



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

Regular Meeting March 18, 2014

TELECONFERENCE LOCATIONS: 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov . If you would like to receive an automatic copy of this agenda by email, please send your request to Lynda Roberts, Clerk of the Board: lroberts@mono.ca.gov .

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

2. **APPROVAL OF MINUTES - NONE**

3. **PRESENTATIONS - NONE**

4. **BOARD MEMBER REPORTS**

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

5. **COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

6. **DEPARTMENT/COMMISSION REPORTS**

7. **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.)

A. Letter of Appreciation to the Inyo County Board of Supervisors

Departments: Board of Supervisors

The Inyo County Board of Supervisors provides services to our senior citizens and has offered support to this program over the past year. This letter is to the Inyo Board of Supervisors from our Board of Supervisors expressing appreciation for all their support and efforts in regards to Mono County's Senior Services program. This item is being sponsored by Supervisor Stump.

Recommended Action: Authorize the signatures of all Mono County Board members on the letter of appreciation to the Inyo County Board of Supervisors, recognizing their efforts for providing services to our senior citizens and the Mono County Senior Services Program.

Fiscal Impact: None.

B. ICEMA Letter in Support of Mammoth Fire Request

Departments: Board of Supervisors

Support letter from the Mono County Board of Supervisors to Mr. Tom Lynch, ICEMA EMS Administrator, asking that ICEMA support a request from Mammoth Lakes Fire Protection District for a variance in the electronic patient care (ePCR) ICEMA Policy Directive, specifically flexibility to accomodate both their staffing and fiscal realties. This item is being sponsored by Supervisor Stump.

Recommended Action: Authorize the Mono County Board Chair to sign a letter to ICEMA supporting a request by Mammoth Lakes Fire Protection District for a variance in the electronic patient care (ePCR) ICEMA Policy Directive.

Fiscal Impact: None.

C. Allocation List - Environmental Health Specialist

Departments: Human Resources, Public Health

Proposed resolution approving a contract with Kathe Barton as Environmental Health Specialist, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Approve Resolution #R14 - ___, authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the addition of an environmental health specialist in the Public Health Department and to authorize the County Administrative Officer to fill said allocated position.

Fiscal Impact: The cost of this position for the term of the contract is \$42,853 including the employer's share of medicare contributions. For the remainder of FY 2013-2014 (April 1st to June 30th) the cost is approximately \$10,715, and the FY 2014-15 cost is expected to be \$32,138. All costs will be reimbursed by the grant and there is sufficient appropriation in the Health Department budget to cover the current year costs.

D. Conway Ranch MOU extension

Departments: County Counsel

Proposed Second Amendment of the Conway Ranch MOU between the County and Caltrans. The amendment would extend the deadline for implementation of MOU provisions until July 1, 2014.

Recommended Action: Approve County entry into proposed Second Amendment of the Conway Ranch MOU between the County and Caltrans, and authorize the Board Chairman to execute said Second Amendment on behalf of the County.

Fiscal Impact: None.

E. Part-Time, Temporary, Un-Benefited Rehabilitation Specialist I

Departments: Departments: Human Resources and Behavioral Health

Proposed resolution R-14-___ Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of up to one Temporary Appointment Rehabilitation Specialist I in the Behavioral Health Department and to Authorize the County Administrative Officer to Fill Said Allocated Position.

Recommended Action: Adopt Proposed resolution R-14-___ Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of up to one Temporary Appointment Rehabilitation Specialist I in the Behavioral Health Department and to Authorize the County Administrative Officer to Fill Said Allocated Position. Provide any desired direction to staff.

Fiscal Impact: Non general fund impact. Cost for the remainder of FY 13-14 is \$4,700.25. Cost for a full year is \$18,801.00.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Inyo Board of Supervisors to Secretary Jewel

Copy of a letter from the Inyo County Board of Supervisors to Secretary Jewel of the U.S. Department of the Interior, dated February 4, 2014, regarding the Proposed Designation of Critical Habitat for the Bi-State Distinct Population Segment of Greater Sage-Grouse.

B. Verizon Letter to California Public Utilities Commission

Copy of a letter from Verizon dated February 7, 2014 to the California Public Utilities Commission regarding Notification Letter for West Portal, Cellco Partnership (U-3030-C) California 6-Mono RSA.

C. Congressman Paul Cook Regarding PILT

Letter dated February 12, 2014 from Congressman Paul Cook to CAO Jim Leddy regarding the Payment in Lieu of Taxes (PILT) Program Funding.

D. Inyo Board of Supervisors to U.S. Fish and Wildlife

Copy of a letter from the Inyo County Board of Supervisors to Douglas Krofta of U.S. Fish and Wildlife regarding Proposed Listing and Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad.

E. California Department of Public Health Annual LPA Evaluation Report

Letter to the Mono County Board of Supervisors, dated March 4, 2014 enclosing the Annual Local Primacy Agency (LPA) Evaluation Report for FY 2012-2013. The actual report, not submitted here, is available for viewing in the Mono County Clerk's office.

F. McGee Creek Pack Station Letter of Kudos

Letter from Jennifer Roeser of the McGee Creek Pack Station to Jim Leddy, Mono County CAO (and copied to the Mono County Board of Supervisors), giving kudos to the Mono County Tourism Department staff and the Economic Development Department. In the letter, Ms. Roeser specifically recognizes both Alicia Vennos and Jeff Simpson for their great work.

9. REGULAR AGENDA - MORNING

A. High Sierra Tri Club Proposed Road Closure on Pinecliff Drive

Departments: Board of Supervisors

20 minutes (10 minute presentation; 10 minute discussion)

(Alana Levin) - Proposed resolution #R14-_____, granting permission and temporary closure of Pinecliff Road in June Lake, CA for the June Lake Triathlon scheduled for July 12, 2014. Alana Levin of the High Sierra Tri Club will present information to the Board about the Triathlon and requested road closure. This item is being sponsored by Supervisor Alpers.

Recommended Action: Adopt proposed resolution #R14-_____, granting permission and temporary closure of Pinecliff Road in June Lake, CA for the June Lake Triathlon scheduled for July 12, 2014.

Fiscal Impact: None.

B. Mono County Active Transportation Program Grant Applications

Departments: Community Development, Finance, Public Works

25 minutes (10 minute presentation; 15 minute discussion)

(Gerry LeFrancois, Wendy Sugimura) - Presentation on potential Mono County Active Transportation Program projects.

Recommended Action: Approve priorities for developing Mono County Active Transportation Grant applications. Provide any desired direction to staff.

Fiscal Impact: A project requires a 12% match that can be funded with Local Transportation Funds. Staff time to complete the application will be paid for with Local Transportation Commission Funds, programmed through the Mono County Overall Work Program 2013-2014.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

11. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, Bill Van Lente and Jim Leddy. 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.

B. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Superintendent of Solid Waste.

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

D. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: Two.

E. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Inland Aquaculture Group LLC v. Mono County et al..

REGULAR AFTERNOON SESSION COMMENCES AT 2:00 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

13. REGULAR AGENDA - AFTERNOON

A. Mono County Property Assessed Clean Energy Program

Departments: Finance Department, County Administrator's Office, Community Development, Planning.

60 minutes (30 minute presentation, 30 minute discussion)

(Gerald Frank, Finance Department,) - Presentation by HERO regarding Property Assessed Clean Energy (PACE) Program.

Recommended Action: 1. Receive a presentation and review the Home Energy Renovation Opportunity (HERO) Program; 2. Direct staff to engage the Town of Mammoth Lakes to seek Town participation as to ensure Town residents have the option of a PACE program; 3. Direct staff to agendize a Resolution and a Joint Powers Agreement (JPA) sub agreement for the implementation of the HERO program following discussion with the Town of Mammoth Lakes in their potential interest.

Fiscal Impact: There is no fiscal impact from receiving the presentation. There will be minimal staff time required to bring the item back if so directed by the Board. Should the County choose to particpate in the HERO Program, it is estimated that approximately 1 hour per year per assessment would be required, however as staff became more versed in the program it is expected this would reduce with time.

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Board of Supervisors

TIME REQUIRED

SUBJECT Letter of Appreciation to the Inyo
County Board of Supervisors

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

The Inyo County Board of Supervisors provides services to our senior citizens and has offered support to this program over the past year. This letter is to the Inyo Board of Supervisors from our Board of Supervisors expressing appreciation for all their support and efforts in regards to Mono County's Senior Services program. This item is being sponsored by Supervisor Stump.

RECOMMENDED ACTION:

Authorize the signatures of all Mono County Board members on the letter of appreciation to the Inyo County Board of Supervisors, recognizing their efforts for providing services to our senior citizens and the Mono County Senior Services Program.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Letter to Inyo BOS](#)

History

Time	Who	Approval
3/10/2014 10:40 AM	County Administrative Office	Yes
3/7/2014 6:02 PM	County Counsel	Yes
3/11/2014 6:12 PM	Finance	Yes



Larry Johnston ~ District One Fred Stump ~ District Two Tim Alpers ~ District Three
Tim Fesko ~ District Four Byng Hunt ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts, Clerk of the Board

March 4, 2014

Board of Supervisors
County of Inyo
PO Box N
Independence, California 93526

RE: Letter of Appreciation

Dear Supervisors:

We would like to express our sincere appreciation for your partnership in providing services to our senior citizens. Over the past year, your Board has offered support to Mono County's Senior Services program in a variety of ways that go beyond our regional partnership through the Eastern Sierra Area Agency on Aging.

When a recent staff vacancy left Mono County without a registered dietician for our Senior Meals Program, you approved us to purchase the part-time services of the Inyo WIC Dietician to help us meet nutrition requirements under the Senior Program.

Your Board also approved our request to purchase from the Bishop Senior Center kitchen a combination of hot and frozen meals for delivery to Mono County seniors three times per week in the Tri-Valley area. Your acceptance of this proposal not only allowed for an increase in the number of hot meals served to our Tri-Valley residents, it also allows us to visit the homes of these seniors more than once per week, increasing the number of safety checks we provide.

Our Mono County Social Services staff greatly appreciate the programmatic support provided them by the Inyo County Health and Human Services staff. Their technical assistance has helped our program to run more smoothly.

The mutual efforts listed above have enabled us to enhance services for our residents while also helping to cut costs and preserve precious resources for our seniors. For this we thank you, and look forward to our continued collaboration.

Sincerely,

Mono County Board of Supervisors

Larry K. Johnston, Chairman, District 1 Supervisor

Timothy Fesko, Vice Chairman, District 4 Supervisor

Fred Stump, Pro Tem, District 2 Supervisor

Tim Alpers, District 3 Supervisor

Byng Hunt, District 5 Supervisor

CC: ESAAA Advisory Council



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Board of Supervisors

TIME REQUIRED

SUBJECT ICEMA Letter in Support of Mammoth
Fire Request

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Support letter from the Mono County Board of Supervisors to Mr. Tom Lynch, ICEMA EMS Administrator, asking that ICEMA support a request from Mammoth Lakes Fire Protection District for a variance in the electronic patient care (ePCR) ICEMA Policy Directive, specifically flexibility to accommodate both their staffing and fiscal realities. This item is being sponsored by Supervisor Stump.

RECOMMENDED ACTION:

Authorize the Mono County Board Chair to sign a letter to ICEMA supporting a request by Mammoth Lakes Fire Protection District for a variance in the electronic patient care (ePCR) ICEMA Policy Directive.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Support Letter](#)

[Mammoth Lakes Fire Request Letter](#)

History

Time	Who	Approval
3/11/2014 4:37 PM	County Administrative Office	Yes
3/12/2014 4:45 PM	County Counsel	Yes
3/11/2014 5:58 PM	Finance	Yes



Larry Johnston District One Fred Stump District Two Tim Alpers District Three
Tim Fesko District Four Byng Hunt District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts, Clerk of the Board

March 18, 2014

Mr. Tom Lynch
ICEMA EMS Administrator
1425 South "D" Street
San Bernardino, Ca. 92415-0060

Re: **Support for Mammoth Lakes Fire Department request for EMS ePCR Reporting Variance**

Dear Mr. Lynch,

The Mono County Board of Supervisors is writing you to support the attached letter from the Mammoth Lakes Fire Protection District for a variance in the electronic patient care (ePCR) ICEMA Policy Directive. As you are aware Mono County operates a Paramedic Ambulance service. Currently the County Program consists of four full time ambulance stations spread throughout most of the County. Mono County does not have the fiscal resources to expand our program. Therefore, the County needs to rely on cooperator Agencies to augment ambulance services due to call volume or nature of incident. Given the tourist orientation of Mono County's economy and the fact that Highway 395 is the primary north/south route east of the Sierra Nevada Mountains, the need for EMS augmentation occurs often. The Mammoth Lakes Fire Protection District is our primary cooperator in the southern portion of Mono County.

As stated in the attached letter from Mammoth Lakes Fire, they are not requesting to be exempted from ePCR. They are requesting sufficient flexibility both short term and long term to allow that agency to accommodate both their staffing and fiscal realities. Given that Mammoth Lakes Fire provides service at the "BLS" level we consider their requests reasonable as they will allow Mammoth Lakes Fire to continue to augment our program with minimum disruption to that agency as well as meeting the reporting and data collection requirements of ICEMA.

The Mono County Board of Supervisors requests that you give this letter serious consideration and grant Mammoth Lakes Fire Protection District the flexibility they require. There should be room for accommodation given the fiscal and coverage realities that exist in Mono County.

Thank you for your attention to this matter.

Sincerely,

LARRY K. JOHNSTON, CHAIRMAN
Mono County Board of Supervisors

Enclosure: Letter from Mammoth Lakes Fire



MAMMOTH LAKES FIRE PROTECTION DISTRICT

Post Office Box 5
3150 Main Street
Mammoth Lakes, CA 93546
Phone: 760-934-2300, Fax: 760-934-9210

3/04/14

Mr. Tom Lynch
ICEMA EMS Administrator
1425 South "D" Street
San Bernardino, CA 92415-0060

Dear Mr. Lynch,

We are currently attempting to comply with the ICEMA policy directive to transition from paper patient care reports to electronic patient care reports (ePCR). It is our intent and desire to make this transition, not only for our EMS delivery, but also to improve several other service areas through the use of tablet based applications. Due to the nature of our EMS delivery, we are currently facing several challenges regarding ePCR reporting:

- Learning and Retention
 - Our department ambulance responded to 71 calls last year, and only transported patients on 18 of those calls. We have approximately 35 EMT's; if the calls were evenly distributed that is 2 calls per year per person. That's too few calls to retain basic familiarity with the ePCR software, Imagetrend, which we don't use for anything else. ICEMA has suggested we replace our current records management system (Firehouse) with Imagetrend so our people would be more familiar with it. This is impractical because we are already fully integrated into Firehouse for all incident reporting (including EMS calls regardless of transport), NFIRS reporting, timekeeping, inventory, equipment and facility repairs, fire prevention inspections, pre-planning, etc. As a combination department our weekend first response coverage is staffed with volunteer/part-time personnel; retention of software skills is especially challenging if you don't use those skills on a full-time basis.
- Disincentive for Volunteers to Respond with the Ambulance
 - Although our ambulance does not run very many calls, when it does, it frequently does so in multiples because it means the call volume is outpacing Medic 3 and Medic 2. Our people come in regularly for fire calls because they know these are fairly short-lived and the Captain does any paperwork. There is some reservation to come in for an "ambulance" call because it can easily stretch into multiple calls, and the calls can take more time away from work and home. Our concern is

that if we add a requirement to complete ePCR's on a program they'll remain unfamiliar with, it will be one more reason not to respond. Additionally, the chance for reporting errors increases when personnel are not familiar with software. We're hoping to get the field EMS module for Firehouse onto a tablet so that they can use a software program they already know and use for other purposes.

- Patient Turnover Time to Complete ePCR
 - As stated previously, of the 71 ambulance calls, only 18 resulted in transports. Some of these are release of liability (ROL), but many are patient transfers to Medic 3 or Medic 2 once they free-up from the previous call. Our initial understanding was that we were supposed to transfer our ePCR information at the time of patient transfer. Again, we are concerned that the pressure of using an unfamiliar system, using it rarely, but needing to use it quickly on transfers, all combine to make reporting mistakes, and make it less likely that people will show-up for ambulance calls. I have recently learned that field data transfer may not be a requirement when handing patients off to the paramedics, and that it can be forwarded later.
- Staff Reduction
 - Chief Harper and I are transitioning his duties to me as his retirement approaches. We will not be replacing my position for budgetary reasons. The staff reduction is slowing the pace at which we can accomplish things, including the change-over to ePCR's, in Firehouse or Imagetrend.

We are making two requests (one short-term and one long-term) to ICEMA regarding ePCR reporting:

1. Can we, as an interim solution, capture and enter patient care information using Firehouse, and then train 2 people to use Imagetrend and transcribe that information into Imagetrend so that ICEMA will accept the reports?
2. Can we, as a long-term solution, be allowed to directly export NEMSIS compliant reports from Firehouse to Imagetrend?

Imagetrend Technical Support (Support Ticket #122769), confirmed this (i.e., NEMSIS compliant data transfer) is possible if allowed by the system administrator (i.e., ICEMA). We understand that ICEMA may have some special reporting fields available in Imagetrend that are not available in Firehouse. If this is the case, what are those reporting fields, and are they applicable to a BLS level of service?

Total EMS calls for ICEMA (based on EPCR's only, no 01A's or Scantrons) average about 25,000 per month, or 300,000 per year. Our ambulance calls last year represent .02% of that amount. This seems like a very small amount of data given the consequences of requiring us to use Imagetrend, especially if it is possible to send NEMSIS compliant reports from our existing software.

Again, it is our intent and desire to transition to ePCR's, and to work effectively with our LEMSA. I appreciate your consideration of our requests.

Respectfully,

Frank L. Frievault
Assistant Fire Chief
Mammoth Lakes Fire Protection District



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Human Resources, Public Health

TIME REQUIRED

SUBJECT Allocation List - Environmental Health
Specialist

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving a contract with Kathe Barton as Environmental Health Specialist, and prescribing the compensation, appointment and conditions of said employment.

RECOMMENDED ACTION:

Approve Resolution #R14 - ___, authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the addition of an environmental health specialist in the Public Health Department and to authorize the County Administrative Officer to fill said allocated position.

FISCAL IMPACT:

The cost of this position for the term of the contract is \$42,853 including the employer's share of medicare contributions. For the remainder of FY 2013-2014 (April 1st to June 30th) the cost is approximately \$10,715, and the FY 2014-15 cost is expected to be \$32,138. All costs will be reimbursed by the grant and there is sufficient appropriation in the Health Department budget to cover the current year costs.

CONTACT NAME: Teresa Neely

PHONE/EMAIL: (760) 932-5416 / tneely@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

 [Env. Health. Allocation List Staff Rpt](#)

 [Resolution](#)

History

Time	Who	Approval
3/10/2014 10:39 AM	County Administrative Office	Yes
3/13/2014 8:58 AM	County Counsel	Yes
3/11/2014 6:17 PM	Finance	Yes



COUNTY OF MONO – County Administrative Office

**P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5412 ☐ FAX (760) 932-5411**

Jim Leddy

County Administrative Officer
760.932.5414 / 760.924.1703

Bill Van Lente

*Director of Human Resources/Risk
Management*
760.932.5413

To: Board of Supervisors
From: Bill Van Lente, Director of Human Resources/Risk Management
Date: March 4, 2014
Re: Environmental Health Specialist

Recommendation

Approve proposed Resolution Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of an Environmental Health Specialist within the Health Department and to Authorize the County Administrative Officer to fill Said Allocated Position. Provide any desired direction to staff.

Fiscal Impact

The cost of this position for the term of the contract is \$42,853 including the employer's share of medicare contributions. For the remainder of FY 2013-2014 (April 1st to June 30th) the cost is approximately \$10,715, and the FY 2014-15 cost is expected to be \$32,138.

All costs will be reimbursed by the grant and there is sufficient appropriation in the Health Department budget to cover the current year costs.

Discussion

The Mono County Health Department, division of Environmental Health is currently acting as the Local Primacy Agency (LPA) for Mono County and has recently entered into a new Local Primacy Delegation Agreement (LPDA) with CDPH. The LPA has been delegated this authority by CDPH, and under the authority granted by the California Safe Drinking Water Act, for the regulation of Small Public Water Systems (SPWS). In addition, to aid in costs associated with the implementation of the SPWS program, CDPH has provided a one-time grant in the amount of \$168,000 which will be used to cover the wages paid to the newly commissioned Environmental Health Specialist. The person filling this position will be responsible for carrying out duties established in the LPDA, under the direction of the Environmental Health Director. These duties will include conducting inspections of water systems, writing inspection reports, conducting any necessary enforcement and performing data management activities.

In response to the updated LPDA, the proposed resolution would create the part-time position of Environmental Health Specialist within the County's list of allocated positions. The position would be "temporary," as defined in the Mono County Personnel Rules, and would provide an average of up to 80 hours of service per month, and not more than 960 hours per fiscal year.

If you have any questions regarding this item prior to your meeting, please call me at 760-932-5413.



RESOLUTION NO. R14-

**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 ADDITION OF AN
ENVIRONMENTAL HEALTH SPECIALIST IN THE PUBLIC HEALTH DEPARTMENT AND
TO AUTHORIZE THE COUNTY ADMINISTRATIVE OFFICER TO FILL SAID
ALLOCATED POSITION.**

WHEREAS, it is important for the County of Mono to maintain an accurate, current listing, of County Job Classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications; and

WHEREAS, it is important to for the County to pay close attention to providing public services in the most economical manner which is reasonably possible and this includes meeting public services needs as expeditiously as possible; and

WHEREAS, it is currently necessary to adopt an amended Allocation List of Authorized Positions as part of maintaining proper accountability for hiring employees to perform public services; and

WHEREAS, the List of Allocated Positions, is a vital official record in establishing the Job Classifications and the number of positions authorized for each County Department; identifying approved vacancies for recruitment and selection by Human Resources; determining authorized employee pay rates; and recognizing implementation of collective bargaining agreements related to job classifications and pay rates;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES as follows:

1. The County Administrative Officer shall be authorized to amend the County of Mono List of Allocated Positions to reflect the following change:

Increase the allocation of part-time, un-benefited Environmental Health Specialist in the Department of Public Health by 1 (new total of 5) (salary range of \$44 per hour).

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2. The County Administrative Officer, or his or her designee, is authorized to fill said allocated position as needed by the Department of Public Health.

PASSED AND ADOPTED this 18th day of March, 2014, by the following:

Vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

Larry K. Johnston, Chairman
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: County Counsel

TIME REQUIRED

SUBJECT Conway Ranch MOU extension

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed Second Amendment of the Conway Ranch MOU between the County and Caltrans. The amendment would extend the deadline for implementation of MOU provisions until July 1, 2014.

RECOMMENDED ACTION:

Approve County entry into proposed Second Amendment of the Conway Ranch MOU between the County and Caltrans, and authorize the Board Chairman to execute said Second Amendment on behalf of the County.

FISCAL IMPACT:

None.

CONTACT NAME: Marshall Rudolph

PHONE/EMAIL: (760) 924-1707 / mrudolph@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Conway MOU second amendment staff report](#)
- [Second amendment to Conway MOU](#)
- [Caltrans MOU](#)
- [Caltrans MOU first amendment](#)

History

Time	Who	Approval
3/10/2014 10:40 AM	County Administrative Office	Yes
3/7/2014 6:04 PM	County Counsel	Yes
3/11/2014 6:05 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
John-Carl Vallejo
Christian Milovich

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Jennifer Senior

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: March 18, 2014

RE: Second Amendment of Conway Ranch MOU with Caltrans

Recommendation:

Approve County entry into proposed Second Amendment of Conway Ranch MOU with Caltrans and authorize the Board chair to sign said Second Amendment on behalf of the County.

Fiscal/Mandates Impact:

None.

Discussion:

In May of last year, the County entered into a Memorandum of Understanding (MOU) with Caltrans relating to the Conway Ranch. A copy of the MOU is enclosed for reference. The MOU provided a 180-day deadline for implementation of all MOU provisions. By previous amendment to the MOU, that deadline was extended until April 1, 2014. And while considerable progress has been made, more time is necessary. Caltrans understands the situation and is willing to extend the deadline again until July 1, 2014. The proposed Second Amendment to the MOU would effectuate that extension.

Please contact me at (760) 924-1707 if you have any questions or comments.

Encl.

SECOND AMENDMENT OF THE CONWAY RANCH MOU

THIS SECOND AMENDMENT OF the Conway Ranch Memorandum of Understanding (FIRST AMENDMENT) is ENTERED INTO as of March 18, 2014, between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and the COUNTY OF MONO, a political subdivision of the State of California, referred to herein as "COUNTY". The State and County are sometimes referred to herein as "the parties."

RECITALS

1. The parties hereto entered into a Memorandum of Understanding (MOU) on May 20, 2013 defining the terms and conditions regarding the Conway and Mattly Ranches.
2. By previous amendment of the MOU, the deadline for implementation of the provisions of the MOU was extended until April 1, 2014. And while considerable progress has been made toward said implementation, more time is necessary.
3. The parties wish to extend that deadline until July 1, 2014, through this second amendment and to reaffirm their rights, liabilities and obligations assumed under MOU.

IT IS THEREFORE MUTUALLY AGREED

1. The second sentence of the last paragraph of the Roles and Responsibilities section of the MOU (on page 3) is amended again in its entirety to read as follows:

"The parties have until July 1, 2014, to implement all provisions of this MOU upon execution."
2. All other terms and conditions of MOU not hereby amended remain in full force and effect and are herein incorporated by reference and reaffirmed by the PARTIES.

EXECUTION

The parties have executed and entered into this Second Amendment through their authorized representatives whose signatures are below.

Mono County

By: Larry K. Johnston, Chairman
Board of Supervisors
Dated: _____

Approved as to form:

Marshall Rudolph, County Counsel

California Department of Transportation

THOMAS P. HALLENBECK
District 9 Director
Dated: _____

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND
MONO COUNTY**

This Memorandum of Understanding (MOU) is entered into, by, and between the California Department of Transportation (Caltrans) and the County of Mono, a political subdivision of the State of California (sometimes referred to herein as "Mono County" or "the County").

RECITALS

Caltrans and Mono County wish to address land management and fish rearing issues at Conway and Mattly Ranches located in the County (and also described as including APNs 019-100-008, 019-100-019, 019-100-020, 019-110-016, 019-110-018, 011-200-010, 011-200-009, 011-280-021 and lots within the Conway Ranch subdivision also known as lots A, B, 5 through 14, inclusive, 17 through 21 inclusive and lots 24 through 108, inclusive, in tract number 34-13, in book 9, pages 53 to 53H, inclusive, of maps in the office of the County of Mono Recorder). Mono County purchased the Conway and Mattly Ranches (sometimes referred to collectively herein as "Conway Ranch" or "the property") in part using grants from Caltrans that identify certain restrictions and allowable uses of the land, some of which are set forth in an *Agreement Declaring Restrictive Covenants* that was recorded against a portion of the Conway Ranch property.

Through discussions with Mono County, it has become apparent that the restrictions imposed by the grants received by Mono County for the purchase of the property do not allow for full realization of the potential and needs of the fish rearing operation.

The current fish rearing facility located on Conway Ranch falls within a 185 acre area that was purchased with Environmental Enhancement and Mitigation Program (EEMP) Cycle 7 funding. The County's acceptance of the grant funds for use in purchase of the ranches came with certain resource protections and restrictions.

To help the County in realizing both the economic and tourist based fish rearing potential the ranches offer and to address land management concerns, Caltrans proposes to allow for repayment of a portion of the EEMP Cycle 7 grant received by Mono County, thereby removing approximately 75 acres of the Conway Ranch from the delineated grant area and freeing current restrictions imposed by the grant (see Exhibit A).

ROLES AND RESPONSIBILITIES

As a condition of approval by Caltrans for the removal of 75 acres from the grant restrictions and as agreed to by both parties, Mono County will grant a conservation easement for the remaining portions of both the Conway and Mattly Ranches to the Eastern Sierra Land Trust (see Exhibit A). For purposes of satisfying this condition, Mono County is only required to include in the *Conservation Easement* provisions reiterating and potentially clarifying the existing restrictions and requirements of the Caltrans-administered grants that will still be applicable to various

portions of the property (outside of the 75 acres) and the Eastern Sierra Land Trust will only be responsible for ensuring that future uses and management of the property are consistent with those existing restrictions and requirements.

The County will retain all of its current authority and control over the property (including its water rights). It is understood that the *Conservation Easement* will not confer on the Eastern Sierra Land Trust any authority to manage any portion of the Conway Ranch property nor to direct or compel the County or any third party to engage in any activity on the property (except to remedy violations of easement restrictions and requirements), nor to permit any third party to enter or occupy the property or to perform any activity there without County consent, in accordance with the *Conservation Easement*.

Caltrans understands that Mono County will be required to provide notice and/or seek approval of the *Conservation Easement* from one or more of the other agencies or entities who provided grant funding for the County's purchase of Conway Ranch property portions (e.g., the California Department of Parks and Recreation and the National Fish & Wildlife Foundation). If any such agency or entity objects to the *Conservation Easement*, then the parties shall meet and confer in an effort to resolve the situation, and neither party shall be deemed in breach of this MOU. If the parties are unable to satisfactorily resolve the situation, then either party may rescind this MOU. Caltrans also understands that one or more of the other agencies or entities who provided grant funding may wish for the County to incorporate into the *Conservation Easement* provisions reiterating and potentially clarifying the restrictions and requirements imposed by their respective grants, and Caltrans hereby consents to the County's inclusion of such provisions.

The cost of repayment for the 75 acres of the Conway Ranch that includes the fish rearing portion is \$95,800. The sum will not be due and payable unless and until Caltrans has approved the terms of the *Conservation Easement* as described below. The County will provide said payment by check payable to "the State of California Department of Transportation" and delivered in person or by mail to:

State of California
Department of Transportation
Cashiering Office - MS 58
P.O. Box 168019
Sacramento, CA 95816-8019

no later than 30 days after Caltrans has notified the County of its approval of the terms of the proposed *Conservation Easement*.

Caltrans will fund half of the cost of the Stewardship Fund to the Eastern Sierra Land Trust, which is not to exceed \$17,500, and will be payable directly to ESLT from Mono County from the \$95,800 due to Caltrans, thereby reducing the amount payable to Caltrans to \$78,300. Mono County is responsible for the remainder (also not to exceed \$17,500). It is understood that the cost of the Stewardship Fund is a one-time expense and that neither Mono County nor Caltrans will be obligated to fund any ongoing or future costs to the Eastern Sierra Land Trust related to the purposes of the Stewardship Fund. Funding of the Stewardship Fund shall occur within 30 days after recording of the *Conservation Easement*.

The existing *Agreement Declaring Restrictive Covenants* will be amended to change the legal description of the real property encumbered by said agreement (in order to exclude the subject 75-acre portion). Said amendment will be recorded against the affected portion of the Property either on the same day or prior to the recording of the *Conservation Easement*.

Caltrans must approve the *Conservation Easement* prior to amending the *Agreement Declaring Restrictive Covenants*. In the event that Caltrans and the County are unable to mutually agree to all of the terms of the *Conservation Easement*, despite their best efforts, then either party may rescind this MOU. In that event, neither party shall have any rights or obligations under this MOU.

Provided the County fulfills its obligations under this MOU, Caltrans agrees to withdraw its notice of noncompliance (and associated letters) and demand for repayment to Mono County for the Conway Ranch. In other words, Caltrans agrees that any issues or allegations that Caltrans actually raised or could have raised regarding the County's compliance with any Caltrans-administered grants applicable to Conway Ranch prior to the parties' entry into this MOU are hereby fully resolved and shall not form the basis of any future allegations or notices of noncompliance by Caltrans nor by any person or entity ostensibly acting on its behalf (e.g., the Eastern Sierra Land Trust).

This MOU becomes effective when fully executed by all parties. The parties have 180 days to implement all provisions of this MOU upon execution. The parties may separately agree to use the services of a third party or escrow to facilitate and coordinate any of the foregoing details of this transaction. This MOU can be terminated, modified, or amended by mutual written consent of all parties. This MOU does not replace or modify any other preexisting MOU between any or all parties. Likewise, future MOUs may be entered into between any or all of the parties notwithstanding this MOU.

EXECUTION

The parties have executed and entered into this MOU through their authorized representatives whose signatures are below.

Mono County



By: Byng Hunt, Chair
Board of Supervisors

Dated: 5-14-13

Approved as to form:



Marshall Rudolph, County Counsel

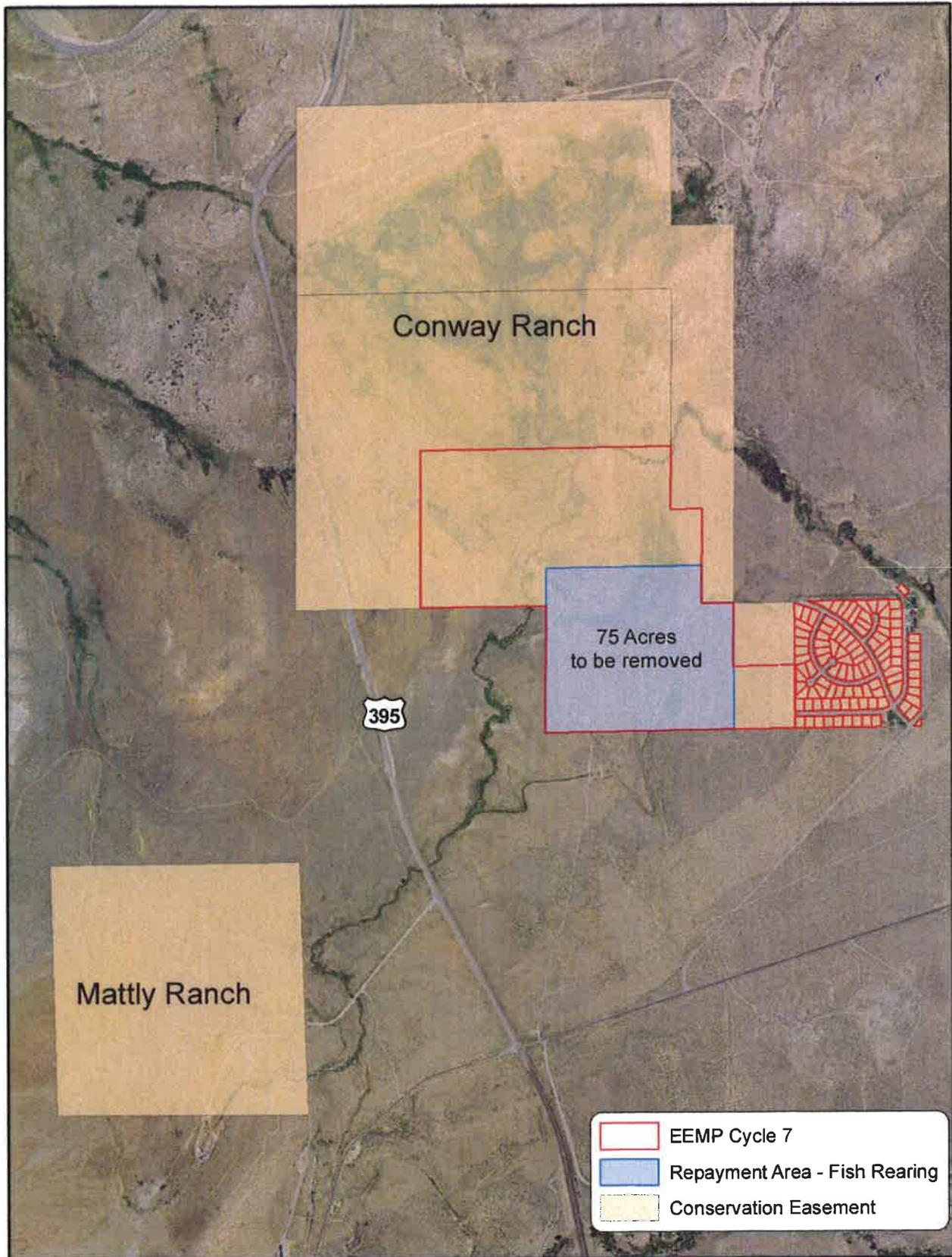
California Department of Transportation



THOMAS P. HALLENBECK
District 9 Director

Dated: 5/20/13

Exhibit A



National Agricultural Imagery Program; U.S. Department of Agriculture, Farm Service Agency, Aerial Photography Field Office

APR 18 2013 10:21 AM



CC1185

Date: 3/13/2013

FIRST AMENDMENT OF THE CONWAY RANCH MOU

THIS FIRST AMENDMENT OF the Conway Ranch Memorandum of Understanding (FIRST AMENDMENT) is ENTERED INTO as of November 5, 2013, between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE", and the COUNTY OF MONO, a political subdivision of the State of California, referred to herein as "COUNTY". The State and County are sometimes referred to herein as "the parties."

RECITALS

1. The parties hereto entered into a Memorandum of Understanding (MOU) on May 20, 2013 defining the terms and conditions regarding the Conway and Mattly Ranches.
2. Implementation of the provisions of the MOU will not be completed prior to the original deadline of 180 days from date of execution as stated in the MOU (i.e., November 16, 2013).
3. The parties wish to extend that deadline until April 1, 2014, through this first amendment and to reaffirm their rights, liabilities and obligations assumed under MOU.

IT IS THEREFORE MUTUALLY AGREED

1. The second sentence of the last paragraph of the Roles and Responsibilities section of the MOU (on page 3) is amended in its entirety to read as follows:

"The parties have until April 1, 2014, to implement all provisions of this MOU upon execution."
2. All other terms and conditions of MOU not hereby amended remain in full force and effect and are herein incorporated by reference and reaffirmed by the PARTIES.

EXECUTION

The parties have executed and entered into this First Amendment through their authorized representatives whose signatures are below.

Mono County


By: Byng Hunt, Chair
Board of Supervisors
Dated: 11-5-13

Approved as to form:


Marshall Rudolph, County Counsel

California Department of Transportation


THOMAS P. HALLENBECK
District 9 Director
Dated: 11/12/13



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Departments: Human Resources and Behavioral Health

TIME REQUIRED

SUBJECT Part-Time, Temporary, Un-Benefited
Rehabilitation Specialist I

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution R-14-__ Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of up to one Temporary Appointment Rehabilitation Specialist I in the Behavioral Health Department and to Authorize the County Administrative Officer to Fill Said Allocated Position.

RECOMMENDED ACTION:

Adopt Proposed resolution R-14-__ Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of up to one Temporary Appointment Rehabilitation Specialist I in the Behavioral Health Department and to Authorize the County Administrative Officer to Fill Said Allocated Position. Provide any desired direction to staff.

FISCAL IMPACT:

Non general fund impact. Cost for the remainder of FY 13-14 is \$4,700.25. Cost for a full year is \$18,801.00.

CONTACT NAME: Bill Van Lente

PHONE/EMAIL: (760) 932-5413 / bvanlente@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report - Rehabilitation Specialist I](#)

History

Time	Who	Approval
3/12/2014 4:51 PM	County Administrative Office	Yes
3/13/2014 9:07 AM	County Counsel	Yes
3/12/2014 5:05 PM	Finance	Yes



COUNTY OF MONO – County Administrative Office

**P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5412 □ FAX (760) 932-5411**

Jim Leddy

County Administrative Officer
760.932.5414 / 760.924.1703

Bill Van Lente

Director of Human Resources/Risk Management
760.932.5413

TO: Mono County Board of Supervisors
FROM: Bill Van Lente, Director of Human Resources/Risk Management
DATE: March 12, 2014
SUBJECT: Approval to recruit and fill Rehabilitation Specialist I – temporary position

RECOMMENDATION:

Authorizing the County Administrative Officer to Amend the County of Mono List of Allocated Positions to Reflect the Addition of up to one Temporary Appointment Rehabilitation Specialist I in the Behavioral Health Department and to Authorize the County Administrative Officer to Fill Said Allocated Position.

DISCUSSION:

Currently the Behavioral Health Department has a need for a temporary, un-benefited Rehabilitation Specialist I, not to exceed 20 hours per week, 960 hours per fiscal year.

Your approval is requested to recruit and fill this position as a temporary Rehabilitation Specialist I.

Below are some of the duties for this position:

- Assessments
- Therapeutic Behavioral Services
- Service Planning
- Individual interventions
- Group facilitation
- Case management
- Assist clients with needed services such as food stamps, general assistance, doctor and other appointments, and housing
- Provide home based services as needed
- Meal preparation
- Shopping
- Transport clients as needed
- Documentation (clinical notes in electronic system) in support of the above activities

This is a replacement for an employee who was promoted, but position was inadvertently removed from allocation list and is now reinstated. Salary: \$18.00 per hour

FISCAL IMPACT: Non general fund impact. Cost for the remainder of FY 13-14 is \$ 4,700.25. Cost for a full year is \$ 18,801.00 .

If you have questions regarding this item prior to your meeting, please call me at 760-932-5413.



RESOLUTION NO. R14-

**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 ADDITION OF A
REHABILITATION SPECIALIST IN THE BEHAVIORAL HEALTH DEPARTMENT AND TO
AUTHORIZE THE COUNTY ADMINISTRATIVE OFFICER TO FILL SAID ALLOCATED
POSITION.**

WHEREAS, it is important for the County of Mono to maintain an accurate, current listing, of County Job Classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications; and

WHEREAS, it is important to for the County to pay close attention to providing public services in the most economical manner which is reasonably possible and this includes meeting public services needs as expeditiously as possible; and

WHEREAS, it is currently necessary to adopt an amended Allocation List of Authorized Positions as part of maintaining proper accountability for hiring employees to perform public services; and

WHEREAS, the List of Allocated Positions, is a vital official record in establishing the Job Classifications and the number of positions authorized for each County Department; identifying approved vacancies for recruitment and selection by Human Resources; determining authorized employee pay rates; and recognizing implementation of collective bargaining agreements related to job classifications and pay rates;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES as follows:

1. The County Administrative Officer shall be authorized to amend the County of Mono List of Allocated Positions to reflect the following change:

Increase the allocation of part-time, un-benefited Rehabilitation Specialist I in the Department of Behavioral Health by 1 (new department total of 15) (salary range of \$18 per hour).

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2. The County Administrative Officer, or his or her designee, is authorized to fill said allocated position as needed by the Department of Behavioral Health.

PASSED AND ADOPTED this _____ day of _____, 2014, by the following:

Vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

Larry K. Johnston, Chairman
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Inyo Board of Supervisors to
Secretary Jewel

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Copy of a letter from the Inyo County Board of Supervisors to Secretary Jewel of the U.S. Department of the Interior, dated February 4, 2014, regarding the Proposed Designation of Critical Habitat for the Bi-State Distinct Population Segment of Greater Sage-Grouse.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Inyo Ltr to US Dept of Interior](#)

History

Time	Who	Approval
3/10/2014 10:31 AM	Clerk of the Board	Yes



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
JEFF GRIFFITHS
RICK PUCCI
MARK TILLEMANS
MATT KINGSLEY

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

February 4, 2014

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

Re: Proposed Designation of Critical Habitat for the Bi-State Distinct Population Segment of Greater Sage-Grouse
Docket No. FWS-R8-ES-2013-0042

Dear Secretary Jewel:

On behalf of the Inyo County Board of Supervisors, I wish to reiterate our deep concern about the proposed critical habitat that the U.S. Fish and Wildlife Service (USFWS) is proposing for the Bi-State Distinct Population Segment of Greater Sage-Grouse. Per our correspondence dated December 10, 2013, this proposal has the potential for significant regional, indirect, induced, and cumulative impacts on Inyo County and nearby counties in California and Nevada. When considered cumulatively – specifically in conjunction with the proposed critical habitat for the Yosemite toad, the Sierra Nevada yellow-legged frog, and the northern distinct population segment of the mountain yellow-legged frog –with the numerous other listings being considered by the Service, these proposals have the potential to decimate our economy, culture, society, and way of life. Per our correspondence dated January 21, 2014, we believe that these proposals arise in response to litigation rather than good planning.

Thank you for extending the comment period for this proposal to allow greater reflection regarding its implications. We offer the following additional comments:

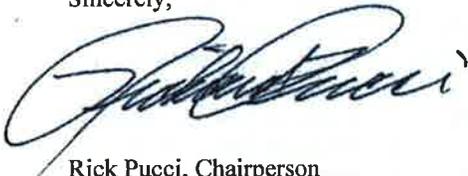
1. We support the multi-agency efforts to work in a productive proactive environment through the Bi-State Conservation Plan, Bi-State Action Plan, the Local Area Working Group, the City of Los Angeles' Department of Water and Power Conservation Strategy, and others to conserve the species and avoid listing. We understand that these efforts have been successful in stabilizing populations, and that population data does not support Threatened status. For example, the Bi-State Action Plan identifies 35 allotments that have been modified to address sage grouse issues voluntarily to effectively conserve the species. The one-size fits all approach proposed by the Service will work to disincentivize such locally supported collaborative efforts and possibly result in greater threats to the species.
2. We anticipate that the greatest direct potential impact to the County from the proposal will be to our road operations. Given that these activities are occurring within existing disturbed areas, we do not believe that the data supports treating roads as critical habitat. We therefore request that road maintenance and operations of vehicles within rights-of-way be excluded by text, if the critical habitat designation is pursued.
3. We do not believe that current grazing practices are harmful to the species, and in fact provide needed fire management and other benefits. We request that grazing be excluded by text from the critical habitat, if it is pursued.
4. Mining is not a significant threat to the species in Inyo County, particularly given the ongoing reduction in access to important mineral resources. We support the Service's conclusion that the threat of mining is not significant and we request that mining be excluded by text from the critical habitat, if it is pursued.
5. We support the conclusion that recreation is not a significant effect to the species. Hiking, biking, driving, and other recreational activities occur within the proposed critical habitat in Inyo County, and are an important component of the society, culture, and economy of the County. We request that recreational activities be excluded by text, if the critical habitat designation is pursued.
6. Regardless of the proposal's outcome, we believe that raven management should be further emphasized to minimize threats to the sage grouse and other sensitive species.

7. We believe that the proposed critical habitat in Inyo County may be important to high mountain research, and that such activities have minimal potential impacts to the species. If critical habitat is pursued, we request that you consult with the White Mountain Research Center to minimize impacts to its important studies.

The proposed critical habitat in Inyo County is not within Wilderness as we originally believed, which furthers our concern that the proposal will directly impact us. We look forward to reviewing the Service's economic analysis; while we recognize that the Service believes it is not required, we urge you to direct your staff to work with the County, other responsible and trustee agencies, local citizens and business owners, and agricultural interests to quantify potential impacts to our economy, taking into account direct, indirect, induced, and cumulative effects to better estimate the proposal's real potential economic effects. Many of the ranchers and other agricultural interests in Inyo County are also active in Mono County, and we anticipate that the economic effects resulting from the proposal will be felt severely here, particularly due to the vast scale of the proposed critical habitat in Mono County. The economic analysis should also scrutinize monitoring costs due to the proposal in light of the lack of resources available to the implementing agencies to undertake their core responsibilities, let alone administer another layer of species conservation criteria. We also reiterate our request that a hearing regarding the proposal be held in the eastern Sierra.

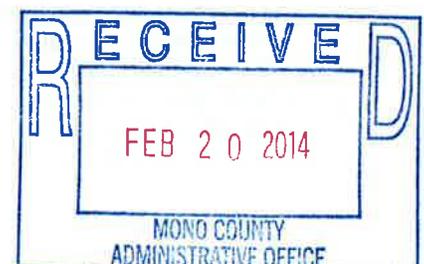
Thank you for your consideration. If you have any questions, please contact the County's Administrative Officer Kevin Carunchio at (760) 878-0292 or by email at kcarunchio@inyocounty.us.

Sincerely,



Rick Pucci, Chairperson
Inyo County Board of Supervisors

cc: County Administrative Officer
County Counsel
Planning Director
Public Works Director
Agricultural Commissioner
Senator Feinstein
Senator Boxer
Representative Cook
City of Los Angeles Department of Water and Power
Ren Lohofener, USFWS
Jennifer Norris, USFWS
Dan Ashe, USFWS
Mono County Administrative Officer
Esmeralda County Commissioners
James Kenna, Bureau of Land Management
Ed Armenta, Inyo National Forest
Rural County Representatives of California
California State Association of Counties
National Association of Counties
White Mountain Research Center
USFWS Public Comments Processing





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Verizon Letter to California Public
Utilities Commission

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Copy of a letter from Verizon dated February 7, 2014 to the California Public Utilities Commission regarding Notification Letter for West Portal, Cellco Partnership (U-3030-C) California 6-Mono RSA.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

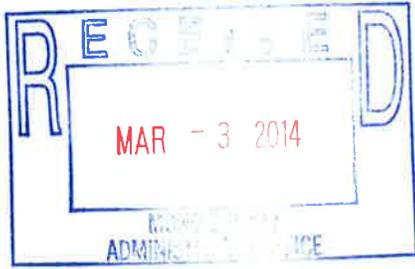
ATTACHMENTS:

Click to download

[Verizon](#)

History

Time	Who	Approval
3/10/2014 10:34 AM	Clerk of the Board	Yes



1120 Sanctuary Pkwy
Suite 150
MC: GASA5REG
Alpharetta, GA 30009
(770) 797-1070

February 7, 2014

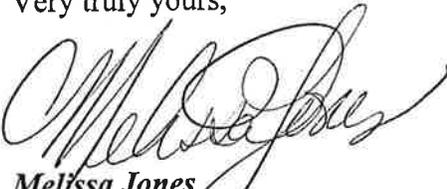
Ms. Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

Re: Notification Letter for **West Portal**, Cellco Partnership (U-3030-C) California 6- Mono
RSA

This is to provide the Commission with notice according to the provisions of General Order No. 159.A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact Melissa Jones of Verizon Wireless at (770) 797-1106.

Very truly yours,



Melissa Jones
Verizon Wireless
Network - Licensing Compliance

Attachment A

CPUC CELL SITE REPORT – Cellco Partnership (U-3030-C)

1. **PROJECT LOCATION: West Portal - IB**

SITE NAME: West Portal
SITE ADDRESS: On US HWY 365 1 mile S of the N Junction
LOCATION: June Lake, CA 93529
COUNTY: Mono
APN: 14-020-10
COORDINATES: 37° 52' 28.75"/119° 05' 32.19" (NAD83)

2. **PROJECT DESCRIPTION:**

Cellco Partnership (U-3030-C) proposes the installation of an 60' SBA Monopine, 12'X16'-10 1/2" equipment shelter, UL2200 30Kw diesel generator with 132 gallon fuel tank on a 6' X3" concrete slab, three (3) antenna sectors with four (4) antennas per sector, two (2) future microwave dishes, two (2) GPS antennas, underground power and telco within a 6' chain link fenced 50'X50' lease area.

ANTENNAS: Twelve (12) panel antennas, two (2) future microwave dishes, and two (2) GPS antennas
TOWER DESIGN: Monopine
TOWER APPEARANCE: Monopine
TOWER HEIGHT: 60'
BUILDING SIZE: N/A
OTHER: 12'X16'-10 1/2" equipment shelter, UL2200 30Kw diesel generator with 132 gallon fuel tank

3. BUSINESS ADDRESSES OF ALL LOCAL GOVERNMENT AGENCIES:

CC:

Scott Burns
Community Development Director
Mono County Community Development
74 N. School Street, Annex 1
Bridgeport, CA 93517

Jim Leddy
Administrative Officer
Mono County Administrative Office
74 N. School Street, Annex 1
Bridgeport, CA 93517

Sherry Hale
Deputy Clerk
Mono County Clerk Recorder
74 N. School Street, Annex 1
Bridgeport, CA 93517

Don Clark
Superintendent
Eastern Sierra Unified School District
231 Kingsley Street
Bridgeport, CA 93517

4. LAND USE APPROVALS:

Type:	Use Permit
Issued:	09/12/2013
Effective:	09/22/2013
Agency:	Mono County Planning Division
Permit No.:	13-001
Resolution No.:	N/A



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Congressman Paul Cook Regarding
PILT

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Letter dated February 12, 2014 from Congressman Paul Cook to CAO Jim Leddy regarding the Payment in Lieu of Taxes (PILT) Program Funding.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[PILT](#)

History

Time	Who	Approval
3/10/2014 10:38 AM	County Administrative Office	Yes
3/10/2014 10:46 AM	County Counsel	Yes
3/10/2014 10:46 AM	Finance	Yes

Congress of the United States
House of Representatives
Washington, DC 20515-0508

February 12, 2014

Mr. Jim Leddy
County Administrative Officer
County of Mono
Post Office Box 696
Bridgeport, California 93517

RE: Payment in Lieu of Taxes (PILT) Program Funding

Dear Administrative Officer Leddy,

Thank you for contacting me. It's always a pleasure to hear from constituents, and I'm honored to have the chance to serve you in Washington.

I appreciate your letter regarding the Payment in Lieu of Taxes (PILT) program. As you indicated, the PILT program is responsible for a large sum of money Mono County receives from the federal government each year. These PILT payments help local governments carry out such vital services such as firefighting and police protection, construction of public schools and roads, and search-and-rescue operations.

I was disappointed to see PILT's reauthorization not included in the 2014 Omnibus Appropriations Bill (H.R. 3547). However, the program was reauthorized for a year in the recent Farm Bill conference report. While I had many issues with the underlying Farm Bill conference report, I was glad to see PILT's reauthorization.

Moving forward, I will continue working to ensure PILT remains funded.

Our republic depends on engaged and thoughtful people like you, and I hope to hear from you in the future. If you should have any further questions, please do not hesitate to contact my office by calling 202-225-5861 or by visiting my website <http://www.cook.house.gov>.

Sincerely,



Col. Paul Cook (Ret.)
Member of Congress





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Inyo Board of Supervisors to U.S.
Fish and Wildlife

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Copy of a letter from the Inyo County Board of Supervisors to Douglas Krofta of U.S. Fish and Wildlife regarding Proposed Listing and Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Krofta Frog Letter](#)

History

Time	Who	Approval
3/10/2014 10:41 AM	Clerk of the Board	Yes



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
JEFF GRIFFITHS
RICK PUCCI
MARK TILLEMANS
MATT KINGSLEY

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

February 25, 2014

Mr. Douglas Krofta
Branch of Listing, Endangered Species Program
U.S. Fish and Wildlife Service
U.S. Department of the Interior
4401 North Fairfax Drive
Arlington, VA 22203

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

Dear Mr. Krofta,

On behalf of the Inyo County Board of Supervisors, I would like to thank you for the opportunity to comment on the U.S. Fish and Wildlife Service's Draft Economic Analysis of Critical Habitat Designation for Three Sierra Nevada California Amphibians (USFWS) (DEA). As always, we are committed to working with our State and Federal partners to promote the health and conservation of all species within our region. However, despite reassurances provided by the USFWS, we remain deeply concerned about the impacts the proposed listing and critical habitat designation we have on our culture, economy, and way of life in Inyo County.

The Service has requested information be provided affecting the proposed listings and designations of critical habitat. The County reiterates its concerns stated in our previous correspondence to the agency dated June 4th, 2013, June 18th, 2013, July 15th, 2013, September 23rd, 2013 and November 12th, 2013, as well as the concerns voiced by our constituents at public meetings held September 23rd, 2013, January 8th, 2014 and January 30th, 2014. The County believes there is insufficient evidence to list the species as endangered, the proposed rule ignores the best available science provided by the California Department of Fish and Wildlife (CDFW) the threats to the species have been poorly or inaccurately characterized, and the proposal critical habitat area is overbroad and unwarranted. The County also believes the socioeconomic impacts to our communities of the critical habitat designation outweigh the benefits to species. This position is in agreement with comments provided to the USFWS by the California Department of Fish and Wildlife.

In addition, the USFWS has asked for comments on the DEA regarding the economic impact of the critical habitat designation. It is the County's position that the DEA is inadequate and fails to evaluate economic impacts to small businesses, small organizations, and small government jurisdictions as required by the Final Rule. The DEA identifies the following activities as "threats" to the species that would be addressed by management actions: fish persistence and stocking, dams and water diversions, grazing, fuels reduction and timber harvest, and recreation. The County has repeatedly identified these activities as those which would have the greatest impact on our economy (specifically fish stocking, grazing, and recreation). The DEA provided no analysis of economic impacts to small business and governments that would result from management actions required to mitigate threats to the species.

The County requested to participate in the development of the draft economic study, but the USFWS did not respond to this request.

Basis of analysis – “Incremental Impacts”

The County understands that the economic analysis considers only those impacts that are incremental to the listing of the species as endangered. The analysis will not consider “baseline” impacts, i.e., impacts from the protections afforded the yellow-legged frog based on the listing of the species. The agency’s explanation, restated below, is understood by the County and all comments by the County are directed specifically at those impacts resulting from the incremental impacts resulting from the critical habitat designation, the “with critical habitat” scenario described by the agency.

“The “without critical habitat” scenario represents the baseline for the analysis, considering protections otherwise afforded to the Sierra Nevada yellow-legged frog, the northern DPS of the mountain yellow-legged frog, and the Yosemite toad (e.g., under the Federal listing and other Federal, State, and local regulations)... The “with critical habitat” scenario describes the incremental impacts specifically due to designation of critical habitat for the species. In other words, these incremental conservation measures and associated economic impacts would not occur but for the designation of critical habitat.”

The County also understands that the various management agencies, including the National Park Service (NPS), the U.S. Forest Service (USFS), and the CDFW all implemented programs to protect the proposed species, and the listing (baseline) would not change their management practices. The comments here will focus on and address those changes that will be necessary for the various management agencies to implement the critical habitat designation.

Standard of Review

On August 23, 2013 the USFWS published in the Federal Register its final rule providing the agency and the public direction on the process that future critical habitat designations will follow regarding timing and implementation of economic impact analysis. Even though the USFWS is not required to follow the rule in the present critical habitat designation process, it is important to note that the agency, through the publication of the Final Rule codified the present policies of the agency regarding the responsibilities of the agency in reviewing the economic impacts of the critical habitat designation.

The Final Rule requires the agency to examine the reasonably foreseeable or probable projects that might be impacted by the proposed critical habitat designation. Once the foreseeable or probable projects that may be impacted by the critical habitat designation are identified, the agency must examine the potential economic impact the proposed critical habitat designation will have on public and private entities based on required changes to those projects. The Final Rule states that:

“The Secretary shall identify any significant activities that would either affect an area considered for designation as critical habitat or be likely to be affected by the designation, and shall, after proposing designation of such an area, consider the probable economic and other impacts of the designation upon proposed or ongoing activities” (Final Rule, 78 FR 53058-01).

Additionally, the Final Rule states; *“Each states that the rule will, to the maximum extent practicable, “include a brief description and evaluation of those activities (whether public or private) that . . . may adversely modify such habitat or [may] be affected by such designation” (Final Rule, 78 FR 53058-01).*

The above process was not followed in the current proposed critical habitat designation process. Instead the agency used an unreasonably strict interpretation of the Regulatory Flexibility Act to circumvent the current policies and practices required by the Final Rule.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires Federal agencies must provide analysis on the impact of the rule on small businesses, small organizations, and small government jurisdictions. Regulatory flexibility analysis is not required if the head of an agency, or his designee, certifies that the rule will not have a significant economic impact on a substantial number of small entities (Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Impact Analyses of Critical Habitat, 78 FR 53058-01). The USFWS states its responsibility under the RFA, then ignores the requirements of the Act in the agency's implementation and application of the RFA.

As identified by the DEA, the proposed critical habitat designation would have management implications to fishing stocking, hydrological energy production (dams and diversions), timber, grazing, and recreation activities over nearly two million acres in 16 counties. Yet the DEA states that no small businesses or governments would be impacted by the designation and provides no analysis on economic impacts to these activities.

As stated above, the head of the agency may certify that the rule will not have a significant economic impact on a substantial number of small entities, but this requirement cannot be circumvented by merely certifying that small business will not be affected. The agency cannot merely ignore the reality of probable impacts that will occur if the designation goes forward as proposed. The federal agency must provide a factual basis for a "no significant economic impact" certification. Here, the factual basis for the certification is lacking. In fact, the agency ignored substantial information on the record documenting the probable impacts of the proposed designation on small businesses, small organizations, and small government jurisdictions in order to make the requisite certification under the RFA.

The agency attempts to avoid recognizing the probable impacts of the critical habitat designation by applying what it terms a "strict interpretation" of the RFA. The agency states *"Under a strict interpretation of the Regulatory Flexibility Act (RFA), only Federal agencies are directly regulated by the designation of critical habitat. Because Federal agencies are not small entities, under this interpretation, the Service may certify that the proposed critical habitat rule will not have a significant economic impact on a substantial number of small entities."* (Economic Analysis of Critical Habitat Designation for Three Sierra Nevada California Amphibians, ES-14, paragraph 29). The agency's "strict interpretation" is convenient for the agency because it allows it to ignore actual impacts, but does not meet the requirements of the law.

The logical outcome of this argument is to strip the substance and intent of the Regulatory Flexibility Act. The USFWS is ignoring the probable impacts of the designation by limiting its analysis only to other federal agencies, not to the actions those agencies authorize, fund, or carry out. If this reasoning were applied to all critical habitat designations, the USFWS could ignore the probable impacts to small businesses and entities in all critical habitat designations. In essence, the agency is arguing the Regulatory Flexibility Act does not apply to critical habitat designations, which is contrary to the law. But the agency's strict interpretation goes further by only recognizing certain federal agencies and not all agencies impacted by the critical habitat designation. The USFWS states that *"The National Marine Fisheries Service and the Fish and Wildlife Service are the only entities that are directly regulated by this rule because*

we are the only entities that can designate critical habitat. No external entities, including any small businesses, small organizations, or small governments, will experience any economic impacts from this rule" (Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Impact Analyses of Critical Habitat, 78 FR 53058-01)

The USFWS ignores the impacts to the CDFW, USFS and NPS which it has already, in its economic analysis and through communications at public hearings, admitted are impacted by the critical habitat designation. The DEA states: *"Although CDFW's fish stocking activities are not normally federally-regulated or permitted, CDFW's fish stocking program may have a Federal nexus for section 7 consultation through federally-funded programs of the Sport Fish Restoration Act (SFRA) and/or through revision of CDFW's memorandum of understanding (MOU) with the USFS for fish stocking activities on National Forest lands."* (Economic Analysis of Critical Habitat Designation for Three Sierra Nevada California Amphibians, ES-16, paragraph 8). Though the DEA acknowledges the potential Federal nexus associated with CDFW's fish stocking activities, the DEA does not examine the potential economic impact the proposed critical habitat designation will have on public and private entities based on required modifications to those activities.

Impacts of the Proposed Rule

The proposed rule for listing the Mountain Yellow Legged Frog (MYLF) states that the habitat must be free of fish and other introduced predators (Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad, 78 FR 24516-01). This "free of fish" requirement impacts the CDFW fish stocking program and High Mountain Lakes Project, the NPS Sequoia and Kings National Parks Restoration of Native Species in High Elevation Aquatic Ecosystems Plan, and ongoing Yosemite National Park programs to protect the MYLF. In addition, the critical habitat designation as written will change the way the various regulatory agencies manage recreational fishing in their separate jurisdictions.

CDFW is currently managing a fish stocking program on federally managed lands. This program provides substantial fishing opportunities to visitors to the Inyo National Forest and additional economic benefits to the local communities which the visitors use as base locations to visit the forest. This program is subject to section 7 consultation and, based on the proposed regulation as written, will not be allowed to continue. Fish stocking cannot be allowed in a habitat designated by the agency as required to "be free of fish and other introduced predators." The termination of fish stocking will have a substantial impact on visitor use days that will directly translate to reduction in visitor spending in local businesses and communities.

In addition, the Sequoia, Kings Canyon and Yosemite National Parks implemented programs for protecting the yellow-legged frog while encouraging recreational fishing. The proposed regulations will also affect their approach to protecting the yellow-legged frog and will negatively impact recreational fishing in those National Parks, which are a tourist draw to Inyo County. The current program in the National Parks protects recreational fishing while also providing the yellow-legged frog with essential habitat. If NPS is required to implement the "free of fish" requirement in designated critical habitat in the Parks, then they will be required to prioritize many of the excellent fishing lakes as priority lakes for yellow-legged frogs and remove the fish from those lakes. The DEA forecasts economic impacts associated with consultation for future fish removal activities, but does not provide analysis of the cost to implement non-native fish removal.

The DEA indicates that the Proposed Rule would not trigger any state or local laws, and provides no analysis of economic impacts to state or local governments. This assertion is simply false, since Inyo County is already carrying the burden of increased administrative costs associated with additional environmental review and planning processes to accommodate potential critical habitat. Impacts to state and local governments should be considered and evaluated in the final economic analysis.

Concerns Regarding the Proposed Rule

Inyo County maintains the position that the proposed rule provides insufficient evidence to make a determination as set forth in the Endangered Species Act to warrant listing the species as threatened or endangered, and fails to identify specific areas that contain physical or biological features essential for the conservation of the species at the time of listing.

The habitat or range of the species is not being threatened with destruction or modification. In fact, much of the habitat is in designated wilderness area. The USFWS recognized this fact in the Proposed Rule, when it stated "physical habitat destruction does not appear to be the primary factor associated with the decline of mountain yellow-legged frogs." The Proposed Rule states "currently, recreational activities are considered a threat of low significance to the species' habitat overall," and fails to present scientific evidence for any conclusion that recreation should be considered a threat to the species. Several published scientific papers are available which indicate that there is no impact from grazing on the amphibians, and that there may in fact be a positive relationship between grazing and amphibian populations (Roche, LM, et al 2012, Cattle grazing and conservation of a meadow-dependent amphibian species in the Sierra Nevada).

The County is further concerned with the conclusion presented in the Proposed Rule that the most likely decline of the Sierra Nevada and Mountain Yellow-Legged Frog and Yosemite Toad is introduced trout. Scientific evidence overwhelming indicates that the most significant threat to the species is chytrid fungus. Of the threats to the Yellow-legged frog, the lethal chytrid fungus disease must be acknowledged as capable of single-handedly exterminating existing populations. If the fungus is not sufficiently curtailed, none of the other threats are relevant. Even if non-native fish could be eradicated in fungus-infected waters, frogs would still not be able to recolonize the site. Further, eradication of self-sustaining trout populations in highly connected watersheds, is financially infeasible, if even possible. It must be acknowledged that modifications to fish stocking, recreation, access, grazing, and other economic activities will not be sufficient to restore populations of the species in light of the chytrid fungus.

Concerns Regarding the Draft Economic Analysis

The DEA identifies the following economic activities as potential threats to the amphibians: fish persistence and stocking; dams and water diversions; grazing; fuels reduction and timber harvest; and recreation. As stated above, Inyo County's primary economic concerns include modifications impacts to fishing stocking, grazing and recreation activities as a result of the critical habitat designation. Review of the best available science indicates threats included in the economic analysis have been overstated or incorrectly identified.

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

In contrast, an economic impact analysis of the currently proposed critical habitat designation prepared for Inyo County found that restrictions placed on fishing stocking, recreation and grazing would have devastating consequences to Inyo County's fragile economy. The study indicated that if visitors chose to vacation elsewhere due to restrictions to fish stocking and other recreational activities, including hiking and backpacking, the economic impact to the Inyo County could be as high as \$17 million annually. Between 25 and 40 percent of businesses that primarily cater to recreational activities within the critical habitat area could be detrimentally impacted by management actions intended to reduce threats to the species as identified in the proposed listing and designation. In addition, restrictions to grazing allotments could result in estimated losses of \$6.9 million over 20 years. (See Attachment A: Socio-Economic Impact on Inyo County of the Proposed Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, Mountain Yellow-Legged Frog and Yosemite Toad, Gruen Gruen + Associates).

The DEA failed to provide any analysis of the direct economic impacts that would result from implementation of conservation efforts requested by USFWS to avoid potential adverse modification to critical habitat, including consideration of impacts to numerous federally permitted businesses that operate within the proposed critical habitat area, and direct economic losses associated with restricted access and recreational opportunities. The DEA indicates that direct economic impacts associated with fish stocking and recreation would be limited to administrative costs; however, as a result of the 2006 critical habitat designation in Los Angeles, San Bernardino, and Riverside Counties, a U.S. District Court Judge ordered the ongoing closure of areas of the Angeles National Forest, including rerouting 4.5 miles of the Pacific Crest Trail. Similar closures or access restrictions in Inyo County would have devastating impacts to our regional economy. The DEA suggests that the local economy will be able to make long-term adjustments in response to regulatory changes and management actions. As described in the economic analysis prepared for Inyo County, impacts of this scale are difficult if not impossible to adjust to, particularly given Inyo County's unique economic constraints.

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

Secretary's Discretion

Section 4(b)(2) of the Endangered Species Act provides the Secretary with the discretion to make revisions to the critical habitat designation based on "the best available scientific data after taking into consideration the economic impact, national security impact, and any other relevant impact of specifying any particular area as critical habitat" (Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad, 78 FR 24516-01).

However, the problem with the current process is that the Secretary has not been provided with the best available scientific data. The best and most knowledgeable scientists from the agencies are not in agreement with the position the USFWS has taken on the need to designate critical habitat. The economic impact is a cursory document measuring, evaluating and monetizing only the consultation cost of the designation and avoiding most of the probable economic impacts to local businesses and communities. Because the Secretary has not been provided the required information needed to make a reasoned decision, the Secretary is not able to effectively exercise the discretion with which the Secretary is empowered.

Conclusion

Inyo County is committed to working with its State and Federal partners to preserve and promote the recovery of these species, while protecting our cultural heritage, economy and connection to public lands. Inyo County requests the Secretary consider the following recommendations in preparing the final species listing and critical habitat designation rule, which address our primary concerns with the proposed rule.

As stated above, the rule as it is currently written would not allow for CDFWs fish hatcheries programs to continue in the critical habitat area. Inyo County requests the rule eliminate language requiring that the proposed critical habitat area must be "free of fish and other introduced predators." The County also requests that recreation and grazing be removed as threats to the species from the Final Rule based on published scientific studies and USFWS own admission that they are not.

Inyo County requests USFWS revise the proposed rule to incorporate specific recommendations provided by the CDFW in their comments regarding Federal Register Vol.78 No.80, dated November 11, in which CDFW states *"The Department believes the information contained within the Proposed Rule, does not make a convincing argument that designating Critical Habitat would substantially benefit the species (i.e., the prudence determination is weakly supported). As a result, the Department recommends the Service not designate Critical Habitat for the mountain yellow-legged frog complex."*

Should USFWS decide to designate critical habitat for the YMLF and Yosemite Toad, Inyo County recommends the agency consider the following exclusions:

First, there is a substantial portion of the designation that should not have been included in the original designation because it did not meet the criteria of "specific areas within the geographic area occupied by a species." Much of the area designated by the agency is not occupied by the species, has never been occupied by the species, and will not be occupied by the species in the future. This revision to the critical habitat designation would not be discretionary by the Secretary. It would be required because it does not meet the minimum criteria required by the Endangered Species Act. This position is also recommended by the CDFW, which made the following comments: *"The description of the currently proposed Critical Habitat units does not specifically exclude many habitats that are not necessary for the recovery of the species. For example, within the northern Sierra Nevada (Subunits 1A, 1B, 2A, 2B, 2C, 2F & 2G), the Service includes 26 front country reservoirs occupied by self-sustaining, non-native fishes and managed as hydroelectric projects. In the eastern Sierra Nevada, the Service includes steep, low elevation stream habitat, much of which is ephemeral. It is the Department's opinion that habitats, which are clearly not critical to mountain yellow-legged frog complex conservation, should be deliberately excluded from the delineation."*

If the agency does not revise its critical habitat area based on a review of our comments and concerns, then we request the Secretary consider excluding all areas outside wilderness boundaries. Most areas outside wilderness boundaries are easily accessed and heavily used by recreationalists. These areas are important for fishing, hiking, bouldering, and other recreational uses and are vital to the economies of the local communities. In a time when drought is impacting both summer and winter economic activities, it is essential that the USFWS does not close off additional economic activity, especially when it has not been identified as essential by the scientific experts that created the "best science" upon which the agency depends for its designation. The County of Inyo believes the benefits of excluding the areas outside wilderness boundaries outweigh the benefits of including the area as critical habitat.

Additionally, the County of Inyo requests the following lakes and basins be excluded from the designation based on their high use and importance to the economies of the local communities. These areas have been identified in consultation with the CDFW and reflect their recommendations based on the High Mountain Lakes Project. Inyo County also requests that USFWS adopt CDFW's evaluative process established by the High Mountain Lakes Project for determining lakes for rehabilitation of habitat as the foundation for their species recovery plan.

Inyo County Lakes and Basins Requested to be Excluded from Proposed Critical Habitat			
Location (and Subunit)	Deficient Primary Constituent Elements¹ Section 3(5)(A)(i)	Exclusion Benefits Section 4(b)(2)	Resulting in Extinction Section 4(b)(2)
1. South Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area • Existing Southern California Edison (SCE) power-generation dam limits habitat quality. Reservoir is frequently drained and is not suitable for habitat. • Would be contingent on removing fish from upstream watershed. • Not in Wilderness Boundary. 	<ul style="list-style-type: none"> • Assurance of existing electrical generation capacity for the state from renewable resources • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
2. South fork of Bishop Creek beginning at and downstream from Bishop Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
3. Treasures Lakes 1 and 2, and downstream (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area, 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is a low priority as a potential recovery site in CDFW's High Mountain Lakes Project.

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

	including one of the only fisheries with Golden Trout.		
4. Lamarck Creek, beginning at and including Upper and Lower Lamarck Lakes and Grass Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Easily accessed, heavily used fishery and recreation area. • Large, deep and well-connected: fish removal is impractical 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
5. North Fork of Bishop Creek in the Paiute Pass drainage, beginning at and downstream from Paiute Pass (Subunits 3E, 13)	<ul style="list-style-type: none"> • Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • This area is a CDFW experimental fishery, developed in collaboration with local business and stakeholders. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
6. Rock Creek Lake (Subunit 3D)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and recreation area • <i>Bd</i> fungus positive: recolonization efforts by the CDFW have been unsuccessful • Would be contingent on removing fish from upstream watershed. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria
7. Rock Creek downstream from Chickenfoot and Ruby Lakes (Subunit 3D)	<ul style="list-style-type: none"> • Self-sustaining fish population • Well-connected: dispersal barriers are few • Easily accessed, heavily used fishery and recreation area 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.

	<ul style="list-style-type: none"> • <i>Bd</i> fungus positive: recolonization efforts by the CDFW have been unsuccessful. 		
8. Pine Creek, beginning at and downstream of Golden Lake (Subunit 13)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed fishery and recreation area • Fish removal is not a threat to Yosemite Toad, so fish removal should not be considered a management strategy. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project as it does not meet selection criteria.
9. Robinson Lake (Subunit 3F)	<ul style="list-style-type: none"> • Self-sustaining fish population • Isolated, poor habitat • Moderately-easy to access fishery and recreation area • Not in Wilderness Boundary. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
10. The North Fork of Independence Creek, beginning at and downstream from Heart Lake (Subunit 3F)	<ul style="list-style-type: none"> • Self-sustaining fish population • Large, deep and well-connected: fish removal is impractical • Easily accessed, heavily used fishery and recreation area. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
11. The North Fork of Big Pine Creek, beginning at and downstream of Third Lake (Subunit 3E)	<ul style="list-style-type: none"> • Self-sustaining fish population • Easily accessed, heavily used fishery and recreation area • CDFW experimental fishery • <i>Bd</i> fungus positive: existing population has been recently infected and potentially extirpated. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW's High Mountain Lakes Project.
12. Baker Creek beginning at and downstream from Thunder and Lightning Lake	<ul style="list-style-type: none"> • Self-sustaining fish population • Well-connected: fish removal is impractical and dispersal barriers are few • Easily accessed, heavily used fishery and 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.

(Subunit 3E)	<p>recreation area</p> <ul style="list-style-type: none"> • Bd fungus positive existing population has been recently infected and potentially extirpated. 		
13. The Coyote Flats – the West Fork of Coyote Creek, downstream of Coyote Lake, Baker Creek (Bd positive), and Cow Creek (Bd positive) (Subunit 3E)	<ul style="list-style-type: none"> • Bd fungus positive • Easily accessed OHV and recreation area • Grazing lease • Rocky Bottom Lake and Funnel Lake seasonal snowmelt lakes and therefore are unsuitable habitat for frogs • Not in Wilderness Boundary. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in the Coyote Flats supports approximately 400 head of cattle, which represents an estimated \$376,000 contribution the agriculture sector of the Inyo County economy. 	Not applicable: recolonization attempts have been unsuccessful, demonstrating this location is not available for the recovery of the species.
14. Mulkey Meadows (Subunit 5B)	<ul style="list-style-type: none"> • Grazing lease • Native populations of Golden Trout • Bd fungus positive – though populations have subsisted. 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. • Grazing leases in Mulkey Meadows supports approximately 235 head of cattle, which represents an estimated \$221,000 contribution the agriculture sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW’s High Mountain Lakes Project.
15. Birch Creek ²	<ul style="list-style-type: none"> • Easily accessed OHV and recreation area. • Grazing lease 	<ul style="list-style-type: none"> • Site visits to this popular fishery support the estimated annual \$17 million fishing, hiking, backpacking, and outdoor recreation sector of the Inyo County economy. 	No foreseeable justification: this location is not included as a potential recovery site in CDFW’s High Mountain Lakes Project.

We appreciate your consideration of our concerns and thank you for the opportunity to comment on the proposed listing, critical habitat designation and draft economic analysis. We hope that this information will assist USFWS in revising the proposed listing, critical habitat designation, and draft economic analysis to

² The County requests that Birch Creek be removed from consideration for expanding the Critical Habitat area per the suggestion of the US Forest Service.

Mr. Douglas Krofta
February 25, 2014
Page TWELVE

accurately identify appropriate habitat for recovery of the species, while minimizing the economic and social impacts to our businesses and communities.

To discuss further, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or kcarunchio@inyocounty.us.

Sincerely,



Supervisor Richard Pucci, Chairperson
Inyo County Board of Supervisors

Attachments:

Attachment A: Socio-Economic Impact on Inyo County of the Proposed Designation of Critical Habitat for the Sierra Nevada Yellow-Legged Frog, Mountain Yellow-Legged Frog and Yosemite Toad, Gruen Gruen + Associates

Attachment B: Critique of "Economic Analysis of Critical Habitat Designation For Three Sierra Nevada California Amphibians" An August 27 ,2013 draft prepared for U.S. Fish and Wildlife Service, Gruen Gruen + Associates

cc: Board of Supervisors
County Administrative Officer
County Counsel
Planning Director
Secretary Jewell, U.S. Department of Interior
Secretary Vilsack, USDA
Doug Wilson, Willdan
Rural County Representatives of California
California State Association of Counties
National Association of Counties
Fresno County
Tulare County
Mono County
Ren Lohofener, U.S. Fish and Wildlife Service
Dan Ashe, U.S. Fish and Wildlife Service
Jan Knight, U.S. Fish and Wildlife Service
Carl Benz, U.S. Fish and Wildlife Service
Stephanie Weagley, U.S. Fish and Wildlife Service
Ed Armenta, Inyo National Forest
Chief Tidwell, US Forest Service
Charlton Bonham, California Department of Fish and Wildlife
Kimberly Nicol, California Department of Fish and Wildlife
Heidi Sickler, California Department of Fish and Wildlife
Public Comments Processing, Attn.: FWS-R8-ES-2012-0100 and FWS-R8-ES-2012-0074



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT

California Department of Public
Health Annual LPA Evaluation Report

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Letter to the Mono County Board of Supervisors, dated March 4, 2014 enclosing the Annual Local Primacy Agency (LPA) Evaluation Report for FY 2012-2013. The actual report, not submitted here, is available for viewing in the Mono County Clerk's office.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Public Health LPA](#)

History

Time	Who	Approval
3/10/2014 10:45 AM	Clerk of the Board	Yes



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

March 4, 2014

Board of Supervisors
County of Mono
c/o Clerk of the Board
P.O. Box 715
Bridgeport, CA 93517



Subject: Annual Local Primacy Agency (LPA) Evaluation Report – FY 2012/2013

We formally submit the enclosed Annual LPA Evaluation Report for the fiscal year 2012/2013 for your record. The recommendations made in our evaluation should be considered during the current fiscal year.

The Department appreciates the efforts of the Mono County Environmental Health Services in implementing the Safe Drinking Water Act for the small public water supply systems (<200 service connections) in the county. We look forward to working with your agency during the current and coming fiscal years.

If you have any questions, please contact me at (909) 383-4328.

Sincerely,

Sean F. McCarthy, P.E.
Senior Sanitary Engineer
San Bernardino District

Enclosure: LPA Annual Program Evaluation

cc: Louis Molina
Jon Drozd
Wendy Killou, CDPH-Small Water Systems Unit

McGee Creek Pack Station

2990 McGee Creek Rd
Crowley Lake, CA 93546

Telephone:

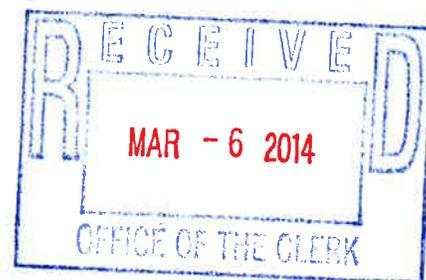
Winter: (760) 878-2207

Summer: (760) 935-4324



2/27/2014

Jim Leddy, CAO
Mono County
P.O. Box 696
Bridgeport, CA 93517



Dear Jim,

I would like to take the opportunity to write to you regarding our Mono County Tourism Department and staff as a business owner and as a member of the Mono County Tourism and Film Commission. Unfortunately I was unable to attend our meeting where you were introduced and have yet to meet you. Hopefully that will not be the case as we move into 2014!

As a member of the Commission I have participated in and watched the professionalism and expertise of our Mono County Tourism Dept staff (and that of our Economic Development Department). Over the years I have been involved in many tourism promotion based organizations – the Bishop Chamber of Commerce Board of Directors, Mammoth Lakes Resort Association (and various Mammoth Lakes organizations promoting tourism before and since!) Mono County Chamber of Commerce, Blake Jones Inyo-Mono Sport Show Committee, the Coalition for Recreation in the Eastern Sierra (CURES), and others; various event organizations from Old West Days in Mammoth Lakes, the Lone Pine Film History Museum & Lone Pine Film Festival, Bishop Mule Days Celebration and more. This has given me a fairly good representation of effectiveness, focus of purpose, follow through and commitment. As a result I must convey to you that I am so impressed with the team we have in our Tourism Department.

As a business owner in Mono and Inyo County for over 30 years, I am keenly aware of the issues facing rural counties. Over the years I have seen the give and take of issues such as Wilderness designation and economic development; federally owned land and tax revenues (or lack thereof) and many more. Mono County has consistently stood behind its recreation based tourism economy, and as a result we have a staff in our Tourism Department that I believe is second to none.

If the term, “getting the greatest bang for the buck” ever applied, it would certainly be in this case. Kudos to the Economic Development Department staff as well, and in particular Alicia Vennos and Jeff Simpson. I hope that this letter will be a note to first, give a well deserved “job well done”, but also to convey to you, our Board of Supervisors and our County, just how fortunate we are to have such individuals on our team, and to keep this foremost in our minds whenever budget issues surface!

Thank you for your time,

Jennifer Roeser
Member, Mono County Tourism & Film Commission
Owner, McGee Creek Pack Station

CC: Board of Supervisors, via Clerk of the Board



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Board of Supervisors

TIME REQUIRED 20 minutes (10 minute presentation;
10 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD** Alana Levin

SUBJECT High Sierra Tri Club Proposed Road
Closure on Pinecliff Drive

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution #R14-_____, granting permission and temporary closure of Pinecliff Road in June Lake, CA for the June Lake Triathlon scheduled for July 12, 2014. Alana Levin of the High Sierra Tri Club will present information to the Board about the Triathlon and requested road closure. This item is being sponsored by Supervisor Alpers.

RECOMMENDED ACTION:

Adopt proposed resolution #R14-_____, granting permission and temporary closure of Pinecliff Road in June Lake, CA for the June Lake Triathlon scheduled for July 12, 2014.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Detailed Map](#)

History

Time	Who	Approval
3/10/2014 10:39 AM	County Administrative Office	Yes
3/7/2014 5:59 PM	County Counsel	Yes
3/3/2014 10:52 AM	Finance	Yes



To: Honorable Board of Supervisors

From: Alana Levin, June Lake Triathlon Event Organizer

Date: March 18, 2014

Subject

High Sierra Tri Club requests a temporary road closure on Pinecliff Drive on Saturday, July 12, 2014 from 5:00 am-2:00 pm to ensure participant safety for the 2014 June Lake Triathlon.

Recommendation

Adopt draft resolution to grant the temporary road closure for the proposed day and times.

Discussion

The June Lake Triathlon turns 8 this year! Started in 2007, the race captures athletes from Southern California, Reno, Tahoe, Las Vegas and the San Francisco Bay Area, but also from all over the United States, with international athletes coming from Germany, Canada and Mexico.

Currently, the race is capped at 500 participants who each bring on average just over 3 other people with them to the event. With over 250 volunteers and staff, June Lake welcomes over 2,000 people during the June Lake Triathlon. In 2013, 72% of participants were visitors to the Eastern Sierra, staying between one night and two months to generate just under 1,800 room nights along the 395 corridor, mainly in June Lake.

For more detailed information on racer demographics and the event, please visit:

<http://highsierratri.org/wp-content/uploads/2012/11/JLTsponsordeck2014web.pdf> (page 4).

June Lake Triathlon has also served as a foundation for community activity. The High Sierra Triathlon Club has seen significant increase in membership and training camp participation since the race's inception. Triathletes and budding athletes train together regularly and compete locally and outside the area. The race, camps and the High Sierra is attracting a growing number of triathletes and other endurance athletes, clubs and teams from outside the area who want to benefit from training at altitude.

The sport of triathlon is increasing in popularity and particularly in California's Sierra Nevada with the new additions of races such as Ironman Lake Tahoe, Ironman Boulder and Ironman Whistler. USA Triathlon, the National governing body for the sport, has seen steady growth in membership since 1999 with a membership of 19,060, USA Triathlon closed 2011 with 146,657 annual members. Additionally, 326,732 one-day memberships to compete in USA Triathlon sanctioned events were purchased in 2010.

Road closure is requested along Pinecliff between the Pinecliff Resort and the second swim beach between 5:00 am and 2:00 pm. Traffic delay along Pinecliff between Northshore Drive and Pinecliff Resort between 5:00 am-2:00 pm. There would be an exception given to race staff and emergency vehicles.

In anticipation of this request and the upcoming event, June Lake Triathlon has paid for and reserved the entire Oh! Ridge Campground for racers and staff to camp. Inyo Recreation, the USFS concessionaire, has received full compensation for each site resulting in no income loss for the Inyo National Forest or for Inyo Recreation.

Pinecliff Resort responded to our inquiry regarding renting out the campground a few days before the campground was open for reservations to the general public. We are currently discussing options to minimize impact to campers during race day.

Intermittent traffic control will occur on Pinecliff from the intersection of Northshore Drive to the Pinecliff Resort Store and Campsites. With only 10-15 minute delays for motorists. After the Resort, a temporary road closure is requested.

Attached:

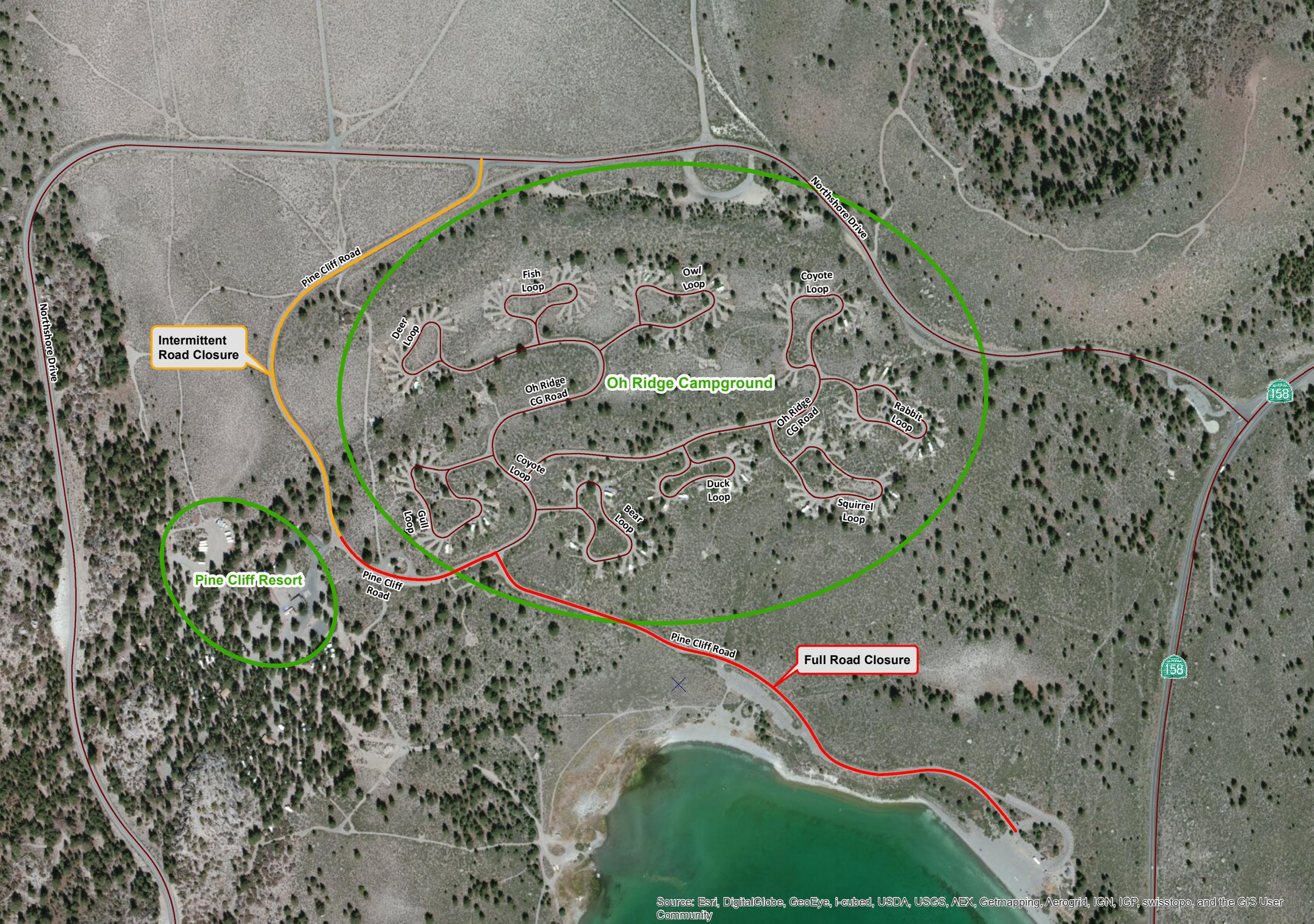
- Photos of the racers on course in the area
- Map of the proposed road to be closed

Fiscal Impact

None. Any traffic control expense such as CHP is provided and paid for by the June Lake Triathlon.







Intermittent Road Closure

Oh Ridge Campground

Pine Cliff Resort

Full Road Closure



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RESOLUTION NO. R14-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS AUTHORIZING
THE TEMPORARY CLOSURE OF A PORTION
OF A COUNTY ROAD IN JUNE LAKE FOR THE ANNUAL
JUNE LAKE TRIATHLON TO BE HELD ON
SATURDAY JUNE 12, 2014**

WHEREAS, the High Sierra Triathlon Club has requested the temporary closure and use of a portion of Pinecliff Drive in June Lake to facilitate activities associated with the annual June Lake Triathlon to be held Saturday, June 12, 2014; and

WHEREAS, in conformance with Section 982 of the California Streets and Highways Code, the Board of Supervisors is authorized to temporarily close County roads and grant the use thereof to the managers of said functions; and

WHEREAS, for the past several years the June Lake Triathlon, sponsored by the High Sierra Triathlon Club, has resulted in substantial benefits to the residents, businesses and visitors in Mono County.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors that the following County streets in the community of June Lake may be closed, used for re-routing traffic and/or have restricted parking areas issued in conformance with the County's Special Events Policy (see Chapter 5.50 of the Mono County Code) and made available to the High Sierra Triathlon Club consistent with the times and dates listed below:

1. Intermittent traffic control on Pinecliff Drive from the intersection of Northshore Drive to the Pinecliff Resort Store and Campsite on Saturday, July 12, 2014, from 5:00 am to 2:00 pm.
2. Road closure of Pinecliff Drive after the Pinecliff Resort on Saturday, July 12, 2014, from 5:00 am to 2:00 pm.

BE IT FURTHER RESOLVED that the Mono County Board of Supervisors authorizes the Director of the Department of Public Works to utilize County equipment and personnel and to work with California Department of Transportation and California Highway Patrol officials to effectuate said road closures and detours.

PASSED, APPROVED and **ADOPTED** this ____ day of _____, 2014, by the following vote, to wit:

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AYES:
NOES:
ABSENT:
ABSTAIN:

Larry K. Johnston, Chairman
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Community Development, Finance, Public Works

TIME REQUIRED 25 minutes (10 minute presentation;
15 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Gerry LeFrancois, Wendy Sugimura

SUBJECT Mono County Active Transportation
Program Grant Applications

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation on potential Mono County Active Transportation Program projects.

RECOMMENDED ACTION:

Approve priorities for developing Mono County Active Transportation Grant applications. Provide any desired direction to staff.

FISCAL IMPACT:

A project requires a 12% match that can be funded with Local Transportation Funds. Staff time to complete the application will be paid for with Local Transportation Commission Funds, programmed through the Mono County Overall Work Program 2013-2014.

CONTACT NAME: Wendy Sugimura

PHONE/EMAIL: 760.924.1814 / wsugimura@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [staff report](#)
- [Attachment 1](#)
- [Attachment 2](#)

History

Time	Who	Approval
3/11/2014 4:38 PM	County Administrative Office	Yes
3/12/2014 4:22 PM	County Counsel	Yes
3/12/2014 4:58 PM	Finance	Yes



March 18, 2014

To: Mono County Board of Supervisors

From: Community Development: Gerry LeFrancois, Wendy Sugimura
Finance: Megan Mahaffey
Public Works: Garrett Higerd

Re: Mono County Active Transportation Program Grant Applications

Actions Requested:

Approve priorities for developing Active Transportation Grant applications for implementation in Mono County upon award.

Fiscal Impact of Requested Actions:

None at this time. Staff time to complete the application will be paid for with Local Transportation Commission Funds, programmed through the Mono County Overall Work Program 2013-2014.

Background

The Active Transportation Program was created by Senate Bill 99 and Assembly Bill 101 to encourage increased use of active modes of transportation such as biking and walking. The Active Transportation Program is funded from various federal and state funds, and is a reimbursement program for costs incurred. The call for ATP projects starts March 21st and closes May 21st. Awards are expected by August 20th.

The total fund estimate for 2013-14 & 2014-15 is \$359 million and is distributed as follows through a **competitive** application process:

1. Forty percent to Metropolitan Planning Organizations in urban areas with populations greater than 200,000 - (\$95.7 million)
2. Ten percent to small urban and rural areas with populations of 200,000 or less - (\$23.9 million)
3. Fifty percent to projects competitively awarded with a minimum of 25% to benefit disadvantaged communities. (\$179.5 million)

Caltrans District 9 determined no communities in Mono County qualify as a disadvantaged community under ATP criteria.

Discussion

A comprehensive list of potential projects eligible for funding through the Active Transportation Program was assembled and reviewed. Two separate projects were identified as the highest priorities: one with a larger financial request and a second with a lower financial request. In addition, a third project eligible for the funds set aside for recreational trails was identified.

COMPLETE STREETS – BRIDGEPORT & LEE VINING MAIN STREETS

This project will provide maximum benefit for the investment and enhance safe access to schools. It will build on the current enthusiasm of Main Street development in Bridgeport, and consensus developed in the Mono Basin Community Plan. The grant application will request funding to for a Complete Streets/Safe Routes to School Project that may include the following components:

- Upgrade/complete sidewalk sections (Bridgeport)
- Curb extensions, may be removable, at US 395 crosswalks (Bridgeport & Lee Vining)
- Add pedestrian-activated flashing lights (Bridgeport & possibly Lee Vining)
- Extension of curblines in parallel parking sections (Bridgeport)
- Add pedestrian-scale decorative street lights (Bridgeport & possibly Lee Vining)
- Add digital feedback signs
- Build planters and benches to the current sidewalks
- Design/construct gateway monuments signs

The conceptual cost of this grant request is \$2.7 million with no match requirement.

BICYCLING ENHANCEMENT PROJECT

This project will provide maximum benefit for low investment to enhance active transportation in and between communities throughout Mono County. The detail of this project is taken directly out of the Mono County Bikeway Plan. The grant application will request funding to for the following Bicycling Enhancement Projects:

- Bike racks purchased and installed at public facilities (all communities)
- “Share the Road” signage and Sharrows (specified locations)
- Sign Bicycling Routes along Tom’s Place to Lee Vining on US 395 and Crowley Lake Drive
- Directional signage improvements (all communities)
- Bicycle Friendly Cattle guards on SR 6 (Chalfant & Benton)
- Active Transportation campaign to encourage people to use alternative modes of transportation

The conceptual cost of this grant request is \$500,000 and would require a 12% match (\$60,000).

JUNE LAKE RECREATIONAL TRAILS

This project will provide maximum benefit for the investment and promote June Lake’s recreation-based economy. The June Lake Trails subcommittee has been working long and hard on developing these trail alignments and community consensus. The grant application will request funding for the following trail components:

- Down Canyon Phase I from Gull Lake to June Mountain through the campground
- Realignment of the lower portion of Yost Lake through Double Eagle Resort to the trailhead

This staff report has been reviewed by the Community Development Director. Please contact Gerry LeFrancois at 760.924.1810 or glefrancois@mono.ca.gov or Garrett Higerd at 760.924.1802 or ghigerd@mono.ca.gov with any questions.

Attachments:

1. Active Transportation Priority Project List
2. Alternative Transportation Program Project Brainstorm: Unselected Projects

ATP Priority Project List

1. Complete Streets/Safe Routes to School Projects

• Bridgeport Main Street:

- Upgrade/complete sidewalk sections:
 - § Burger Barn to Walker River Lodge
 - § “Town” to Buster’s Market parcel
 - § Twin Lakes Road from US 395 to Kingsley
 - § South side Kingsley from Twin Lakes Road to Sinclair
 - § Reduce curb cuts on US 395 (Albert’s meat market)
- Curb extensions at US 395 crosswalks: hardscape preferred (like School Street Plaza), removable is second choice



- § School Street
- § Sinclair Street
- § Jolly Kone, with removable pedestrian refuge in center turn lane
- Add pedestrian-activated flashing crossing lights at Jolly Kone (and School & Sinclair?) – HAWK, Rectangular Rapid Flashing Beacons, retain existing & add ped-activation, other



- Extension of curblines in parallel parking sections
 - Wayfinding: County campuses, historical walking tour, other public services and destinations
 - Add pedestrian-scale, decorative street lights (same design/type as School St Plaza) with banners
 - Add removable planters/benches (hanging planters may be funded by CSA this summer)
 - Banner system (e.g. engineered design & construction)
 - Build tree wells on sidewalks (and presumably plant trees)
 - Design and construct gateway monument signs
 - Add digital speed feedback signs
- Lee Vining:

- Traffic calming and bike lanes on Mattly
- Pedestrian crossing improvements on US 395:
 - § Curb extensions – probably removable
 - § Pedestrian-activated lights – probably Rectangular Rapid Flashing Beacons or another side-of-the-road system
 - § Safe harbor for pedestrians in center turn lane where feasible
- Add pedestrian-scale, decorative street lights

2. Bicycling Enhancement Project (from Bikeway Plan)

- **Bike Racks:** Antelope Valley, Bridgeport, June Lake Village, Lee Vining, Crowley Lake, Chalfant, Benton

- **“Share the Road” signs** (with sharrows in some locations)

- June Lake Loop: all of Highway 158
- Crowley Lake Drive
- Benton Crossing Road
- Scenic Loop



- **Sign Bicycling Routes:** Tom’s Place to Lee Vining on US 395 and Crowley Lake Drive
- **Directional Signage:** Improve signage directing cyclists to rest facilities at County parks – Antelope Valley, Bridgeport, Lee Vining, Crowley Lake, Chalfant, Benton
- **Bicycle-friendly cattle guards on SR 6:** Chalfant, Benton

3. Recreational Trail Set-Aside

- June Lake: Gull Lake to June Mountain through campground
- June Lake: lower part of Yost Lake trail through Double Eagle Resort to campground

Alternative Transportation Program Project Brainstorm: Unselected Projects

Projects identified in community outreach, the draft Bikeway Plan update, and the Local Transportation Commission’s 2013 project prioritization exercise were evaluated for potential Alternative Transportation Program projects. The table below evaluates projects 1) related to connectivity and/or commuting, 2) located on the existing transportation system, and 3) have at least a partially defined scope of work. These projects were considered to be the most competitive under the ATP guidelines the most “ready” to proceed to construction, but ultimately are not recommended for an application.

Project	Feasibility/Value Evaluation
Twin Lakes Road Bike Route	Cost to scope the project is very high due to environmental issues; construction is anticipated to be similarly high; RPAC indicates Main Street improvements are higher priority
SR 182 bike path	Scabbed-on bike lanes do not function well, best to do with re-paving
SR 120E Upgrades	Some maintenance upgrades completed, shoulder widening best completed with re-paving as scab-ons do not function well
Renovate June Lake Loop rumble strip at US 395 to be safer for bicyclists	Complete with next re-paving
Bicycle staging facility at US 395 and SR 158	Lack of funding to maintain (e.g. lockers, restrooms)
Crowley Lake bike lanes: loop, CL Drive, South Landing Road, widen uphill shoulders (various)	Scabbed-on bike lanes do not function well, best to do with re-paving
Lower Rock Creek Road bicycle climbing lane	Scabbed-on bike lanes do not function well, best to do with re-paving
Lower Rock Creek to Tom’s Place connector	Best value if coupled with re-paving of adjacent roads, scope uncertain
Owen’s Gorge Road to Benton Crossing connector	System expansion, priority is maintaining/enhancing existing networks
Chalfant community bike route	Included in Chalfant Streets project (2014-2015)
Fish Slough bike route	Need uncertain; Scabbed-on bike lanes do not function well, best to do with re-paving
Off-system commuting or Safe Routes to School Trails: Coleville schools network, Evans Tract to Main Street (BP), Mammoth-Crowley access trail	Not developed well enough (conceptual only), system expansion – priority is maintaining/enhancing existing networks

Recreational Trail Set Aside Projects:

These trails and paths are located off the existing transportation system, and/or fulfill solely a recreational purpose. As such, they qualify for the Recreation Trail funding set aside in the ATP. Many of these trails are not developed well enough to offer competitive projects.

- Paradise Trail System (Sierra Vista to Lower Rock Creek trailhead): relatively new project

- Trails and paths at conceptual stage: Mountain Gate Park Bike Path/Trail, around Bridgeport Reservoir, expanded Bridgeport Trails (including Bodie Recreational Loop), Lee Vining Canyon Route, Mono Lake Trails Network, Silver Lake Bike Path, Eastern Sierra Regional Trail, June-Mammoth Trail

Uncompetitive/Ineligible Projects

The categories and projects listed below were competitive and eligible under the expired Transportation Enhancement (TE) grant program, but would either not compete well or are not eligible under the ATP guidelines. The projects are included in the “unconstrained” list of the Regional Transportation Plan and resulted from the Local Transportation Commission’s prioritization of projects in 2013, or are contained in the Bikeway Plan.

Interpretive Projects

- Tioga Pass Heritage Highway
- Construct scenic pull-outs on US 395 in Bridgeport Valley
- Add grooves cut across US 395 in varying widths to generate different sounds that “play” a song as cars pass over to prevent drivers from falling asleep
- Add signage along US 395 to identify special geographic features
- Bikeway Plan information kiosks

Environmental Enhancement and Mitigation Program (EEMP) projects

- Deer/snow safety fences: Mammoth-Yosemite airport, McGee Creek Maintenance Station to SR 203, a portion of 203
- Conway Summit cut: Complete evaluation of slope stabilization trials and complete revegetation
- Repair eroding slopes at Auchoberry Pit
- Rehabilitation and stabilization of cut slope above ball field on Crowley Lake Drive
- Rehabilitation and stabilization of slopes on Lower Rock Creek Road
- Sonora Junction deer fence

Visual Enhancement Projects

- Repainting and maintenance of Mono County entry signs on US 395
- County Road Shop in Bridgeport: landscape/screen from US 395, add dark-sky compliant lighting
- Screen old sheriff’s substation with berm from US 395



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Closed Session--Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, Bill Van Lente and Jim Leddy. 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.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time

Who

Approval

2/5/2014 6:10 PM	County Administrative Office	Yes
3/7/2014 5:58 PM	County Counsel	Yes
2/10/2014 5:14 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT

Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Superintendent of Solid Waste.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
***PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING***

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time	Who	Approval
3/10/2014 7:24 AM	County Administrative Office	Yes
3/12/2014 4:21 PM	County Counsel	Yes
3/11/2014 4:52 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT

Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

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ATTACHMENTS:

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History

Time	Who	Approval
3/10/2014 7:24 AM	County Administrative Office	Yes
3/7/2014 5:59 PM	County Counsel	Yes
3/11/2014 5:28 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

TIME REQUIRED

SUBJECT Closed Session - Conference with
Legal Counsel

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Inland Aquaculture Group LLC v. Mono County et al..

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
***PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING***

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time	Who	Approval
3/12/2014 4:50 PM	County Administrative Office	Yes
3/12/2014 4:24 PM	County Counsel	Yes
3/13/2014 9:47 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 18, 2014

Departments: Finance Department, County Administrator's Office,
Community Development, Planning.

TIME REQUIRED 60 minutes (30 minute presentation,
30 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Gerald Frank, Finance Department,

SUBJECT Mono County Property Assessed
Clean Energy Program

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by HERO regarding Property Assessed Clean Energy (PACE) Program.

RECOMMENDED ACTION:

1. Receive a presentation and review the Home Energy Renovation Opportunity (HERO) Program; 2. Direct staff to engage the Town of Mammoth Lakes to seek Town participation as to ensure Town residents have the option of a PACE program; 3. Direct staff to agendize a Resolution and a Joint Powers Agreement (JPA) sub agreement for the implementation of the HERO program following discussion with the Town of Mammoth Lakes in their potential interest.

FISCAL IMPACT:

There is no fiscal impact from receiving the presentation. There will be minimal staff time required to bring the item back if so directed by the Board. Should the County choose to participate in the HERO Program, it is estimated that approximately 1 hour per year per assessment would be required, however as staff became more versed in the program it is expected this would reduce with time.

CONTACT NAME: Gerald Frank and Jim Leddy

PHONE/EMAIL: (760) 932-5499 and (760) 932-5414 / gfrank@mono.ca.gov and jleddy@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

 [Mono County PACE Workshop Cover Memo](#)

 [PACE Powerpoint](#)

History

Time	Who	Approval
3/10/2014 10:42 AM	County Administrative Office	Yes
3/12/2014 4:18 PM	County Counsel	Yes
3/11/2014 4:51 PM	Finance	Yes



March 18, 2014

To: Mono County Board of Supervisors

From: Mono County Energy Taskforce

Finance:	Leslie Chapman, Gerald Frank, Megan Mahaffey
County Administrator's Office:	Jim Leddy
Community Development:	Scott Burns, Tom Perry, Wendy Sugimura
Public Works:	Joe Blanchard, Tony Dublino, Vianey White

Re: Mono County Property Assessed Clean Energy (PACE) Workshop

Actions Requested:

1. Receive a presentation and review the Home Energy Renovation Opportunity (HERO) Program;
2. Direct staff to engage the Town of Mammoth Lakes to seek Town participation as to ensure Town residents have the option of a PACE program;
3. Direct staff to agendize a Resolution and a Joint Powers Agreement (JPA) sub agreement for the implementation of the HERO program following discussion with the Town of Mammoth Lakes in their potential interest.

Background:

The Board of Supervisors has discussed as part of a broader effort to reduce energy use and costs for the residents and business of Mono County, the potential implementation of a Property Assessed Clean Energy (PACE) program. PACE programs across California allow residential and commercial property owners to access funding for energy efficiency and renewable energy upgrades.

The Board of Supervisors on February 4th, 2014 directed staff to bring in representatives from the HERO program as a potential third party PACE program administrator for a PACE program. The use of the a 3rd party Program Administrator limits the County's financial burden while also maximizing the community benefits.

The Hero program is the largest PACE program in the nation with 114 participating cities and counties in California. It was developed as a turnkey program to save other California jurisdictions time and resources in developing a standalone program. HERO handles all aspects, from the administration to the marketing of the PACE program.

HERO provides a community specific marketing plan, which includes:

- Setting up a County PACE website
- Training local contractors
- Providing marketing materials and partnerships

HERO's successful administration is centered around software specifically designed for the PACE program, which allows them to:

- Review and underwrite an application faster than other financing options
- Manage the financing document process including: review, approval, electronic signature and submission
- Provide property owners with access to a full range of registered HERO contractors and the over

- 150,000 products which meet HERO eligibility criteria
- Verify that all registered HERO Contractors are meeting compliance standards
- Suspend and terminate contractors that are not in compliance
- Issue bonds on a weekly basis so that payments can be made in a timely manner once the project is complete
- Calculate the HERO impact in terms of jobs created, economic stimulus, energy saved, money saved, emissions reduced, and provide real-time reports on results
- Provide HERO Contractors with a platform to manage their jobs and receive real-time status updates

Should the Board find the program acceptable to supporting the County's energy and cost savings goals, staff is requesting direction to work with the Town of Mammoth Lakes staff to discuss participation in this voluntary program which would offer access to needed capital for businesses and residents for energy efficiency and alternative energy projects.

Fiscal Impact of Requested Actions:

Staff time to develop the Resolution and to review the JPA sub agreement for the implementation of the HERO program.

Fiscal impact of PACE Program administered by HERO:

1. Approximately 1 hour of staff time per year per loan to oversee program, place special assessments on tax roll and to distribute collected funds. Program will be handled by the Department of Finance.

Discussion:

HERO program is proposed for the administration of Mono County's PACE program.

- Presentation by HERO program;
- Review PACE program with HERO representatives and county staff;
- Review Joint Powers Agreement (JPA) with HERO representatives and county staff.

In order for Mono County to participate in the HERO program it must adopt a resolution approving an Amendment to the Western Riverside Council of Governments (WRCOG) Joint Powers Agreement to add the County as an Associate Member. This allows the California HERO Program to be offered to the owners of property located within the County who wish to participate in the California HERO Program.

Barbara Spoonhour, Director of Energy and Environmental Programs with the WRCOG and John Law, Director of Municipal Development will be presenting the HERO Program elements to the Board.

The recommended action is for the Board to direct staff to agendize a Resolution and a JPA sub agreement for the implementation of the HERO program.



 Creating jobs

 Saving energy

 Improving properties

 Lowering utility bills



Saving energy and water through property retrofits: The California HERO Program

- California HERO is a residential and commercial Property Assessed Clean Energy (PACE) Program
- Authorized by state law (AB 811 and AB 474)
- Allows jurisdictions to offer financing to property owners for the purchase and installation of energy efficiency, renewable energy, and water conservation improvements
- Financing to property owners is repaid over time through voluntary annual assessments on the property tax bill



Program partners

- Public Financial Management, Inc. – Financial Advisor
- Best Best & Krieger – Bond Counsel
- David Taussig & Associates – Assessment Administrator
- U.S. Bank / Deutsche Bank – Trustee
- Westhoff, Cone & Holmstedt – Placement Agent
- Renovate America – Residential Funding Partner
- Samas Capital – Commercial Funding Partner



California HERO Program: Guiding Principles

- **Based on successful Program in Western Riverside County: [Proven track record of experience](#)**
- Regional / Statewide Program provides economies of scale
- Simplicity of use is vital for broad acceptance
- Summary: Avoid duplication of effort with a single program instead of multiple and costly individual efforts
Provide a turnkey program at no cost to jurisdictions



Benefits to property owners

- ✓ Provides access to financing that might not be available through traditional means such as equity loans, etc.
- ✓ Provides “no-money-down” approach to financing improvements
- ✓ Provides savings on utility bills
- ✓ Repayment stays with property (most cases)

Benefits to participating jurisdictions

- ✓ **Economy** Creates / maintains construction-related jobs
- ✓ **Energy** Reduces / delays the need for costly construction of energy generation / transmission facilities
- ✓ **Environment** Improves air quality and reduces greenhouse gas emissions
- ✓ **Financial** No local jurisdictional debt; funding is self-replenishing

Examples of eligible improvements

- Heating and air conditioning
- Cool roofs
- Natural gas storage water heater
- Tankless water heater
- Windows and glass doors
- Outside irrigation
- Insulation
- Window filming
- Home sealing
- Lighting control systems
- Solar thermal systems (hot water)
- Solar thermal systems for pool heating
- Photovoltaic systems
- Low flush toilets



Results in Western Riverside County (January 2012 thru February 2014)

Approved Apps: 13,500+

Approved Financing: \$460,000,000 (residential program)

Commercial program just launching

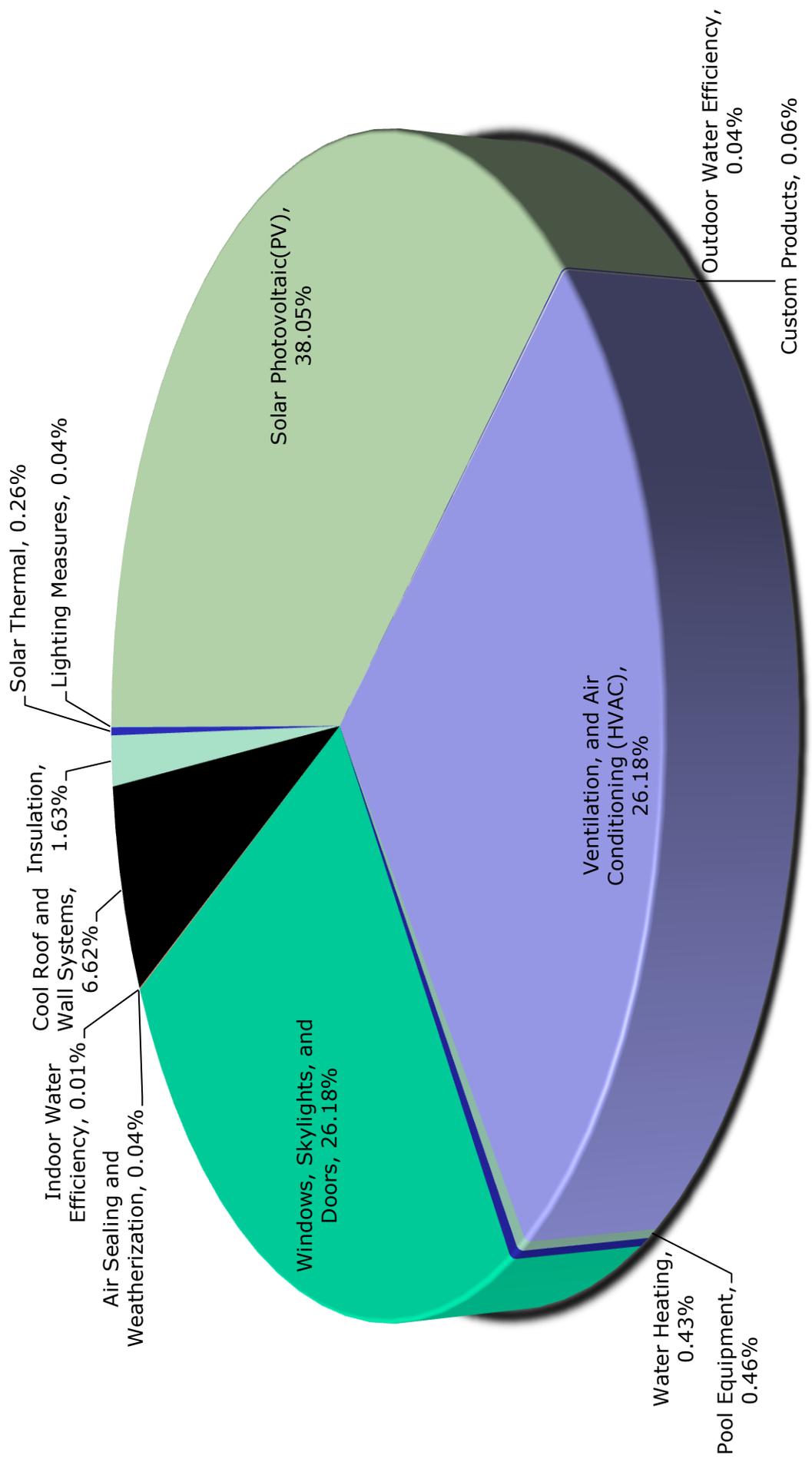
Projects Completed: 7,000+

Projects Funded: \$132,800,000+

Largest Program in United States



Types of projects being funded



Economic and Energy Benefits

KW Installed Solar	13 MW
kWh Saved - Annually	72 GW
kWh Saved over Life of Installed Products	1245 GW
GHG Reductions - Annually	18,460 Tons
GHG Reductions over life of Installed Products	322,171 Tons
\$ Saved over Life of Installed Products	\$293 Million
Projected Annual Economic Impact	\$277 Million
Projected Annual Job Creation	1,350 Jobs



Who qualifies to participate?

- Property owners may be individuals, associations, business entities, cooperatives, non-profits
- Bottom line: Any qualifying owner paying property taxes
 - have clear title to property
 - be current on property taxes
 - be current on mortgage payments
 - have some equity in the property
 - no bankruptcies
 - lender consent (commercial only)
- Program Report and Handbooks are located at:

http://www.wrcog.cog.ca.us/content/eewc_home.asp



How does it work for the property owner?

- It's a voluntary program
- (google herofinancing): Property owners apply for Program coverage and select improvements desired
- If approved, property owner enters into contract with administrator; all up-front costs are paid and assessment lien is placed on property
- Property owner / subsequent property owner repays through property tax assessment over a period of years



Are there fees?

- One time upfront Administration Fee: 6.95% (Similar to closing costs)
- Annual Administrative Fee: \$35 Residential and \$385 Commercial
- Terms: 5, 10, 15, 20, 25 years
- Interest rates: 5.95%, 7.95%, 8.75%, and 8.95% Residential
7% to 7.75% Commercial
- Minimum assessment amount: \$5,000 Maximum is 10% of PV
- Prepayment Penalties: Required by statute
 - 5% Year 1, 4% Year 2, 3% Year 3-5, Zero after Year 6



Contractors are key...

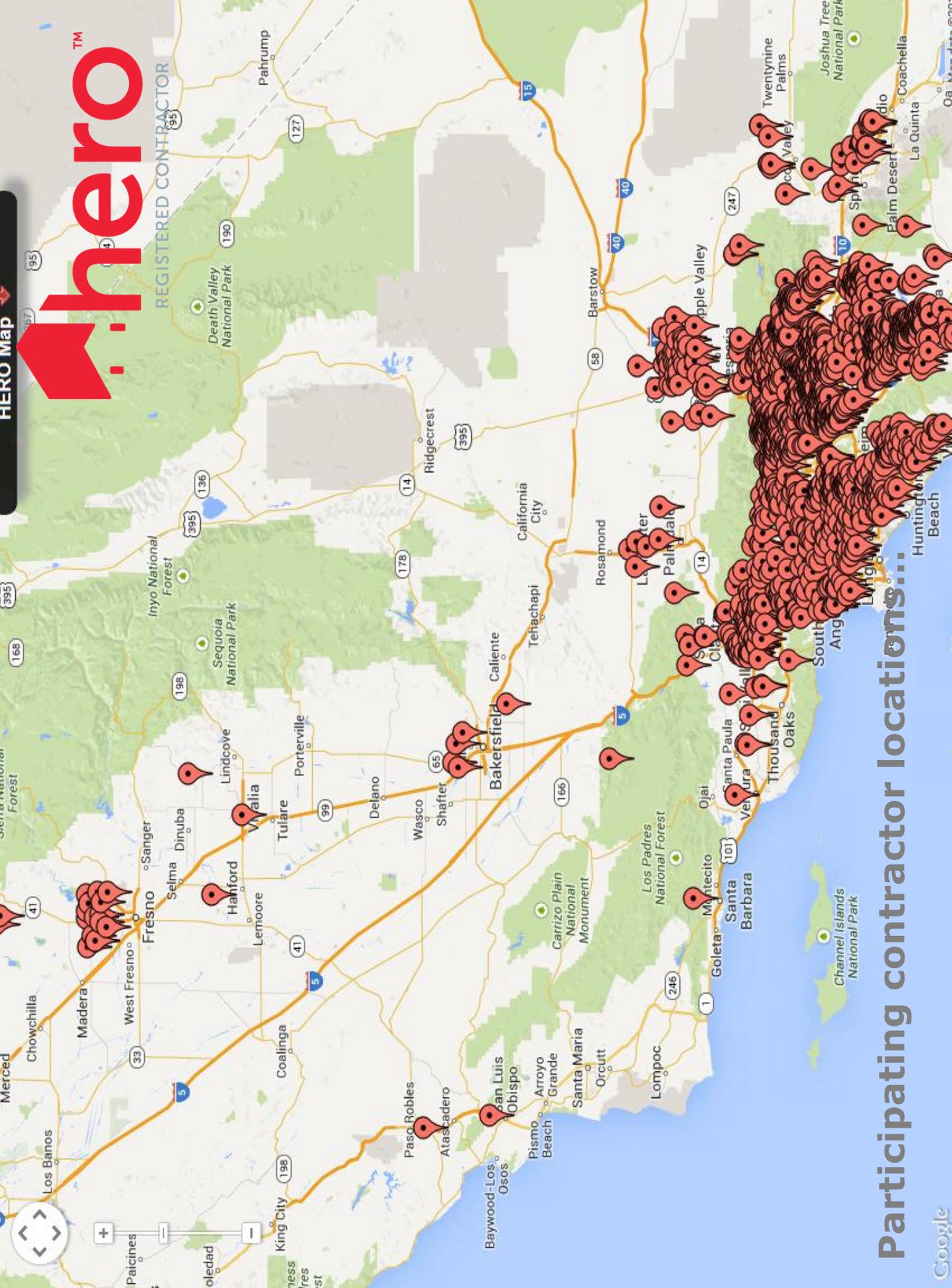
More than 1,300 participating in the Program

- Must have an active California State License Board (CSLB) license
- Must meet CSLB's bond and workers' compensation insurance requirements
- Must provide evidence of jurisdictional business license if no jurisdictional permit is required for project
- Must register on the website





REGISTERED CONTRACTOR



Participating contractor locations....

How do jurisdictions join the California HERO Program?

Step 1: Jurisdiction needs to adopt a Resolution of Participation to join California HERO Program

- Initiation of validation process
- Once the validation is complete, property owners can begin applying
- 3 – 4 months to launch

Step 2: There is no Step 2!

- Your jurisdiction staff time requirements: Only related to normal permit processing



Expanding the HERO Program Statewide

- Eliminates bureaucracy of developing another program from scratch
- 81 cities/counties have adopted Resolutions to Participate
- **Launched** in 14 cities in Orange and San Diego County on February 10th
- **Launching** in 42 cities and/or counties in early March 2014
- Remaining 25 to launch throughout Summer and Fall of 2014
- Additional cities launch 5-6 months after they join

California HERO Program

Launched February 2014

Launching March 2014

Alhambra	San Diego County	La Palma	Rancho Cordova (Com)	South Pasadena
Anaheim	(Com)	La Verne	Rancho Palos Verdes	Stanton
American Canyon	Covina	Lawndale	Ridgecrest	Taft
Atwater	Diamond Bar	Lemon Grove	Rolling Hills	Temple City
Azusa	El Centro	Lomita	Rolling Hills Estates	Torrance
Baldwin park	El Monte	Monrovia	Rosemead	Tracy
Bellflower	El Segundo	Montebello	San Dimas	Turlock
Bradbury	Fresno	Monterey	San Gabriel	Tustin
Brawley	Garden Grove	Monterey Park	San Jose	Vista
Brea	Gardena	Napa	San Marcos	Walnut
Buena Park	Glendora	Napa County	San Marino	West Covina
Calistoga	Hawthorne	Newman	Santa Ana	Westminster
Carlsbad	Hermosa Beach	Newport Beach	Santa Monica	Yountville
Carson	Industry	Oceanside	Scott's Valley	
Citrus Heights	Inglewood	Palmdale	Solana Beach	
Claremont	Irwindale	Placentia	Solano County	
Clovis	Kern County	Pomona	South El Monte	
	La Canada Flintridge			



To summarize: The California Hero Program...

- Expands on a proven and successful program
- Boosts the economy through job creation
- Saves energy and utility costs
- Reduces greenhouse gases
- Partners with the private sector
- Already has contractors familiar with the Program
- Requires no city/county staff or financial resources
- Has no liability for participating agencies
- [Is really easy to join!](#)



Questions?

Contact Information:

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(213) 404-0077 or email frankel@pfm.com

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Rick Bishop, Western Riverside Council of Governments
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Barbara Spoonhour, Western Riverside Council of Governments
(951) 955-8313 or e-mail spoonhour@wrcog.ca.us

