport authority, but the jurisdictions have to talk to each other. Dutton said the Town is planning to build a new, 40,000 square-foot, three-gate terminal just to the east of where the current terminal is at a cost of about \$30 million, which includes work on the apron and an environmental assessment. He said the current terminal can't accommodate multiple aircraft coming and going at the same time, and the FAA made it clear it was supportive of the project because it was needed to meet existing traffic. Supervisor Totheroh asked for and received confirmation that the new terminal building would only be supporting existing traffic and not expanding air service. Dutton said two Requests for Proposals will be going out: one for architectural design services and one for environmental consultation services. The environmental analysis could cost anywhere from \$2 million (if an Environmental Impact Statement) to \$500,000 (if an Environmental Assessment). The apron is projected to cost \$7 million and the terminal itself \$18 million. Chairman Griffiths asked whether the project was scalable, whether it was going to be a Taj Mahal or if it could be something more modest and less expensive. Dutton said he hadn't gone through every estimate but he thought it could be scaled down slightly. The main thing the Town wants is an attractive exterior that makes an immediate positive impression on disembarking passengers. The interior is less of a priority. He said they want the building to look good on the outside and be functional on the inside so people can get on their way. Dutton said the Town wants to have three planes coming in within a few minutes of each other. He stressed this would be today's existing traffic only.. He also noted that it's difficult to work with airlines in coordinating flight times. Supervisor Tillemans said his own experience flying out of Mammoth to a connector airport has often meant long layovers and losing a whole day to travel when it would have been faster to drive. Supervisor Totheroh questioned the cost of the terminal, noting that \$400 a square foot, while not Trump Tower expensive, certainly doesn't sound economical. Dutton explained that the Eastern Sierra is remote and isolated in terms of the contractors available, so the cost of doing business is high here.

(continued)
**MAMMOTH AIRPORT
PRESENTATION**

Supervisor Tillemans asked whether there was any flexibility for the airport to bring in larger planes or whether it was limited by the layout. Dutton said larger planes are not an option because of the terminal and it's not a long-term plan for the Town. He added that while the schedule has already slipped a month, he believes the new terminal can still open in the summer of 2020. He then noted FAA representatives would be in the Eastern Sierra on July 29 for tours of both airports and a visit with ESCOG. Dutton said he hoped to impress upon them how much Inyo and Mammoth wanted to work together. Supervisor Totheroh asked Dutton how he saw the Bishop Airport fitting into the picture and Dutton said it's too early to know but he is confident the two airports can do better. The Town would probably ask those sorts of questions of a consultant. Dutton said it's a tricky issue because jurisdictions tend to get parochial with airports and while they'd love to see a joint agreement, getting to where everyone felt treated fair would be a tough. Chairman Griffiths said he thought everyone was of the same mindset. Supervisor Kingsley asked whether which airport has more potential for growth is a consideration when thinking about regionalization, given that Mammoth Airport clearly has its limitations with elevation issues, crosswind, bad weather and short runways, and clearly Bishop Airport has fewer issues. Dutton said all of those things need to be considered, including runway rehab, which Bishop Airport just did. Also to consider is that some of Bishop's main visitors – fishermen, mountain bikers, rodeo contestants – can't or won't bring their equipment with them on a plane and skiers don't want to drive up the hill in snow. Supervisor Tillemans said there hasn't been much talk at ESCOG comparing the two facilities and it was exciting to be talking about regional air service in that context. Supervisor Kingsley said it does seem like there is a way to use both airports to their full capacity and take advantage of both to their full potential.

**PROBATION/AWARD
OF RECIDIVISM
GRANT AND
CONTRACT TO
UNITED METHODIST
SOCIAL SERVICES**

Chief Probation Officer Jeff Thomson explained that back in 2014, the governor released money for a small grant that would allow non-profits to participate in community recidivism reduction efforts. Nobody responded to a Request for Proposals the first time around. This time, the Community Recidivism Reduction Grant Committee received one response, from United Methodist Social Services (UMSS), which is very involved in the community and with Drug Court. He said UMSS will be using the grant money to focus on homelessness issues and getting offenders into safe and sober environments. Chairperson Griffiths said he appreciated UMSS's efforts because offenders can't focus on their next steps post-incarceration if they're homeless or living in a bad situation. Supervisor Kingsley agreed and said the focus on housing is really important. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) Review the Community Recidivism Reduction Grant proposal received in response to the Request for Proposals; B) Receive a recommendation from Chief Probation Officer Jeff Thomson as the Community Corrections Partnership Chairperson and member of the Community Recidivism Reduction Grant Review Committee; C) Award the Community Recidivism Reduction Grant, as allocated to Inyo County, to United Methodist Social Services; D) Direct Probation staff to prepare a contract between Inyo County and United Methodist Social Services for the period of August 1, 2016 through February 19, 2020 in the amount of \$15,000, in accordance with the Community Recidivism Reduction Grant guidelines, County requirements/procedures, and the Board's directives as a result of this Board meeting; and E) Authorize County Administrative Officer Kevin Carunchio to sign the contract after the contract has been finalized and all signatures have been obtained. Motion carried unanimously.

**MODIFICATIONS TO
PROBATION'S
ELECTRONIC
MONITORING
PROGRAM**

Chief Probation Officer Jeff Thomson told the Board it is time for the Probation Department to review the policies and rules for what has been a very successful program for Probation and the community. He said only two changes were being made: the minimum sentence was moving from zero to 30 days; and credits are now determined by Penal Code Section 4019. Motioned by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the Probation Department's Electronic Monitoring Program as modified. Motion carried unanimously.

RECESS/RECONVENE

Chairman Griffiths recessed the meeting at 12:47 p.m. for lunch and reconvened the meeting at 1:31 p.m. with all Board members present.

*PLANNING/USFS
DRAFT FOREST PLAN
REVISION AND DEIS
OVERVIEW &
ANALYSIS*

Planning Director Josh Hart said the Planning Department and County have been working on the Forest Plan for many years and thinks it was a result of the County's efforts that the concept of coordination with local governments was incorporated into the 2012 Planning Rule. The County and Inyo National Forest have also been coordinating on the Forest Plan Update, the Draft Environmental Impact Statement for which is out for public review, with comments due August 25, 2016. He said the Planning Department created a robust public outreach program to gather input for the County's response. Hart said the INF has worked very hard on the DEIS and from a personal standpoint, he thinks the document is a monumental achievement. He then thanked Cathreen Richards and many of the other planners he has worked with over the years for their efforts. He said they have done a great job and he thinks the County's input is visible in the plan. Supervisor Jeff Griffiths reminded audience members to fill out a card if they wanted to speak on this agenda item, to not repeat other speakers, and to limit their comments to three minutes. INF Supervisor Ed Armenta then introduced the plan, which was developed under the 2012 Planning Rule that replaced the 1982 Planning Rule which he said made Forests jump through hoops that were frankly unnecessary. He said the current Forest Plan is 28 years old and long overdue for an update. The updated version is supposed to set the stage for how INF will be moving forward in the next 10 to 15 years, he said, and includes an adaptive management component along with monitoring – a significant change from the way the Forest Service has done business. He explained how as early adopters, the INF and Sequoia and Sierra national forests were moving along uncharted territory as they developed their plans, and it's been challenging. He said he thinks the INF did a pretty good job collaborating with the County per its MOU with the Forest Service, but knows there are things they probably missed. Armenta noted Alternative B is their preferred alternative and the draft plan has been directed around it. Alternative C calls for more wilderness and Alternative D focuses more on the pace and scale of restoring ecosystems as they deal with the wildfire threat. He said he believes the plan satisfies the National Environmental Quality Act requirement for examining a wide range of alternatives, and staff kept in mind that this plan was going to be under a lot of scrutiny. Armenta said he still thinks there will probably be litigation in response to the plan. Resource and Planning Staff Officer Leann Murphy said there have been a lot of changes to social, economic and environmental conditions over the past 28 years, as well as new regulations, policies, information and science on a variety of topics, so an update is much needed. She said that in updating the plan, the INF looked at three revision topic areas: fire management, ecological integrity, and sustainable recreation in designated areas. The 2012 Planning Rule required the Forest to additionally examine areas suitable for timber, wilderness and wild and scenic rivers. She then went over the contents of the DEIS and what readers can expect to find, including a 19-page summary. Murphy also gave a brief rundown of the alternatives included in the plan. She noted none of the alternatives call for a change in management of geology and minerals, renewable energy, infrastructure, lands and grazing. She said the INF took its current management direction for those areas and put it into the revised plan, but had to make sure language was consistent with 2012 Planning Rule. She said she feels the INF incorporated/addressed a lot of the comments and issues brought forward by Inyo County. County Planner Cathreen Richards said the Planning Department has really enjoyed working with the INF and appreciates the time and effort the INF put in to accommodate the County. Richards said staff analyzed the Plan bearing in mind the County's stance on access, vibrant economy, local culture and other priorities. She said the Plan best addresses the County's concerns in Alternative D, and next in Alternative B, because they include less land and habitat designations that restrict multiple uses and provide more intensive treatments for fire suppression and habitat restoration than C and A. She said Alternatives B and D better address the County's concerns about wilderness than Alternative C, which calls for more than 315,530 acres of wilderness compared to Alternative B's 37,029 acres and Alternative D's zero acres. She then ran through some of the pros and cons of the plan, based on the County's priority list: Combining all three forests into one EIS has short-changed Inyo County in areas, such as the use of timber as a measurement for benefits to people. Grazing, recreational use or even water would have been better measurements here. She said the INF did a remarkable job on the economic supplement plan, but those facts needed to be better incorporated into the DEIS. The plan also should have included an evaluation of historic multiple uses instead of dealing with geology/minerals and grazing as incidental. Richards also noted that while the DEIS cites a visitor desire for larger campsites, none of the alternatives address areas for new additional developed sites. She said INF could have also looked at camping sites from an economic perspective but concessionaires and potential lessees for recreational development were not included in any alternative.

Richards said the plan does not address permitting issues nor are public services and infrastructure adequately evaluated as requested by County. The USFS did analyze the County's General Plan but that analysis was not included in the DEIS. Richards said the USFS could have at least recognized these goals and policies as important to Inyo County. After further discussion, Chairman Griffiths began calling on speakers who turned in cards to the Assistant Clerk. Fran Hunt, Sierra Club spokesperson, urged the Board and INF to take a balanced approach that included smart, science-based recommendations and more wilderness. She pointed out that economic studies have linked economic benefits to federally protected lands, noting that there are 3,400 jobs in the local economy reliant on Forest recreation and that 88 percent of Forest visitors come from more than 50 miles away. She said sustaining this requires a combination of high quality recreation and health and protection of the land – something found in an approach closer to Alternative B with some improvements. Edith Warkentine told the Board she is pleased with the attentiveness and concern the Board approaches these issues with. However, she is puzzled and concerned about opposition to wilderness based on the argument that we already have enough of it. She also said she doesn't understand why opponents say they might want to visit these places someday by car but they haven't and they aren't. She said she hoped the Board would write a letter to INF supporting Alternative B and maybe some areas from C. Sharon Thomas said she thinks we have a jewel in Inyo County that's treasured by people all over the world. She said she supports Alternative B because she knows it has to be a balancing act. She said as more and more wildlands continue to disappear around the globe, more people will be yearning for the solitude and open spaces that exist in Inyo County. She said sustainable recreation has to be recreation in an environment that can be sustained and the County needs to take a long-term view. Randy Gillespie called the DEIS a confusing plan. He said if you watch traffic on U.S. 395, you can see that travelers are coming to camp, and even though the demand is high, the INF keeps shrinking the amount of sites available. He said the County needs to pay attention to the needs and wants of people coming here to do all types of recreation – especially family-type recreation that can't take place if wilderness designations are recommended. He said he supports Alternative A because he doesn't want anything to change but would support Alternative D because it doesn't recommend any wilderness. John Shepherd, member of the Sierra Club since the 1970s, and a member of Friends of Inyo and the Eastern Sierra 4WD Club, said he thinks Plan B meets the not-everyone's-happy frontier, which in a practical world is not a bad criteria. He said the partnerships aspect of the plan needs to be explored more. As a member of the 4WD club, he and others are willing to help with road maintenance but there has to be some sort of structure. He cited the volunteer trail work done by Friends of the Inyo and said he thinks the 4WD club has mutual objectives. Regarding the wilderness areas, Shepherd said a designation applies to some of the areas but not to others. He said he's personally only been able to access Soldier Canyon on the outskirts via 4WD and the terrain is such that there is very little hiking activity there, especially with no water and no shade. The only access anybody would ever have to it is by motor vehicle, he said. He later clarified that Alternative A would be best but he'd also support Alternative B. Abby Sada encouraged the Board to support Alternative B. She said she personally advocates for as much wilderness as possible but also believes in compromise. Mike Johnston showed his own INF maps of the proposed wilderness boundaries and questioned the revenue that's supposed to come from wilderness when he said he's using his OHV on roads in the White Mountains all the time and never sees any hikers. He also said a wilderness designation is not preserving the land for future generations, it's taking it out of their hands so they can't ever develop it. He urged the Board to choose the alternative with the best plan for firefighting. Howard Arcularius spoke on behalf of the Inyo-Mono Farm Bureau and California Farm Bureau, which is looking at timber suitability among other aspects of the plan. He told the Board that while timber production isn't as vital to Inyo's economy as the other forests, it's vital for our nation. He also said the plan does not include a grazing suitability analysis or map of where grazing can occur. The DEIS does not disclose the economic impact from lost jobs and income due to decline in timber supply, nor does it disclose a decline in the biomass power plant industry due to expiring power purchase agreements and the USFS' refusal to recognize the environmental benefit of consuming wood waste. He also cautioned that between single species strategies and the plan's list of Species of Critical Concern, one-half to two-thirds of the forest will be off-limits to mechanical treatments and will grow denser and denser until controlled by wildfire, insects and disease. He said he would provide the Board with the Farm Bureau's final comments when they were ready.

John Patzke said he was in favor of Alternative D and that he has nothing against wilderness itself, just the designations, which can't be reversed. He said he went through all the wilderness designations online and found the maps lacked detail. On Google Maps, he said he saw what appeared to be an airstrip in one proposed wilderness area and roads that aren't included on Forest Service maps. Darla Heil said the Forest Service did a good job in finding a compromise with Alternative B. She also respectfully disagreed with a lot of what the Planning Department had to say. For instance, she said she has climbed a lot of mountains in the INF and you see can U.S. 395 from the top but it doesn't impact the view. She said that shouldn't be an argument against wilderness. Edie Trimmer said that in this time of resource issues and great uncertainty, we should be conservative and careful in the way we manage our land, being sure to protect water, plants, and animals. She said Inyo County has worked to protect land owned by LADWP and we should let the Forest Service do the same with our public lands. Erich Warkentine said he sensed opposition from County staff to new wilderness in Inyo County and didn't think some of the arguments against new wilderness were very sound, such as the impacts on mining operations. He said wilderness is not designated in those kinds of areas and miners have had 150 years to find the minerals up in the mountains. He said he did agree that more analysis of grazing did need to be done. He concluded with the statistic that only 10 percent of the world remains untouched by humans, and said instead of worrying about how much of Inyo County is already wilderness, we should take pride in conserving what we can. Greg Weirick said he represented all of the visitors who come to Inyo County to experience responsible motorized recreation – people who contribute to the economy and love to see the landscape when they're out riding. He said the OHV community wants these lands to stay pristine and beautiful and wilderness designations aren't needed to make that happen. He said he appreciated the County's collaboration with the Forest Service and felt the Planning Department's criticisms were spot-on and that staff had done a great job. He said Congress might have the final say with designating wilderness but the environmental activist industry is going straight to the Forest Service with its recommendations and bypassing the public, so he appreciates the opportunity to offer input to the Board. Sam Dean, representing Advocates for Access to Public Lands, which he said has more than 500 members, said that contrary to what he keeps hearing, there are roads all over the areas proposed for wilderness in Alternative B. He said AAPL opposes B and C and supports D. Stan Smith said a management plan boils down to control of the land and he'd rather see the Native American approach to stewardship. He said in addition to recreational uses, the plan ought to take into account events and said we need to draw international travelers. He said it's possible to take conflict out of the plan. Diana Cunningham said she supports Alternative C but deeply values compromise, so she encouraged the Board to support Alternative B because it respects and acknowledges different perspectives. Earl Wilson said he agreed with those in support of Alternative A because the areas selected for possible wilderness designation have experienced too much impact to environmental quality. He said he liked the idea of more campsites and noted that as president of the China Lake Astronomical Society, he hears a lot of complaints about lack of group campsites away from developed areas and light pollution. He also asked that the little roads still being used out there not be closed. Jora Fogg of Friends of the Inyo said the group is supportive of INF's efforts and of Alternative B as a balance. She noted that the six creek segments proposed for Wild and Scenic nomination in Inyo County would not experience any changes in use as a result. The other classifications listed in the Recreation Opportunity Spectrum only say what kind of recreation can take place and where, but do not change existing uses, she said, noting people can still stock fish, hike, ride OHVs, etc. She encouraged the Board to look outside of historic uses that put an emphasis on extracting resources. Linda Arcularius asked the Board to give some thought to Alternative D because it includes the strongest approach to fire management. She said there's no use discussing wilderness if it all burns down or there's so much smoke nobody wants to visit. She said she hoped the INF and Board looked a little more globally through the plans as far their responsibility as Americans to protect these natural resources from destruction by wildfire. Noting the seriousness of the situation, she said she heard a forest official say California is on the cusp of a million-acre forest fire any day now. The Board then proceeded to discuss the INF's fire suppression budget and the challenges thereof, as well as the road system, which Armenta said would not undergo any changes as a result of the Forest Plan. Supervisor Totheroh suggested the Board's comment letter express support for the fire and smoke fire management efforts of Alternative D, and have staff send direct letters to Sierra and Sequoia national forests about the smoke impacts which come primarily from fires in their jurisdictions. He also advocated for the inclusion of the Species of Critical Concern as a proactive and preemptive measure to prevent more restrictive listings later on and supported the idea of the INF partnering with other entities and adding more recreation sites.

(continued)
**PLANNING/USFS
DRAFT FOREST PLAN
REVISION AND DEIS
OVERVIEW &
ANALYSIS**

Supervisor Kingsley similarly said he liked different aspects of different alternatives but was leaning toward Alternative D with wilderness from Alternative B. He noted however he was concerned about going on record in support of wilderness and then having the Forest Service nominate areas the County doesn't support. He said maybe instead of wilderness designations, the areas can be given a Primitive rating in the ROS and marketing efforts will be just as effective in attracting visitors. He also asked that the County's letter state it wants no loss in grazing acreage. Supervisor Pucci said he agreed with his fellow supervisors and said multiple use is what's most valuable to the economy. Supervisor Tillemans suggested the letter point out the impending addition of a transmission line in the Whites. He said he supported the White Mountain and Piper wilderness proposals and overall, a blending of Alternatives D and B. Chairman Griffiths asked that the County's letter make note of timber being used to measure benefits on the Forest and the need for a grazing map. Staff will return August 9 with a draft letter for Board approval and further direction.

RECESS/RECONVENE Chairman Griffiths recessed the meeting for a break at 4:51 p.m. and reconvened the meeting at 5:02 p.m. with all Board members present.

**CORRESPONDENCE –
INFORMATIONAL –
CAO UPDATE ON
JUVENILE ACTION
DOCUMENTS**

CAO Carunchio presented a memorandum to the Board regarding the status of the juvenile services action documents and the timing of bringing those items forward for consideration by the Board. Staff was directed on June 7 to go back and coordinate where appropriate to produce four documents: Notification to the BSCC that Juvenile Hall will be converted to a Special Purpose Facility; contracts for out-of-county placements of detained youth; an MOU between the County, Superintendent of Schools and Bishop Unified School District regarding the operation of the Keith Bright School; and an updated Juvenile Services Transition Plan. Carunchio said he wanted to make the Board aware that the documents would not be ready at the end of the July as originally thought, but staff was still working on an aggressive timeline to get the documents before the Board in early August. Carunchio recommended all documents come before the Board at once on August 9 because Chief Probation Officer Thomson would be gone on August 2, although that date was still doable. The Board was amenable to the suggestion.

**PLANNING
DEPARTMENT RETI
2.0 PRESENTATION**

Planning staff went before the Board to provide an update on the Renewable Energy Transmission Initiative (RETI) 2.0, initiated in September 2015 by the California Energy Commission, California Public Utilities Commission, and California Independent System Operator. Planner Cathreen Richards said the planning effort was intended to help the state switch 50 percent of the state's energy to renewable sources which will require new investments in transmission. The RETI team is identifying high-value resource areas where transmission upgrades will be needed to bring renewable energy to high-use areas, and currently has six focus areas in California: Tehachapi, Victorville/Barstow, Riverside East, Imperial Valley, San Joaquin Valley and Northern California. Richards said while none of the areas include Inyo County, it's possible that transmission needs will require new or upgrade facilities to run power through the County. The RETI team is asking counties for data and information regarding renewable energy planning and Richards noted Inyo County has already been able to provide the data because it was collected when the County developed its Renewable Energy General Plan Amendment and the Owens Valley Solar Energy Study. The RETI team also provided the counties a list of question, many of which Richards said can easily be answered based on the data the Planning Department has already collected. She said it is gratifying to see their hard work pay off in the form of that information being carried forward. CAO Carunchio noted that during lunch in Bishop last week he overheard a loud conversation between a "land manager" and solar power entities. He asked Planning Director Hart and Richards to let the federal agencies know that if a plan is in the works, the County would like to know about it. Earl Wilson provided public comment, comparing the current solar energy climate to the start of the Gold Rush. He also said there are some old, misleading maps out there. Chairman Griffiths noted the irony in the County being able to stay a step ahead at this juncture because of plans of it was criticized for putting together previously.

INTEGRATED WASTE EQUIPMENT OPERATOR I OR EQUIPMENT OPERATOR II Assistant County Administrator Rick Benson explained a vacancy was recreated in the Integrated Waste Department with the retirement of a 17-year employee. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley that, consistent with the adopted Authorized Position Review Policy that: A) The availability of funding for an Equipment Operator position exists in the Solid Waste budget as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) Where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to fill the position through an open recruitment; and C) Hire one Equipment Operator I, at Range 58 (\$3,310 - \$4,027), or Equipment Operator II, at Range 60 (\$3,472 - \$4,216), depending on the qualifications. Motion carried unanimously.

PERSONAL SERVICES CONTRACT WITH BRANDON SHULTS FOR SENIOR DEPUTY COUNTY ADMINISTRATOR CAO Carunchio noted that he came before the Board last month for permission to fill this long-vacant position, after which he began the recruitment efforts. He was then recently notified that Information Services Director Brandon Shults will be retiring at the end of June 2017. He said since his position is one of the most critical and difficult to fill, moving Shults over to Senior Deputy County Administrator would confer several benefits: he can still do IS work while the Board begins an aggressive recruitment process all the while relying on Shults' expertise for input on candidates; and it gives the County as much time as possible to find a top candidate without losing momentum on current IS projects. Carunchio said Shults' contract could be extended until December if needed, but Shults said he probably won't stay past June. Supervisor Kingsley said he was supportive of the idea and anything the County could do to entice Shults to stay as long as possible and help with the transition. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to designate and authorize the County Administrator to sign a personal services contract (draft attached) with Brandon Shults for Senior Deputy County Administrator at Range 92 (\$7,310 - \$8,885) Step E. Motion carried unanimously.

APPROVAL OF MINUTES Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the minutes of the Board of Supervisors regular meeting of June 21, 2016. Motioned carried unanimously.

PUBLIC COMMENT Chairman Griffiths asked for public comment and there was none.

BOARD MEMEBERS AND STAFF REPORTS CAO Carunchio noted IS Director Shults has ordered new laptops as part of an effort to get everyone on the same page with the electronic agenda.

Supervisor Kingsley said he attended a Great Basin Unified Air Pollution Control meeting last Wednesday, noting that Air Pollution Control Officer Phill Kiddoo issued a citation to the City of L.A. for a little over \$1 million for failing to reach attainment over a period of time. He said the District was as accommodating for as long as it could be. Did have a good meeting with Mike Reynolds for couple hours yesterday.

Chairperson Griffiths said both the Eastern Sierra Transit Authority and Air Pollution Control District had both reached tentative agreements with their bargaining units.

CLOSED SESSION Chairman Griffiths recessed open session to closed session at 5:43 p.m. so the Board could continue discussion of closed session items from the morning session.

OPEN SESSION Chairman Griffiths recessed closed session and reconvened the meeting in open session at 6:25 p.m. with all Board members present.

REPORT ON CLOSED SESSION County Council Marshall Rudolph reported that no action was taken during closed session that is required to be reported.

ADJOURNMENT Chairman Griffiths adjourns the meeting at 6:25 p.m. with the Board scheduled to meet next on July 26 at 8:30 a.m. in Independence.

Chairperson, Inyo County Board of Supervisor

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by _____
Darcy Ellis, Assistant