



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First,
Second, And Third Tuesday
of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

February 15, 2011

9:00 AM

Meeting Called to Order by Supervisor Hazard, Chair

- Supervisor Hazard announced that Supervisor Bauer would be arriving late. Supervisor Bauer joined the meeting at 9:30 a.m.

Pledge of Allegiance led by Supervisor Hansen

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- No one spoke.

BOARD MEMBER REPORTS

- Due to time constraints, Board Reports were deferred.

COUNTY ADMINISTRATIVE OFFICE

1)

CAO Report regarding Board Assignments (David Wilbrecht)

Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

- Due to time constraints, the CAO report was deferred.

2)

APPROVAL OF MINUTES

M11-29

A. Approve minutes of the Regular Meeting held on February 1, 2011, as corrected.

Hunt moved, Johnston seconded

Vote: 4 Yes; 0 No; Bauer absent

Supervisor Hazard made two corrections to his Board report: 1) Bullet point #5, change LDTAC to RPAC; and 2) Bullet point # 7, change Digital 392 to Digital 395.

CLOSED SESSION

Closed Session: 9:03 a.m.

Break: 10:03 a.m.

Reconvened: 10:08 a.m.

Lunch: 12:41 p.m.

Reconvened at Memorial Hall: 1:20 p.m.

Break: 3:21 p.m.

Reconvened: 3:35 p.m.

Adjourned: 5:15 p.m.

- **The Board had nothing to report from closed session.**

BOARD OF SUPERVISORS

- 3a) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Scholl: 1) The Sheriff's finance officer, Lynetta Fuerst, is planning to retire effective May 31, 2011. At a future date, the Sheriff will ask the Board for approval to fill the vacancy. 2) Installation of the new fire suppression system in the communications room is complete and has been tested. It replaces a water sprinkler system that, if activated, would have damaged expensive equipment.

Jim Arkens, Human Resources: In reference to a closed session discussion about at-will employees' contracts, Arkens asked the Board if they wanted to agendaize an item for open session in order to make decisions. The Board requested to have this item agendaized as soon as possible.

Mary Booher, CAO's Office: She has been meeting with a contractor and the Walker community about the community center. The Board of Supervisors will review three options and select an option for the final plan. The community has requested that the Board take this action at an evening meeting in Walker. The Board agreed to hold an evening meeting in Walker on April 12th.

Stacey Simon, County Counsel's Office: The U.S. Forest Service has released a draft planning rule. Staff will work on comments to the rule; the comment period runs until May 16, 2011. Counties and cities nationwide are seeking to have a greater role in issues pertaining to forest plans. The Board asked Simon to agendaize this item.

Jeff Walters, Public Works: Provided an outline pertaining to timelines and expenditures associated with the Auchoberry Pit and Walker ball field projects. The Board asked Walters to agendaize this item.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

- **Supervisor Hunt pulled Item #5a.**

COUNTY ADMINISTRATIVE OFFICE

- 4a) Letter of Support to LADWP regarding Lease Agreement with Crowley Lake Fish Camp - The Mono County Board of Supervisors has drafted a letter of

support to the Los Angeles Department of Water and Power for the Crowley Lake Fish Camp in its application for the ongoing operation of their business. In this letter, the Mono County Board is encouraging the Los Angeles Department of Water and Power to renew its lease agreement with the Crowley Lake Fish Camp regarding same. This item was put onto the agenda at the request of CAO, Dave Wilbrecht.

- M11-30** **Action:** Authorize the Mono County Board Chair, Duane "Hap" Hazard to sign a letter of support to the Los Angeles Department of Water and Power for the Crowley Lake Fish Camp encouraging the Fish Camp to be allowed to continue its ongoing operation and to renew the lease agreement currently in place.
Hunt moved, Johnston seconded
Vote: 5 Yes; 0 No

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 5a) Planning Commission Appointment - Appointment of Chris Lizza to the Planning Commission.

- M11-31** **Action:** Appoint Chris Lizza to the Mono County Planning Commission for a four-year term commencing March 1, 2011; direct staff to prepare a Resolution of Appreciation for Sally Miller for her 16 years of service as a commissioner.
Hunt moved, Bauer seconded
Vote: 5 Yes; 0 No

Supervisor Hunt: Acknowledged Sally Miller for the work she has done over the last several years, and welcomed Chris Lizza. Some people have expressed concern about a conflict of interest with Lizza sitting on both the Planning Commission and RPAC. Even though County Counsel confirmed there is no legal issue, Lizza will step aside from the RPAC if a problem should arise. Lizza said he appreciates the opportunity to serve on the Planning Commission.

Supervisor Johnston: It is important to involve as many citizens as possible on boards since there can be a perception in the community that only a few serve.

Supervisor Hazard: Acknowledged Sally Miller's work on the Planning Commission. Regarding Lizza's perceived conflict, Hazard wants the best people on committees, but agreed with the perception of conflict. He does, however, support recommendations made by fellow Supervisors.

- 5b) Planning Commission Appointment - Appointment of Mary Pipersky to the Mono County Planning Commission.

- M11-32** **Action:** Appoint Mary Pipersky to the Mono County Planning Commission for a four-year term commencing March 1, 2011; direct staff to prepare a Resolution of Appreciation for Paul Rowan for his four years of service as a commissioner.
Hunt moved, Johnston seconded
Vote: 5 Yes; 0 No

BOARD OF SUPERVISORS

- 6a) Renewal of Appointments to the Mono County Child Care Council/Annual Certification - Renewal of appointments of Robyn Wisdom and Barbara Miller to the Mono County Child Care Council and annual Certification of Mono County Child Care Council Membership form to be submitted to the California Department of Education. Supervisor Johnston sponsored this item.

M11-33 **Action:** Approve the renewal of the appointments of Robyn Wisdom and Barbara Miller to the Mono County Child Care Council for two more years. Additionally, approve the Membership Certificate as submitted and authorize the Chairman of the Board of Supervisors to sign the Certification form.
Hunt moved, Johnston seconded
Vote: 5 Yes; 0 No

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 7a) Board Meeting Location Change - Email letters pertaining to the location change of the third regular monthly meeting of the Board of Supervisors.
- 7b) Chalfant Valley Community Service Fire District - Letter from Peter Pumphrey, Chairperson of Chalfant Valley Community Services District/Chalfant Fire Department, pertaining to Symons Emergency Specialties service cut back.
- 7c) NV Energy Assignment of Franchise Agreement - Letter from NV Energy dated January 24, 2011 regarding the Assignment of a Franchise Agreement with California Pacific Electric Company, LLC.
- 7d) Thank You from June Lake Loop Historical Society - Letter dated February 1, 2011 from the June Lake Loop Historical Society thanking the Board for their generous support grant.
- 7e) Susanna Dadd Email Correspondence Re Bridgeport - Copy of an email sent from Susanna Dadd to the Board Clerk regarding a recent visit to Bridgeport and the lack of activities they had to do while visiting.

Supervisor Hazard: Regarding Item #7b, Hazard will continue to monitor the situation, and keep the Board informed.

The Board acknowledged receipt of the correspondence.

- 8) COUNTY COUNSEL

ADDENDUM Purchase of Portions of Graves Property—Mountain Gate River Parkway

Project (Tara McKenzie) — Follow-up to purchase and sale agreement approved by the Board on February 8, 2011. Seller has agreed to sign the agreement approved by the Board on February 8, 2011, with the exception of Part 8(c) of the agreement, entitled “General Release”. County Counsel finds Seller’s strike-out of this contract provision to be acceptable.

M11-34

Action: Approve prospective Seller’s requested change to the purchase and sale agreement with the Olive Mae Graves Family Trust for approximately 15 acres of APN 002-140-038, which the Board of Supervisors authorized the County to enter into in open session on February 8, 2011.

Hunt moved, Bauer seconded

Vote: 5 Yes; 0 No

Tara McKenzie, County Counsel’s Office: At last week’s meeting the Board authorized the purchase and sale agreement for the above-referenced property. The seller asked to have the “General Release” section removed; this is acceptable to County Counsel. McKenzie recommended approval.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

8a)

Inyo-Mono Integrated Regional Water Management (Tony Dublino) - Presentation on current progress and developments related to the Inyo-Mono Integrated Regional Water Management Group.

Action: None

Tony Dublino, Community Development: Update about the IRWM.

- Assistant County Counsel, Stacey Simon, is now involved as needed.
- The group will discuss organizational structure at the upcoming meeting.
- The Big Pine Paiute Tribe raised an issue about being left out of a recent grant process. The IRWM has been proactive in keeping them engaged, and will form a work group to discuss issues and rectify diverse interests.
- Funding for on-going operations is still an issue. The IRWM has asked if Mono County intends to make a financial contribution (a question for discussion at the mid-year budget review). IRWM is expecting to receive a grant.
 - Supervisor Hansen: Believes the County is contributing through staff time.
 - Supervisor Hazard agreed with Hansen; the County’s position has been no cash contributions.
 - Supervisor Hunt: Supports the group’s efforts.

Stacey Simon: The County Counsel’s Office spent a significant amount of time at the beginning of the program, but recently has limited involvement to providing advice but not acting as legal counsel. The Board may want to consider the level of participation from the County Counsel’s Office.

PUBLIC WORKS

9a)

Recorded Parcel Maps with Outstanding Improvements (Garrett Higerd) - Receive staff report regarding the status of recorded parcel maps with outstanding improvements and options available to ensure their completion.

No Motion

Action: The Board supports extensions as requested for three of the parcel

maps; extensions to be granted by the Public Works Department and properly documented. Regarding map amendments and potential fee waivers for the Johnston and Elliot properties, the Board directs staff to re-agendize this for further consideration.

Since Supervisor Johnston is one of the property owners, he excused himself and left the room.

Garrett Higerd, Public Works: During the last wave of development in Mono County, five parcel maps were approved for small subdivision developments. Procedures require a developer to take action on the improvements within one year after their map is recorded. Concerning the maps in question, developers have not performed accordingly because of the poor economy; this will require an extension of time. Also, the Elliot and Johnston parcels had conditions attached that are no longer required due to a change in the general plan. These maps should be modified; the Planning Commission is comfortable with the change.

Stacey Simon, County Counsel's Office: Reiterated that three of the maps in question just need an extension of time, and two maps will need to be amended, which requires a fee. She asked for Board direction concerning the extensions, amendments and possible fee waivers.

Marshall Rudolph, County Counsel: The Public Works director can grant the extensions if the Board is comfortable with that decision.

Karen Johnston, property owner: Asked the Board to concur with the Planning Commission's recommendation to eliminate the requirement to bring power from one side of the street to the other, and consider waiving the \$3,000 fee to amend the map accordingly.

Note: Marshall Rudolph, County Counsel, pointed out that because Supervisor Johnston's wife is not a public official, she can speak on her own behalf.

After this agenda item was concluded, Supervisor Johnston returned to the meeting.

BOARD OF SUPERVISORS

- 10a) State Budget (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: None

Supervisor Bauer: The state has released a statement explaining what will happen if the voters don't approve tax extensions. Among other things, state employees will experience an additional pay cut of 9% and a 30% increase in their health insurance co-pays. Counties will also be impacted. In the President's budget, Payment In-Lieu of Taxes (PILT) is fully funded for 2012, which provides about \$1.2 million to Mono County; Community Development Block Grants have been reduced by 50%, which will impact funding for the Walker Community Center.

Supervisor Hazard: Suggested the Board approach the mid-year budget review assuming the tax extensions won't pass.

FINANCE

- 11a) 2009-2010 Mono County Grand Jury Final Report (Brian Muir and Marshall Rudolph) - Consider letter in response to 2009-2010 Grand Jury Final Report. Provide any desired direction to staff.

- M11-35** **Action:** Authorize the Chairman to sign a letter in response to the 2009-2010 Grand Jury Final Report.
Hunt moved, Bauer seconded
Vote: 5 Yes; 0 No

Marshall Rudolph, County Counsel: The County received a letter from the Grand Jury asking for a response to their recommendation that no unsecured loans be made to employees (this resulted from a situation involving the Eastern Sierra School District). The Finance Director drafted the proposed letter agreeing with the Grand Jury's recommendation. Rudolph pointed out that this is a policy issue and not a legal issue since there may be reasons why the loan in question was unsecured. He also pointed out that this Board cannot bind a future Board by approving this letter.

- Supervisor Hazard: Expressed concern about what appeared to be policy-making for the County by the Grand Jury.
- Supervisor Johnston: This refers to a specific situation that occurred in another agency, and perhaps the Board does not need to send a letter.
 - Rudolph explained that a response is required.

The Board concluded that the County will follow good business practices.

- 11b) Refunding Solid Waste Certificates of Participation Series 2001A (Roberta Reed, Nicki Tallman and Jeff Land of Brandis Tallman.) - Proposed resolution authorizing proceedings for lease and leaseback of General Fund properties for the purpose of raising funds to refinance certain obligations of the County and approving related documents and actions.

- R11-10** **Action:** Adopt resolution R11-10 authorizing proceedings for lease and leaseback of General Fund properties for the purpose of raising funds to refinance certain obligations of the County and approving related documents and actions.
Hunt moved, Hansen seconded
Vote: 5 Yes; 0 No

Roberta Reed, Finance Department: The Finance Director has informed the Board in previous meetings about the proposed action. If approved, this action will refinance bonds at a lower interest rate, and save the County about \$22,500 per year; in addition, the loan will be paid off a year earlier. The documents will state that the transaction is guaranteed by the general fund; however, the County can use cash flow from the solid waste program. The new issuance will also specify that the jail and administration building will be used as security. But Bank of America would only own the assignment of rents and not the deed.

HUMAN RESOURCES

- 12a) Allocation list (Jim Arkens) - Proposed resolution of the Mono County Board of Supervisors authorizing the Director of Human Resources to amend the County of Mono list of Allocated Positions to reflect changes approved by the Board of Supervisors.

- R11-11** **Action:** Adopt resolution R11-11 "A Resolution of the Mono County Board of Supervisors Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Changes Approved by the

Board of Supervisors"; as presented, Exhibit A (attached to the resolution) will retain four vacant positions considered for deletion—one in Mental Health, one in Economic Development and two in Public Works—said positions will be discussed at a future meeting.

Bauer moved, Hunt seconded

Vote: 3 Yes; 2 No (Hazard and Johnston)

Jim Arkens, Human Resources: The allocation list shows changes requested by the Board at last week's meeting. Policy dictates that filling vacant positions requires Board approval.

- Four vacant positions have been removed from the list: 1 position in Mental Health; 1 position in Economic Development; 2 positions in Public Works.
 - Mental Health has delayed hiring the AODA counselor pending state funding, but is still looking for a program psychiatrist.
 - Public Works has interviewed for their two positions but is not proceeding pending the Board's decision.
- Errors in the proposed resolution have been corrected.
- Other vacant positions are still on the list pending Board direction.
- The allocation list and vacancy list will continue to come before the Board for review.

Marshall Rudolph, County Counsel: The caption on the resolution will need to be changed to match the agenda wording.

Dan Lyster, Economic Development: Asked the Board to reconsider dropping his vacant position from the list. Supervisor Bauer agreed.

Supervisor Hazard: Even if a position is dropped from the allocation list, a department head can come before the Board to make a hiring request. But funding for salaries and benefits should not be allocated to vacant positions. Supervisor Johnston agreed.

Rudolph: Even if vacant positions stay on the allocation list, the Board can decide not to fund them.

ECONOMIC DEVELOPMENT

13a)

Mono County Tourism Commission Presentation (Alicia Vennos, Economic Development, and Jimmy Little, Chair of Tourism Commission) - Presentation by Alicia Vennos and Jimmy Little to provide an update on current Tourism Commission marketing initiatives, and to open discussion regarding directions/priorities for future product development.

Action: None

Alicia Vennos, Economic Development: Gave a PowerPoint presentation outlining midyear marketing accomplishments.

- California Travel Trends: 2010 ended stronger than expected; forecast for 2011 is cautiously optimistic. Leisure travelers continue to favor shorter, regional travel; day trips may turn into an overnight stay; business travel is expected to rebound.
- Objectives and Strategies: Grow tourism through overnight stays; generate awareness and reach new visitors; grow the shoulder season; grow the tourism consumer contact database; measure the return on investment (ROI) of marketing programs.
- Advertising Conversion: Determine the ROI of programs; evaluate the effectiveness of various media; evaluate awareness of advertising; compile visitor profile data.
- ROI is Generally Positive: \$8.85 return for every \$1 spent; social media provides the highest return; the database represents a significant percentage of potential and repeat visitors; marketing is on the right track.

- Accomplishments: 2011 Visitor Guide (100% ad supported); map guide is popular; motor touring guide is popular (received \$74,000 in grants to reprint); fall colors brochure is popular. Overall, distributed 125,000 pieces at 500+ locations.
- 2011 Trade Shows: Two shows generated almost 1,300 leads; represented internationally by High Sierra Visitor Council; will attend 3-4 additional shows; good face-to-face value.
- New PR Firm: Understands needs of the Eastern Sierra; will grow social media channel, pitch stories, make media inquires and provide reports. A recent ABC News clip about ice climbing in Lee Vining was valued at \$50,000.
- Print Media: Advertising in fishing publications, and California, national and international publications.
- Email Marketing: A monthly e-newsletter is sent to 7,300 people; it promotes events and provides links to the website.
- Social Media: Used for short-term messaging; currently reaches 1000+ friends.
- Online Advertising: Drives traffic to the website; YTD 13.5% increase in traffic over last year.
- Website: Working on improvements and integration of Google Maps.
- Upcoming Initiatives: Spring campaign/outreach; local program funding; film commission.

Jimmy Little, Tourism Commission: Outlined future direction.

- Tourism is the County's economic engine; it generates almost \$540 million and provides 4,500 jobs.
- The biggest ROI is social media, but it requires hands-on management.
- The County needs to be competitive in the future; visitors bring jobs and jobs support the economy.
- Will need sufficient staffing in order to fine-tune marketing efforts and continue moving forward. County support is critical.

Board Members asked questions about TOT generated over the last five years, impact of summer air service, promotion of RV visits, and coordination of branding efforts.

- TOT has been up and down since 2005-06, but overall is doing well.
- A survey will need to be conducted in order to ask specific questions about air travel. Surveys from last summer can be reviewed to find out where people stayed.
- The website includes a section about RV travel and campgrounds.
- "Eastern Sierra" is being used as the branding tag in order to encompass a broader picture.
- California Travel and Tourism Commission provides horsepower for national and international coverage.

Board Comments:

- Acknowledged the volunteer hours involved in this work. Encouraged innovative ways to continue the work (i.e. internships, part-time help).
- Would like to see information about number of airline visitors, cancelled flights, and ROI on County's \$45,000 contribution.
- Continue to keep the Board informed.
- Suggested attending this year's state fair.
- Private businesses (i.e. lodging and car rental) need to help fill the gap.
- Would like to have a workshop in May so there is more time for discussion.

LUNCH

The Board of Supervisors reconvened in Memorial Hall, Bridgeport, in order to accommodate a larger attendance for the last agenda item.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Stephen Kalish, Swall Meadows: Attended the Board's special meeting on December 21, 2010. Rules used for that public hearing were ad hoc and unacceptable. He suggested the Board adopt formal rules for conducting public hearings. He also found it unacceptable that the applicant took a lot of time to explain the project and members of the public were given 3 minutes each to make comments. Prior to the end of the meeting, the Chair asked if there were any other comments; Kalish raised his hand, but was not called upon.

BOARD OF SUPERVISORS

- 14a) Cougar Gold, LLC Presentation/Bodie WSA Project (Mac DeGuire, Mark Wallace) - Senior officials from Cougar Gold, LLC will give a presentation to the Board on the Paramount Project in the Bodie WSA. The presentation will include an overview of Cougar Gold's work to-date and Cougar Gold's potential future plans that are subject to legislative action on the Bodie WSA. Following the Board meeting, Cougar Gold will host a town hall meeting at the Bridgeport Memorial Hall at 5:00 p.m. This item was requested by Supervisor Tim Hansen.

Action: None

Supervisor Hazard started the meeting with introductions of Board Members, Mono County Staff Members, representatives of BLM, and representatives of Cougar Gold. Hazard then outlined the format the meeting would follow.

Stacey Simon, County Counsel's Office: Distributed and reviewed an Overview of Requirements Applicable to Mining Operations on BLM Lands. Basically, all mining operations have to comply with the no undue/unnecessary degradation standard. There are also standards specific to Wilderness Study Areas. Mono County has a mining ordinance with a permit requirement.

Marc Springer, BLM geologist, gave a PowerPoint presentation, "BLM's Administration and Regulatory Authorities for Operations Authorized by Federal Mining Laws in Wilderness Study Areas (WSA)":

- BLM manages lands under the doctrine of multiple use, for example, mechanized and unmechanized recreation.
- Competing uses result in conflicts and controversies.
- Outlined the regulatory authorities relative to mining related to activities in a WSA.
- Reviewed various regulations relative to mining operations, including plans of operations, NEPA (National Environmental Protection Act), and valid existing rights.
- BLM approval is required before any land-disturbing activities can arise.
- BLM conducts annual site inspections.
- Cougar Gold's existing rights: Has operated under a plan of operation for exploration in Bodie Hills; believes plan is still open and they are working on reclamation. They haven't submitted additional plans. A prior decision for Zenda established a grandfathered use; it only addressed the grandfathered use.
- Answers to Board questions:
 - State regulations in Mono County are more stringent than other BLM lands.
 - Bonds ensure the reclamation will be accomplished. The review takes months to ensure all reclamation requirements are met.

- Bodie Hills area still meets qualifications to become a Wilderness Area; Congress makes a final decision or directs BLM to re-evaluate a WSA. Only Congress has authority pertaining to WSAs.
- BLM is directed to protect WSAs to keep congressional options open.
- This WSA has grandfathered grazing and mining claims.
- Current and new laws make the reclamation process more comprehensive and accountable. Length of time needed to complete reclamation depends on the type of mining operation; larger operations with water issues may require a trust fund in perpetuity to resolve problems; generally most bonds are released within about 10 years. BLM has success criteria that may not be met for a decade; there may be criteria specific to a location. The federal government has NEPA and the state has CEQA, so all environmental issues and impacts are considered in these documents as they relate to a WSA.

Mark Wallace and the Cougar Gold team plan to discuss this issue in a transparent manner, and scheduled a town hall meeting at 6:00 p.m. this evening. Cougar Gold representatives provided the following information:

- Cougar Gold has been conducting exploratory drilling since early 2000, and they are committed to the area. They believe there is potential for mining and they would like to proceed with exploratory measurements.
- In 1992, the Bodie Hills area was recommended for release from the WSA. They have asked about the long-term vision of the Bodie WSA since it does not make sense to continue operations unless the community and public officials believe the WSA will be released. However, whether or not it is, Cougar Gold will be subject to standards.
- Cougar Gold initially requested helicopter-supported drilling, but submitted a revised plan based on community reaction.
- In 2009 Cougar Gold presented a plan of operations to BLM, and finding no significant impact, BLM approved drilling of 11 holes. So far, they have invested \$7million in exploration.
- In 2010, Buck McKeon submitted a bill to Congress to release the WSA; the bill expired during that session.
- Outlined precautions taken to protect land and wildlife. Showed photos of the site before and after drilling. Operation has had a minimal impact.
- At this point they cannot speculate about the potential success nor do they guarantee there will be a mine, but they feel encouraged.
- So far they have found a large body of anomalous gold, a deposit that may have high-grade veins. They don't yet know the quality of gold.
- The mining approval requires a multiple permitting process, which will allow for public comment and consultation.
- Cougar Gold needs to have the WSA released back into multiple-use status and would like support from the Board of Supervisors' when another bill is introduced. It won't make economic sense to continue drilling unless the WSA released.
- Answers to Board questions:
 - Regarding mercury levels, the company had a core tested in 2006 and it passed the test.
 - A vein of gold could be about 700-800 meters below the surface (approximately 2,100 feet).
 - The \$7 million spent thus far has funded office expenses, the drill rig, site visits, and a presence in the community, annual claim fees to the federal government.
 - They have determined that there is a resource that merits continued study, which will cost millions of dollars so release of the WSA is important. The need to see a path to ultimate mining; the company is ready to commit significant resources but the land is currently in a state of limbo.
 - Their next step would be to develop new plan, and whether the WSA is released or not, they will be heavily regulated.

- The problem posed by the WSA is the area could potentially be declared wilderness, so this is why the company asks for its release.
- The company wants a safe, clean, and environmentally-sound mine. This type of modern mine requires a community that can provide skilled workers and services, so they anticipate that a good portion of the money will go to the community of Bridgeport.
- Regarding method of extraction, they don't yet have enough information to know—this will required further drilling and release of the WSA. They won't over promise about the resource, but want to spend the money to be able to give precise answers.
 - Marshall Rudolph, County Counsel: The County law regarding cyanide presumes that it is hazardous until proven otherwise. The County permit is environmental in nature.
- Regarding information about the company: Cougar Gold, LLC, is the exploration entity, and is part of the Electrum Group of companies that is privately owned and financed. Electrum has exploration and passive/active investments in mining, and experience across the industry. Thomas Kaplan owns Electrum.
- The operation is at a point where the next step would be a comprehensive point of drilling, but it doesn't make sense to proceed in the WSA.

Public Comments: In addition to the following comments, the Board received four letters supporting the mining project; one petition with 22 signatures supporting protective measures for Bodie Hills; and 187 letters supporting protective measures for Bodie Hills.

- John Peters, Bridgeport: Supports Cougar Gold and their efforts; they are a responsible company and have acted responsibly today.
- Janet Carle, Mono City: Comments about environmental drilling seem inconsistent since they don't want to continue under WSA restrictions. The federal bill seemed like an end-run around the County. Release of the WSA opens the area to unlimited expansion. She expressed concern that Cougar Gold can't provide more detail about their future operation.
- Pam Haas Duhart, Bridgeport: Cougar Gold is a good company and has used community members from Walker to Lee Vining. They want the WSA released in order to proceed with the next step to determine if the mine is viable. This project will help the schools, property values, and keep young people in the area. Bridgeport needs help.
- Mark Davis, Mono County resident: The Bodie Hills area is special, and contains historic and prehistoric assets. The area should be preserved, perhaps as a world heritage site that could increase visits to the area.
- Dave Herbst, Swall Meadows: There does not seem to be enough information about a detailed plan so BLM can make decisions. The Board needs to ensure that the legal process is followed. As a stream scientist he has researched water quality issues in the Bodie Hills; Herbst outlined the results of his study that showed contamination in the Bodie Creek from mining. He would like to see documentation about the chemical make-up of drilling samples.
- Jack Shibley, Mono City: Cougar Gold is not direct about their mining history and procedures. Almost all new gold mines in the U.S. use cyanide and open pit methods, with few exceptions. He urged the Board not to give up the layer of control offered by the WSA.
- Lynn Inouye, Bodie State Park and Bridgeport: She urged the Board to consider taking no action until Cougar Gold puts forth a plan. Expressed concern about releasing the WSA and possible degradation of the site.
- Jimmy Little, Bridgeport: Expressed mixed feelings about the project. He understands the company not wanting to spend more money until the WSA is released, but his livelihood depends on tourism to Bodie. The Board needs to proceed cautiously, but take an action and find a balance. If the WSA is released, the company still has significant permitting requirements.

- Ilene Mandelbaum, Lee Vining: Asked what the company would they do differently if the WSA is released. Releasing it without a plan is asking the public to accept a big gamble. Is Cougar Gold the company that would move forward with the mining? Usually one company conducts the exploration and then sells the interest.
- Stacey Corless, Mammoth Lakes and Virginia Lakes, and Friends of the Inyo: Showed a picture of the Dry Lakes Plateau, a pristine area in the Bodie Hills. Mono County needs to consider a vision for the County and Bodie Hills; she asked for a public dialogue and not a hasty decision. She would like Cougar Gold to continue exploration under the WSA. If the County agrees to support release of the WSA, what other requests might Cougar Gold make in the future?
- Clint Hershey, Coleville: Supports Cougar Gold's efforts and release of the WSA. He wants to see something positive for the community.
- Bill Mitchell, Bishop: Concurred with comments made by Stacey Corless. If the company is working in an environmentally friendly manner, why are they asking for release of the WSA? Will a mining operation be sustainable long term? Cougar Gold has the right to conduct exploration, but follow procedures under the WSA.
- Tony Dublino, Bridgeport: Cougar Gold bought into the property under the WSA; the release does not guarantee a mine. They could reap an economic windfall across the WSA in which they have numerous claims. The Board should open a dialogue about providing community assurances that projects will move forward.
- Drew Foster, Lee Vining: Gold doesn't enhance the broader community; open dialogue needs to continue. He reiterated earlier comments about the uniqueness of Bodie Hills; many people would like to see the area protected even more.
- Malcolm Clark, Mono County resident: Retired here because of the great beauty. He urged the Board to not act with undue haste prior to receiving a detailed mining plan. They should not support release of the WSA as a way to encourage mining until more is done to show economic benefit to Mono County. More study needs to be given.
- Duncan King: Gold prices can go up and down. Gold is one of the least used and least useful of all metals. Why destroy the Hills to dig up gold and bury it in a vault?
- Sam Davidson, San Benito County and Trout Unlimited: Visits the area to fish. The area around the Paramount Mine site has high habitat value, as stated by the BLM in 1991. People would like to see economic development through good-paying, long-term jobs.
- Ed Inwood, Bridgeport: The criteria for wilderness in the 1964 Wilderness Act have not changed; the subjectivity of evaluators has changed. The Board should consider reasons why the area has not been designated as wilderness—roads and mining. A WSA is a transitory condition—the area has been studied and it should either be released or moved into wilderness. There is a great deal of community support for the project.
- Sally Miller, Wilderness Society and Mono County resident: The Board should consider a dialogue as a beginning to a year-long discussion about the vision for the Bodie Hills. Development of a gold mine is not the answer due to the boom/bust nature of mining. She believes more study is needed on the costs and benefits. The founder of Electrum talks about morality of the endeavor; she asked the Board to hold the company to the same high standards.
- Jim Rowtense, Mono County: This is one of the few remaining counties that is truly wild, and it is important to keep the area wild. Tourism is alive and well.
- Benny Romero: How would the Board approach the issue if this was a different resource? Consider this from the highest use perspective. Consider the highways that have been built and the surface disturbance; by comparison mining disturbance is nothing. Wise use and balance are the best practices.
- Sharon Clark, Mono County: The wilderness bill was handled in a transparent and open process. If the Board considers supporting release of the WSA, please use the same process by involving all the stakeholders. She urged the Board to proceed carefully.

Mark Wallace, follow-up comments:

- This WSA has been pending since 1992; the area should either be designated a pristine wilderness or released to multiple use. He asked the Board to take action to either release the area or move it to wilderness. The BLM recommended release in 1992. Tourism is not sustaining this area.

Board Discussion: Acknowledged and thanked attendance by Cougar Gold and the BLM.

- Supervisor Bauer: The Board is not at a decision point today. She can see both sides of the issue. Cougar Gold currently has the right to mine. Jobs are important, and Bodie Hills seems to be better for motorized use. She does not support the WSA, which is about appropriate use of the land. Release of the WSA increases the certainty of the path for the company; only Congress can release the WSA. The Board is responsible for the fiscal health of Mono County. She would like to know how mining could be done using advanced methods that eliminate the need for cyanide or open pits.
- Supervisor Johnston: Thanked those who sent emails and letters. This issue pertains to values and what is valued more: A long-term legacy of open space and undisturbed lands, or a reclaimed mining pit? He supports continued protection of the Hills and urged people to open this dialogue.
- Supervisor Hunt: Understands the economic distress of North County and the need to pursue solutions. He supports maintaining the WSA status and enhancing methods to preserve the area, and will consider the best long-term sustainability of the area. He expressed distress about a bill that would bypass the local process. The majority of his constituents oppose mining and removal of the WSA, which is there for a reason. There is more pressure now to maintain open spaces. He supports the County's motto: Wild by Nature.
- Supervisor Hansen: The area has a history of mining so it makes no sense to view mining as an odd thing to do; this area is not truly wilderness. It is not wise to rely on tourism since economic conditions change; the County shouldn't rely on a narrow economic base. Cougar Gold will be subject to laws and Hansen trusts BLM to fulfill the legal requirements. The company wants to drill more test cores; mining is not the issue at this point.
- Supervisor Hazard: Gold is a long-lasting and reliable metal for use in circuitry, and performs many other functions. The Board needs to do what is right for Mono County, and needs to go through the public process, which takes time but allows for public input. The WSA system was instituted to review land use and preserve those areas with wilderness value, or allow for multi use. The problem is lack of decision making by elected federal officials. He would like the WSA issue resolved, but the Board may not have the ability to bring those federal people to the table. He believes this meeting is a good start to a dialogue about what is important in a WSA. He encouraged Cougar Gold to continue exploring so more information can be provided about a potential mining operation. He asked Cougar Gold to look at the empty buildings in Bridgeport and consider investing in the community by opening an information center to explain their operation. Hazard will commit to helping the process move forward.

ADJOURN: 5:15 p.m.

ATTEST:

Duane "Hap" Hazard, CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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