



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 August 19, 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 Linda Romero, Acting Clerk of the Board: lromero@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

A. Board Minutes

Departments: Clerk of the Board

Approve Minutes of the Regular Meeting held on August 5, 2014.

3. PRESENTATIONS

A. Proclamation Declaring August 2014 Child Support Awareness Month

Departments: Clerk of the Board

20 minutes

(Susanne Rizo) - The month of August 2014 is being proclaimed Child Support Awareness month in jurisdictions across California. This year marks the fourteenth annual observance of Child Support Awareness Month (CSAM) in California. This item is to request that Mono County join these jurisdictions. This item is being sponsored by Chairman Larry K. Johnston.

Recommended Action: Approve and present proclamation declaring August, 2014 Child Support Awareness Month in Mono County.

Fiscal Impact: 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. Resolution of Appreciation for Mammoth Lakes Fire Chief Brent Harper

Departments: Board of Supervisors/County Administrator

Proposed resolution honoring Fire Chief Brent Harper for his years of dedicated service to the people of Mammoth Lakes and Mono County.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

B. Reappointment of Rick Liebersbach to the Assessment Appeals Board

Departments: Clerk of the Board

Reappointment of Rick Liebersbach to a three-year term as a member of the Mono County Assessment Appeals Board.

Recommended Action: Approve reappointment of Rick Liebersbach for a three-year term as member to the Mono County Assessment Appeals Board beginning August 19, 2014 and ending August 31, 2017.

Fiscal Impact: None.

C. Request for Approval to Recruit for Reserve Emergency Medical Technicians

Departments: EMS

The use of the reserve EMT impacts the fiscal health of the Mono County EMS Program. Having a full reserve pool eliminates the need for full time employees to work overtime shifts, thereby saving substantial cost.

Recommended Action: That the Board of Supervisors approve the hire of up to 20 reserve Emergency Medical Technicians.

Fiscal Impact: The hire of up to 20 EMTs does not increase the budgeted cost to the program. These reserve employees are primarily used for filling shifts vacated by full time employees taking time off for vacation, sick leave and CTO. The savings realized from utilizing reserve staff rather than regular full time employees during this fiscal year could be up to \$350,000. Last year's expenditure for unscheduled overtime was over \$400,000.

D. Treasury Transactions for the Month of July 2014

Departments: Finance

Treasury Transaction Report for July 2014

Recommended Action: Accept the Treasury Transaction report for the month of July 2014.

Fiscal Impact: None

E. Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 General Election

Departments: Office of Clerk/Recorder; County Counsel

The Paradise Fire Protection District has called a Special Election to be held on November 4, 2014, to present a tax measure to voters within the District ("Measure F"). The measure proposes to increase an existing special tax on real property within the District for fire protection purposes. The District has furthermore requested that the Special Election be consolidated with the Statewide General Election to be held on the same date.

Proposed resolution: Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election.

Recommended Action: Adopt proposed resolution #R14-_____, approving and ordering the Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election. Provide any desired direction to staff.

Fiscal Impact: The County will be reimbursed for all costs associated with the consolidation.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL) - NONE

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

9. REGULAR AGENDA - MORNING

A. Devil's Postpile National Monument Proposed General Management Plan Briefing/Comments

Departments: Board of Supervisors/County Administrator's Office

1 hour (20 minute staff presentation/40 minute Board/Public comments)

(National Parks Service Superintendent Deanna Dulen and NPS Staff) - Presentation by National Parks Service staff regarding the proposed General Management Plan for Devil's Postpile National Monument. This item is being requested and sponsored by Supervisor Alpers.

Recommended Action: 1. Receive the briefing from the National Parks Service staff on the proposed GMP. 2. Direct staff to prepare for Board review comments to be sent to the National Parks Services. 3. Direct staff to bring back to the Board draft comments no later than the September 16th meeting comments for Board consideration.

Fiscal Impact: There is no fiscal impact from discussing how to provide staff direction.

B. Rejection of Bid for the Mountain Gate Phase 2 Fishing Access Project

Departments: Public Works

5 minutes

(Vianey White) - Reject the bid received for the Mountain Gate Phase 2 Fishing Access Project which consists of constructing a pedestrian path, ADA parking and access, installation of site amenities including picnic tables, timber fishing platform, amphitheater, riparian interaction area, river access, Par course, and landscaping at the Mountain Gate property located off Highway 395, ½ miles south of Walker.

Recommended Action: Reject the bid received for the Mountain Gate Phase 2 Fishing Access Project.

Fiscal Impact: There is no fiscal impact at this time.

C. Mono County Fisheries Commission Appointments

Departments: Economic Development

15 minutes (5 minute presentation; 10 minute discussion)

(Jeff Simpson) - Presentation by Jeff Simpson regarding Mono County Fisheries Commission Appointments.

Recommended Action: Appoint Don Morton and Jeff Parker to the Mono County Fisheries Commission.

Fiscal Impact: None.

D. Caltrans MOU Amendment

Departments: Board of Supervisors

10 minutes (5 minute presentation; 5 minute Board discussion)

(Marshall Rudolph) - Proposed Fifth Amendment of the Conway Ranch Memorandum of Understanding (MOU) between the County and Caltrans. Said amendment would extend certain deadlines for implementing MOU provisions.

Recommended Action: Approve County entry into Fifth Amendment of the Conway Ranch MOU, and authorize Board Chair to sign said Fifth Amendment on behalf of the County.

Fiscal Impact: None (as a result of this amendment).

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, 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 - Conference With Legal Counsel

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

REGULAR AFTERNOON SESSION COMMENCES AT 1:00 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. Overview of Analysis Made by the RCD Consultants Regarding the Potential for Water Right Holders

Departments: Board of Supervisors

40 minutes (20 minute presentation; 20 minute discussion)

(Shannon Ciotti, Bruce Woodworth) - A brief summary of the Feasibility Assessment of Participation in a Water Transactions Program, Walker Basin, California will be presented. This item is being sponsored by Supervisor Fesko.

Recommended Action: None. Informational only.

Fiscal Impact: None.

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve Minutes of the Regular Meeting held on August 5, 2014.

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

[08-05-14 Draft](#)

History

Time	Who	Approval
8/13/2014 1:07 PM	County Administrative Office	Yes
8/13/2014 6:02 PM	County Counsel	Yes
8/12/2014 11:28 AM	Finance	Yes



**DRAFT MEETING MINUTES
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 Board Chambers, 2nd Fl., County Courthouse, 278 Main St.,
Bridgeport, CA 93517

**Regular Meeting
August 5, 2014**

Flash Drive	1003
Minute Orders	M14-140 to M14-147
Resolutions	R14-45 to R14-45
Ordinance	Ord14-03 NOT USED

9:00 AM Meeting Called to Order by Chairman Johnston.

*Supervisors present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors absent: None.*

Pledge of Allegiance led by Supervisor Alpers.

*Break: 10:27 a.m.
Reconvene: 10:41 a.m.
Closed Session: 11:53 p.m.
Reconvene: 1:31 p.m.
Adjourn: 1:31 p.m.*

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on July 8, 2014, as corrected.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Hunt moved; stump seconded

Vote: 4 yes; 0 no; 1 abstain: Alpers

M14-140

Supervisor Hunt:

- On p. 2 of draft minutes should read, "Great Basin meeting; working towards approving EIR on the Dunes (Keeler area)."

Supervisor Johnston:

- On p. 2 of draft minutes, he should have a comment saying, "Worked on 4th of July Parade float and clean up."

Supervisor Stump:

- On p. 2 of draft minutes, under his board report, first bullet point, it should read, "July 4, Volunteered as a dispatcher at impromptu command post; Sheriff's Dept. cancelled the command post due to overtime constraints."
- On p. 4 of draft minutes, under 7D, Desert Springs item, vote should read, "Fesko moved: Hunt seconded; Vote: 4 yes; 0 no; absent Alpers."

B. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on July 15, 2014, as corrected.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-141

Supervisor Alpers:

- On p. 2 of draft minutes, under his board report, second bullet point, the following should be added: "Discussed Cabin Fee Act and the Utility Corridor Issues as they relate to both Inyo and Mono counties".

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 7/23 – Attended seminar at Mono Lake Committee.
- 7/28 – Attended YARTS JPA meeting; going to be considering a rate increase on bus routes.
- 7/28 – meeting with Mammoth Unified School District administration and the Mammoth High School Booster Club at Mammoth High School regarding replacing the flooring in the gym.
- 7/30 – Attended the June Lake Main Street Project Design Fair Workshop, held at the Lune Lake Community Center.
- 7/31 – Attended the "Leveraging Digital 395" meeting held at the Mammoth Ski Museum after having lunch with Sunne Wright McPeak, President and CEO of the California Emerging Technology Fund), CAO Jim Leddy and Supervisor-Elect Stacy Corless.
- Requested letters for various entities participating in the Main Street meetings; indicated that Supervisor Stump could not attend as he was dealing with CalFire meeting and acknowledged him for doing that.

Supervisor Fesko:

- 7/16 – attended Eastern Sierra Area Agency on Aging meeting.
- 7/17 – attended Lion's monthly meeting in Walker at newly renovated community center.
- 7/26 – meeting with Owens Indian Housing at Camp Antelope regarding water system.

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- 7/26 – Attended the Antelope Valley Lions sponsored fund raiser at the Antelope Valley Community Center. This was the day of the hazardous materials spill in Bridgeport – hat's off to those that responded.
- 7/28 and 7/29 – Attended Main Street planning meeting in Antelope Valley with Scott Burns, Gerry LeFrancois, and Courtney Weiche. Also there was Stefan Pellegrini from Opticos.
- For that two day event, on Monday morning nearly every business attended; that evening had a walk about. Tuesday evening's meeting was well attended as well with a lot of new faces.
- 7/30 – Meeting with Department Head and constituents regarding issues about County Government.
- 7/31 – spoke in Gardnerville for Kiwani meeting; spoke about Eastern Sierra Jamboree and bi-state cooperation; same day drove to Mammoth for Eastern Sierra Broadband meeting. Sunne McPeak from the California Emerging Technology Fund was there as well as Supervisor Alpers, Jim Leddy, Alicia and Jeff from Economic Development and Inyo and Mono County representatives.
- 8/1 – Digital 395 completion ceremony; spoke on behalf of Mono County.
- 8/2 – attended June Lake Historical Society meeting.
- CalFire will be conducting defensible space inspections 8/5 through 8/8.
- Shout out to two friends having birthdays: Belen Koch and Anna Koch.
- Spoke about Fishing Derby.

Supervisor Hunt:

- For the past few weekends, Mammoth has seen large crowds with recent events; 95% occupancy this past weekend. Bluesapalooza was a huge success.
- Attended digital 395 completion ceremony on Friday; very impressed with everyone.
- Defensible Space activities in Old Mammoth; one of highest risk spaces in Mono County; a lot of area has been cleared off.
- Kids' fishing derby, week ago Saturday was a total success.
- Finally camped at Green Creek; great spot.
- Attended YARTS meeting on 7/28. Executive Director is going to do some presentations soon.
- Last Thursday attended the Mammoth Collaborative Team meeting for Supervisor Johnston; there were a lot of entities represented.

Supervisor Johnston:

- Continued Agenda Review Committee meetings.
- Mammoth Lakes Housing meeting; new board.
- Treasury Oversight Committee meeting yesterday; Leslie doing good job with that.
- Resolution for Brent Harper Fire Chief in Mammoth Lakes – retiring. Big Bash this week. Asked that this be placed onto an agenda.

Supervisor Stump:

- Attended ESAAA meeting with Supervisor Fesko; clear that Inyo is having struggles with their program. Shout out to Jeff Hunter, new supervisor. Supervisor Kingsley was also there, they discussed energy corridors.
- RPACS in both Chalfant and Benton; discussion about cell service, RACE grant, road project. Issues relating to Benton, good turnout.
- Thursday – June Lake Fire Safe Council meeting with other agencies. CalFire didn't do a great job of coordinating with June Lake, worried about interference in grant process.
- Friday, spent time conversing with documentary team that might be coming to our area; Tri-Valley oriented. These folks were unfamiliar with our area. Friday afternoon, emailed her every document specific for Tri-Valley itself. May be here in a week and a half.
- Chalfant Roads – last day of paving has occurred. Was not able to get conduit into the ground. Mailbox system to be installed in Chalfant, will remedy mail theft. There has been feedback; positive and negative; special thanks to Garrett for dealing with negative

Note

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- people.
- Illegal dumping on Lower Rock Creek Road; thanked Brett and Steven and entire crew for taking care of it.
- Ron Day – put in a lot of hours on Digital 395. He was not aware of celebration for Digital 395; he wanted to see completion part. Supervisor Stump is recognizing his efforts now.
- Attended party in Bridgeport Saturday night.
- Wendi Grasseschi (Mammoth Times) had knee surgery again; sending her best wishes.
- Great Basin Board: Supervisor Stump is on the verge of resigning as alternate of that board due to what was certified. He's not happy with this.

CAO Report regarding Board Assignments

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

Jim Leddy:

- 7/16 – County Energy Task Force meeting; solarization of facilities to promote savings. Also talking about reducing vehicle miles traveled.
- 7/21 – Strategic Planning Steering Committee meeting. Next meeting this Thursday.
- 7/28 – Benton RPAC; thanked Alicia Vennos and Jeff Simpson for their presentation.
- 7/29 – Checked in on Ambassador Training with Strategic Planning Facilitators.
- Thanked Supervisor Alpers for opportunity to go to meeting where he met Sunne McPeak.
- Digital 395 completion meeting/ceremony.
- Saturday – volunteered for Rotary for parking at Bluesapalooza. Increase in attendance.
- Nate Greenberg, unable to attend. He's on vacation. He's been an integral part in Digital 395. Missed being part of two day event. Thanks to him. (Supervisor Fesko asked that Nate give a presentation when he returns on Digital 395 overall.)
- Wood Stove Replacement Program – with Lisa Isaacs.
- North County Employee Roundtable, this Thursday at 8:00 at Memorial Hall; next week on 8/14 at 8:30 in BOS Chambers in Mammoth.
- Mentioned that the Blue Canyon Gang will be at the Board meeting next Tuesday for presentations.

6. DEPARTMENT/COMMISSION REPORTS

Leslie Chapman:

- She'd like to pull the Ordinance scheduled for a future agenda to do some additional work on it. She'll bring this back again as a first reading.
- She will do this after final budget is adopted.

Garrett Higerd:

- June Lake Streets project is out to bid; working on finalizing things. Will give update at tonight's June Lake CAC. Tentative schedule is to move forward with construction of drainage improvements this fall.
- Mountain Gate Project bid was too high. They will need to reject bids and re-advertise.
- Topaz Bridge Project out to bid; small project.
- Thunderstorm activity; generated some localized flash flooding. Crews have been doing clean up.
- Supervisor Johnston: asked about finding out who did illegal dumping of construction debris? (There is no clue.)

Stacey Simon:

- Here for groundwater issues: legislation pending which is likely to be enacted, waiting for things to stabilize, many versions of bill and changes recently. As it stands now, creation of groundwater sustainable agency to applicable agencies – any local agency that has certain characteristics to quality. Critical date – January 1 2017 for creation of agency.

Note

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Drafting of groundwater sustainability plan. Will come back to board with full presentation. Board direction: keep us updated, come back with full presentation when bill language final.

- New case regarding groundwater extraction out of Siskiyou County. Currently just a superior court case, will watch on appeal. Court held that county has obligation to consider public trust doctrine when issuing permits for groundwater wells.

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. USFS Lease/Permit for Hunewill Communications Site

Departments: County Counsel, CSA #5

USFS Lease/Permit for Hunewill Communications Site for use as a telecommunications site by CSA #5.

Action: 1. Approve and authorize the County Administrative Officer, in consultation with County Counsel, to submit an Application for Utility Systems and Facilities on Federal Lands to the Humboldt-Toiyabe National Forest for the purpose of securing a new 30-year lease for the Hunewill Communications Site, with an annual fee not exceeding \$3,000 for 2014 and, each year thereafter, not exceeding approved Forest Service rates. 2. Authorize the CAO, in consultation with County Counsel, to approve and execute Site Lease.

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-142

B. Certificates of Compliance

Departments: Veterans Service

This is a standard renewal of the Certificates of Compliance as filed in the past by the County. They certify to the State that in fact a Veterans Service Officer has been appointed and the duties of the VSO are in compliance with code.

Action: Approve and authorize the Chairman's signature on the Subvention and Medi-Cal Certificates of Compliance for 2014/2015 fiscal year.

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-143

C. Mono City Right-of-Way Grant with BLM

Departments: Public Works and Community Development

Right-of-Way Grant for Mono City Secondary Ingress/Egress Gravel Road with BLM.

Action: 1. Approve, and authorize the Chairman to sign, thirty (30) year renewable right-of-way grant from BLM for the Mono City Secondary Ingress/Egress Gravel Road, consistent with the certified Mitigated Negative

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Declaration and Mitigation Monitoring Plan. 2. Approve, and authorize the Chairman to sign, Certificate of Acceptance authorizing the right-of-way grant to be recorded.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

M14-144

Pulled by Supervisor Alpers:

- Really good that we are finally getting closure on this project.

Supervisor Stump:

- Singled out Steve Nelson for getting this moving forward.

D. Request for Approval to Recruit for Public Works Maintenance Worker II

Departments: Public Works; Human Resources

Due to a resignation of the Maintenance Worker II John McKnight, Public Works (PW) has followed the Mono County Public Employees MOU protocol to fill that vacancy. Road Area 3 is responsible for supervising staff that maintain over 170 miles of roadways in and around LeeVining and June Lake areas During summer months this employee will supervise road maintenance staff and maintenance and snow removal on approximately 27 miles of paved and 143 miles of dirt roads. During winter 27 miles of snow removal and 4.34 miles of spring opening snow removal are under their responsibility. This position is critical in ensuring day-to-day operations of road maintenance and snow removal operations in Lee Vining and June Lake areas. If this position is not filled it will require additional help from other districts (if possible) during winter and summer for snow removal, traffic control, road maintenance and other tasks. One fewer snow removal operator directly results in slower response times and a reduction in level of service to constituents.

Action: Authorize Public Works Director, in consultation with Human Resources, to recruit in-county to fill an existing 9/3 shared Maintenance worker II vacancy in Facilities/Road district 3 (Lee Vining).

Fesko moved; Stump seconded

Vote: 5 yes; 0 no

M14-145

Pulled by Supervisor Fesko:

- In light of the hiring freeze, wanted to point out that both Item C and D are already in the budget and need to be filled.

E. Request for Approval to Recruit for Public Works Maintenance Supervisor

Departments: Public Works; Human Resources

Due to a resignation of the Road Area 4/5 (Bridgeport/Walker) Supervisor, Public Works (PW) has followed the Mono County Public Employees MOU protocol to fill that vacancy. Road Area 4/5 is responsible for supervising staff that maintain over 173 miles of roadways in and around Bridgeport and Walker/Coleville areas and supporting administration in time keeping, project management and annual staff evaluations During summer months this employee will supervise road maintenance staff and maintenance and snow removal on approximately 42

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miles of paved and 131 miles of dirt roads. During winter 31 miles of snow removal and 29 miles of spring opening snow removal are under their supervision. This position is critical in ensuring day-to-day operations of road maintenance and snow removal operations in Bridgeport and Walker/Coleville areas. If this position is not filled it will require additional help from other districts (if possible) during winter and summer for snow removal, traffic control, road maintenance and other tasks. One fewer snow removal operator directly results in slower response times and a reduction in level of service to constituents. If you have any questions regarding this item, please contact Jeff Walters at 932-5459.

Action: Authorize Public Works Director, in consultation with Human Resources, to recruit in-county to fill an existing Maintenance Supervisor vacancy in Road Area 4/5 (Bridgeport/Walker).

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-146

F. Approval of At-Will Contract for David Anderson, Assistant District Attorney
Departments: County Administrator

Proposed resolution approving a contract with David Anderson as Assistant District Attorney and prescribing the compensation, appointment and conditions of said employment.

Action: Approve Resolution #R14-45, approving a contract with David Anderson as Assistant District Attorney, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Johnston moved; Hunt seconded

Vote: 3 yes; 2 no: Fesko and Alpers

R14-45

Pulled by Supervisor Fesko:

- Received email information from Attorney Allen Berrey today; need to pull this contract and look into accusations that are being made.
- Feels investigation needs to be conducted. Need to determine *if* wrongdoing occurred concerning ADA Anderson.
- He's not passing judgment but because things were brought up he feels the approval of the contract should be put off.

Supervisor Alpers:

- How do we go about investigating?

Jim Leddy:

- Right now this attorney is operating with no contract; being at-will, however, we can still discipline him at a later time.
- Ratification of this contract goes back to July 25th.

Supervisor Stump:

- Has a concern that the email was sent at 7:25 a.m. Why so late?
- Appears to be a slight intent to manipulate.
- Has the contract expired?

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Supervisor Hunt:

- Appears there are things going on that may be personal.
- This is an at-will contract; we need to give employees the benefit of the doubt. An investigation can proceed under old or new contract.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. American Lung Association

Departments: Clerk of the Board

Correspondence received from Kimberly Amazeen, Vice President, Programs and Advocacy for the American Lung Association regarding the State of Tobacco Control Report - Updated Grading Methodology.

B. JRP Historical Consulting, LLC

Departments: Clerk of the Board

Letter from Christopher McMorris, Partner of JRP Historical Consulting ,LLC, regarding Convict Lake Road Rehabilitation.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Ordinance Amending Mono County Code Section 2.36.030 Related to Votes Required for the Transaction of Business by the Planning Commission

Departments: Community Development, County Counsel

(Scott Burns, Stacey Simon) - Proposed ordinance Amending Section 3.36.030 of the Mono County Code Relating to Votes Required for the Transaction of Business by the Planning Commission.

Action: Introduce, read title, and waive further reading of proposed ordinance, including the wording about the three-vote clarification.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-147

Stacey Simon:

- Gave history and reason for item.
- She suggested this to Planning Commission so that they could act solely under state law, but they are wanting to strengthen current policy of having three votes.
- They were also concerned about vote shopping.
- Asking our Board to adopt ordinance that an affirmative vote of the majority of members be required (3).
- Discussed possible failsafe measures.
- Three vote affirmative already in place; this just makes it easier on staff.
- Board could also repeal existing language in county code.

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- Maybe we should table this for now. There are certain provisions in the law for approval vs. disapproval that we may not be able to override.
- Board needs to clarify language and maintain status quo; give Planning Commission a chance to do some cleaning up. If they don't, then this Board comes back and makes further changes. She recommends going forward with what's presented. As a separate matter, address the proponent that may want a continuance due to a three member board.

Scott Burns:

- Fail safe measures.
- Could be clarified in operating procedures.

Supervisor Hunt:

- This is a good idea.

Supervisor Fesko:

- Thinks putting "3 out of 5" keeps things clear. Suggests adding that type of wording.
- If there ends up not being a quorum, the people involved should get automatic appeal, no charge. Need to be proactive, not reactive.
- Agrees there should be a failsafe method.

Supervisor Johnston:

- Agrees with the 3 votes and adding the wording to clarify further.

Supervisor Stump:

- He has seen a project not be approved because there wasn't three votes for yes. He feels there needs to be failsafe measures.
- In theory he has no problem with suggested changes.
- Could even say it takes 3 to deny as well.

Marshall Rudolph:

- The discussion is coming down to what "no action" means.

B. Quarterly Investment Report

Departments: Finance

(Leslie Chapman) - Treasury Status report for the quarter ended June 30, 2014 and monthly transaction report for June, 2014.

Action: None.

Leslie Chapman:

- First time around presenting the Treasury Report; she has made a few changes to the format. Went through the changes, giving explanations as necessary.
- She will be tweaking several reports going forward.
- Addressed two areas that county has been out of compliance. Is wanting to let things self correct as necessary.
- Mentioned Intern working in her office; paid for by grant. Publicly thanked him for work on this.

Supervisor Fesko:

- He likes the new report.

Supervisor Stump:

- Complimented Leslie on her cover letter.
- He feels reports are much more enlightening than previous reports.

Supervisor Alpers:

- Much better reporting this month.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Patrick Hayes, General Manager at MCWD:

- Here seeking support from Board regarding water drought.
- Proposed Casa Diablo Geothermal Facility – will represent a considerable change from

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

how it's been handled in the past. They're not opposed to the project; just want to make sure no harm is done.

- Thinks the Board need to be aware if there is a threat to the water supply. He went over recent actions taken by various entities.
- Not happy with project proponent.
- Asking for sets of wells for warm, cold and hot.
- He's wanting the Board to help inform and ask appropriate questions.

Supervisor Johnston:

- What support is he asking for?
- Mentioned Jury Duty Summons for next Tuesday.
- He doesn't agree with Mr. Schade's approval.

Supervisor Stump:

- He would like to see this agendized for third meeting in Mammoth with a potential action of a board letter of support. Jim Leddy to work with Mr. Hays on creation of this item.

Supervisor Hunt:

- Agrees this needs to be addressed; time is of the essence.

11. CLOSED SESSION

There was nothing to report out of 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, 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 -- Human Resources

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Human Resources Director/Risk Manager.

C. 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.

D. 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: Mono County v. Mono County PAB.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

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

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

13. REGULAR AGENDA AFTERNOON- NONE

ADJOURN meeting at 1:31 p.m. in memory Alice Campbell, Coleville resident that recently passed away.

ATTEST

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
SR. DEPUTY CLERK



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Clerk of the Board

TIME REQUIRED 20 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD** Susanne Rizo

SUBJECT Proclamation Declaring August 2014
Child Support Awareness Month

AGENDA DESCRIPTION:

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

The month of August 2014 is being proclaimed Child Support Awareness month in jurisdictions across California. This year marks the fourteenth annual observance of Child Support Awareness Month (CSAM) in California. This item is to request that Mono County join these jurisdictions. This item is being sponsored by Chairman Larry K. Johnston.

RECOMMENDED ACTION:

Approve and present proclamation declaring August, 2014 Child Support Awareness Month in Mono County.

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

[CSAM Staff Report](#)

[CSAM Proclamation](#)

History

Time	Who	Approval
8/6/2014 2:48 PM	County Administrative Office	Yes
8/13/2014 6:01 PM	County Counsel	Yes
8/13/2014 5:57 PM	Finance	Yes

Eastern Sierra Child Support Services

P.O. Box 1147, 230 W. Line Street
BISHOP, CA 93515

MEMORANDUM

DATE: August 1, 2014

TO: Honorable Mono County Board of Supervisors

FROM: Susanne Rizo, Esq., Attorney/Director

SUBJECT: Proclamation declaring August 2014 Child Support Awareness Month in Mono County

Recommendation:

Request your Board approve the Proclamation declaring August Child Support Awareness Month.

Discussion:

The month of August 2014 is being proclaimed Child Support Awareness month in jurisdictions across California. This year marks the fourteenth annual observance of Child Support Awareness Month (CSAM) in California.

Child Support is an investment in California's future. California's child support services program works with parents whether they are paying or receiving child support, to ensure that children and families receive court-ordered financial and medical support. Eastern Sierra Department of Child Support Services increases family self-sufficiency, reduces child poverty, and has a positive effect on children's educational and personal achievement.

The focus of Child Support Awareness Month 2014 in Inyo and Mono Counties is to get parents with a suspended license for failure to pay child support to stop by or call their local child support agency to make a payment, seek modification of their child support order, obtain a repayment plan, and get their license released. Letters were sent to program participants requesting they come into the office to meet with their caseworker. Increased communication with customers has positive results for our case management and customers. By offering to release a driver's license in exchange for a child support payment, Eastern Sierra Department of Child Support Services reinforces our dedication to assist

INYO COUNTY: Mailing Address: Post Office Box 1147 Bishop, CA 93515
Physical Address: 230 West Line Street Bishop, CA 93514 Phone: (866) 901-3212 Fax: (760) 873-3646

MONO COUNTY: Mailing Address: Post Office Box 5044 Mammoth Lakes, CA 93546
Physical Address: 126 Old Mammoth Rd. STE 202 Mammoth Lakes, CA 93546 Phone: (866) 901-3212 Fax: (760) 934-1875

persons paying support to become more productive. Having an active driver's license increases: opportunities to visit with children; ability to work; and contributes to a better future for their children.

The attached proclamation for your consideration recognizes the many men and women child support professionals who make a difference in the lives of our region's children, and fragile families whose basic needs rely upon child support funding.

Fiscal Impact

None

INYO COUNTY: Mailing Address: Post Office Box 1147 Bishop, CA 93515
Physical Address: 230 West Line Street Bishop, CA 93514 Phone: (866) 901-3212 Fax: (760) 873-3646

MONO COUNTY: Mailing Address: Post Office Box 5044 Mammoth Lakes, CA 93546
Physical Address: 126 Old Mammoth Rd. STE 202 Mammoth Lakes, CA 93546 Phone: (866) 901-3212 Fax: (760) 934-1875

**A PROCLAMATION OF THE MONO COUNTY BOARD OF SUPERVISORS
RECOGNIZING AUGUST, 2014
AS CHILD SUPPORT AWARENESS MONTH
IN MONO COUNTY**

WHEREAS, Child Support Awareness Month celebrates the important emotional and financial parental support that can create a brighter future for our children, helping them to become healthy, productive, and well-adjusted adults; and,

WHEREAS, Eastern Sierra Department of Child Support serving Inyo and Mono Counties, actively seeks to provide Family-Centered Services through partnerships with other State and County agencies, to establish and collect consistent child support payments to families; and,

WHEREAS, in recognition of Child Support Awareness Month, Eastern Sierra Department of Child Support Services is promoting the "Get Back on the Road" campaign, which encourages parents who have had a driver's or professional license suspended for failure to pay child support to re-engage with the child support program and their children, and have their suspended licenses restored.

WHEREAS, Nine Child Support Professionals working for the Eastern Sierra Department of Child Support Services work day in and day out to improve the quality of life of children and families through timely, accurate, and responsive child support services; and,

WHEREAS, Eastern Sierra Child Support Professionals manage cases impacting over 1300 children under the age of 18, and have a positive impact on the quality of life of children in Inyo & Mono Counties; and

NOW, THEREFORE, BE IT RESOLVED that the Mono County Board of Supervisors does hereby unanimously proclaim August 2014 as Child Support Awareness Month in Mono County and commends this observance to all our residents.

APPROVED AND ADOPTED this 19th day of August, 2014, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Tim Alpers, Supervisor District #3

Timothy Fesko, Supervisor District #4

Byng Hunt, Supervisor District #5



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Board of Supervisors/County Administrator

TIME REQUIRED

SUBJECT Resolution of Appreciation for Mammoth
Lakes Fire Chief Brent Harper

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Proposed resolution honoring Fire Chief Brent Harper for his years of dedicated service to the people of Mammoth Lakes and Mono County.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

CONTACT NAME: Jim Leddy

PHONE/EMAIL: (760) 932-5414 / 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

[Draft Resolution Honoring Brent Harper](#)

History

Time	Who	Approval
8/6/2014 2:48 PM	County Administrative Office	Yes
8/13/2014 6:01 PM	County Counsel	Yes
8/13/2014 5:57 PM	Finance	Yes

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MONO
IN APPRECIATION OF BRENT J. HARPER**

WHEREAS, In 2005 Brent Harper accepted the position as Chief of the Mammoth Lakes Fire Protection District after a long and successful career as a firefighter, fire control dispatcher, Battalion Chief, Professor and District Chief in Verdi, Nevada; and

WHEREAS, Brent served as the Fire Rescue OES Coordinator and was an integral part in the creation of the Hazardous Materials Team during his time in Mono County; and

WHEREAS, He also facilitated the creation of the Type-2 Urban Search and Rescue Team in Mammoth Lakes and worked tirelessly to obtain essential grant funding for management projects for the town, which directly protects the town's developed properties and community areas; and

WHEREAS, Brent helped put together the extensive emergency response plan for the Mammoth-Yosemite airport while navigating the Mammoth Lakes Fire Protection District through fiscal difficulties throughout his nine years as Chief; and

WHEREAS, Brent has spearheaded the development and implementation of the Mammoth Lakes City Emergency Response Team, which did not exist prior to his arrival to Mono County; and

WHEREAS, He has continued to serve his community above and beyond the call of his position as Fire Chief that has directly benefitted community members and visitors to Mono County, while still maintaining the upmost professionalism and dedication to his work; and

WHEREAS, Brent may say that his biggest achievement and greatest enjoyment in life is spending time cycling, sailing and camping with his wife and kids; and

NOW, THEREFORE BE IT RESOLVED, the Mono County Board of Supervisors hereby extend a most sincere "THANK YOU" in appreciation for Brent J. Harper's hard work, dedication and enthusiasm as Chief of the Mammoth Lakes Fire Protection District; and

BE IT FURTHER RESOLVED, Brent J. Harper is hereby extended our sincerest gratitude for his years of outstanding service to Mono County and our best wishes for him moving forward into a relaxing and fulfilling retirement. APPROVED AND ADOPTED this 19th day of August, 2014, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Tim Alpers, Supervisor District #3

Timothy Fesko, Supervisor District #4

Byng Hunt, Supervisor District #5



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Reappointment of Rick Liebersbach
to the Assessment Appeals Board

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Reappointment of Rick Liebersbach to a three-year term as a member of the Mono County Assessment Appeals Board.

RECOMMENDED ACTION:

Approve reappointment of Rick Liebersbach for a three-year term as member to the Mono County Assessment Appeals Board beginning August 19, 2014 and ending August 31, 2017.

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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[08-29-14 AAB Liebersbach Staff](#)

History

Time

Who

Approval

8/6/2014 2:48 PM	County Administrative Office	Yes
8/13/2014 6:00 PM	County Counsel	Yes
8/6/2014 5:52 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

Linda Romero, Acting Clerk of the Board

To: Honorable Board of Supervisors

From: Shannon Kendall, Sr. Deputy Clerk of Assessment Appeals Board

Date: August 19, 2014

Subject

Reappointment of Rick Liebersbach to the Mono County Assessment Appeals Board.

Recommendation

Approve reappointment of Rick Liebersbach.

Discussion

Mr. Liebersbach's current three-year term on the Assessment Appeals Board will expire on August 31, 2014. He has been a capable and reliable member of the Board, and is willing to serve another three-year term. There is not a limit on the number of terms a person may serve.

Per Mono County Code, section 3.52.040(C), the Board of Supervisors shall appoint members of the Assessment Appeals Board upon the expiration of any term or the occurrence of a vacancy.

Fiscal Impact

None



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: EMS

TIME REQUIRED

SUBJECT Request for Approval to Recruit for
Reserve Emergency Medical
Technicians

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The use of the reserve EMT impacts the fiscal health of the Mono County EMS Program. Having a full reserve pool eliminates the need for full time employees to work overtime shifts, thereby saving substantial cost.

RECOMMENDED ACTION:

That the Board of Supervisors approve the hire of up to 20 reserve Emergency Medical Technicians.

FISCAL IMPACT:

The hire of up to 20 EMTs does not increase the budgeted cost to the program. These reserve employees are primarily used for filling shifts vacated by full time employees taking time off for vacation, sick leave and CTO. The savings realized from utilizing reserve staff rather than regular full time employees during this fiscal year could be up to \$350,000. Last year's expenditure for unscheduled overtime was over \$400,000.

CONTACT NAME: Rob DeForrest

PHONE/EMAIL: 760-924-1832 / rdeforrest@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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[Staff Report](#)

History

Time	Who	Approval
8/6/2014 2:49 PM	County Administrative Office	Yes
8/13/2014 6:01 PM	County Counsel	Yes
8/13/2014 5:56 PM	Finance	Yes



**EMERGENCY MEDICAL SERVICES
COUNTY OF MONO**

PO Box 3329 | 437 OLD MAMMOTH ROAD, STE. 228 MAMMOTH LAKES, CA 93546
(760) 924-1832 • FAX (760) 924-1831 • rdeforrest@mono.ca.gov
Rob DeForrest
EMS Manager

July 28, 2014

To Honorable Board of Supervisors
From Rob DeForrest, EMS Manager
Subject Request for Approval to Recruit for Reserve Emergency Medical Technicians

Recommendation

Authorize the Manager to begin the recruitment effort for 8 reserve Emergency Medical Technicians, which will be instrumental in containing overtime costs within the department.

Discussion

Reserve employees within the EMS division have a strong impact on overtime costs. They would be available to cover shifts that are currently being assigned to full time employees, which cause significant overtime. The use of reserves has had a positive effect over the last year to begin to reign in these stated overtime costs, but a full time contingent of reserves is needed to realize the full, intended purpose of such a program. The program originally started with 8 reserves, but has been reduced to 5 due to diminished availability of 4 (other employment,) and moving two to full time positions. On average, 38 shifts a month are taken as time off by the full time employees. A pool of between 12 and 15 reserves would assure the elimination of most extra overtime, and bring down overall costs of the EMS general fund liability.

Fiscal Impact

The fiscal impact would be in savings, not cost. Currently, any overtime shift worked by a full time employee costs, on average, \$792.00. If the same shift is worked by a reserve employee, the cost would be \$288.00. To put in perspective, so far this calendar year, full time employees have worked 254 overtime shifts, for a total of 6,096 hours. These shifts are created by vacation, sick leave, and compensated time off. The only way to lessen the cost outside of collective bargaining is to recruit reserves, and use them.

Thank You for Your Consideration,

Rob DeForrest,
EMS Manager



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Finance

TIME REQUIRED

SUBJECT Treasury Transactions for the Month of
July 2014

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Treasury Transaction Report for July 2014

RECOMMENDED ACTION:

Accept the Treasury Transaction report for the month of July 2014.

FISCAL IMPACT:

None

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5494 / lchapman@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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[Treasury Transaction Report for July 2014](#)

History

Time	Who	Approval
8/13/2014 1:08 PM	County Administrative Office	Yes
8/13/2014 6:02 PM	County Counsel	Yes
8/13/2014 5:49 PM	Finance	Yes



Mono County Transaction Summary by Action All Portfolios

Begin Date: 6/30/2014, End Date: 7/31/2014

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Sell Transactions									
Called	7/11/2014	3130A1EC8	630,000.00	FHLB 1.375 1/11/2018-14	0.00	630,000.00	0.00	0.00	630,000.00
Called	7/17/2014	3130A1J41	2,000,000.00	FHLB 1.375 10/17/2017-14	0.00	2,000,000.00	6,875.00	0.00	2,006,875.00
		Subtotal	2,630,000.00			2,630,000.00	6,875.00		2,636,875.00
Matured	7/14/2014	89114QAA6	500,000.00	Toronto-Dominion Bank 1.375 7/14/2014	0.00	500,000.00	0.00	0.00	500,000.00
		Subtotal	500,000.00			500,000.00	0.00		500,000.00
Withdraw	7/11/2014	LAIF6000Q	1,300,000.00	Local Agency Investment Fund LGIP-Quarterly	0.00	1,300,000.00	0.00	0.00	1,300,000.00
Withdraw	7/11/2014	LAIF6000	13,917,767.68	Local Agency Investment Fund LGIP	0.00	13,917,767.68	0.00	0.00	13,917,767.68
Withdraw	7/22/2014	LAIF6000Q	1,250,000.00	Local Agency Investment Fund LGIP-Quarterly	0.00	1,250,000.00	0.00	0.00	1,250,000.00
Withdraw	7/25/2014	LAIF6000Q	3,250,000.00	Local Agency Investment Fund LGIP-Quarterly	0.00	3,250,000.00	0.00	0.00	3,250,000.00
Withdraw	7/31/2014	OAKVALLEY0670	15,237,393.90	Oak Valley Bank Cash	0.00	15,237,393.90	0.00	0.00	15,237,393.90
		Subtotal	34,955,161.58			34,955,161.58	0.00		34,955,161.58
Total Sell Transactions			38,085,161.58			38,085,161.58	6,875.00		38,092,036.58
Buy Transactions									
Deposit	7/11/2014	LAIF6000Q	13,917,767.68	Local Agency Investment Fund LGIP-Quarterly	100.00	13,917,767.68	0.00	0.00	13,917,767.68
Deposit	7/31/2014	LAIF6000Q	1,000,000.00	Local Agency Investment Fund LGIP-Quarterly	100.00	1,000,000.00	0.00	0.00	1,000,000.00
Deposit	7/11/2014	OAKVALLEY0670	104.74	Oak Valley Bank Cash	100.00	104.74	0.00	0.00	104.74
Deposit	7/14/2014	LAIF6000Q	750,000.00	Local Agency Investment Fund LGIP-Quarterly	100.00	750,000.00	0.00	0.00	750,000.00
Deposit	7/18/2014	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP-Quarterly	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	7/31/2014	OAKVALLEY0670	1,290.81	Oak Valley Bank Cash	100.00	1,290.81	0.00	0.00	1,290.81
Deposit	7/31/2014	OAKVALLEY0670	14,653,492.10	Oak Valley Bank Cash	100.00	14,653,492.10	0.00	0.00	14,653,492.10
		Subtotal	32,322,655.33			32,322,655.33	0.00		32,322,655.33
Total Buy Transactions			32,322,655.33			32,322,655.33	0.00		32,322,655.33
Interest/Dividends									
Interest	7/11/2014	3130A1EC8	0.00	FHLB 1.375 1/11/2018-14		0.00	2,165.63	0.00	2,165.63
Interest	7/11/2014	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	104.74	0.00	104.74



Mono County Transaction Summary by Action All Portfolios

Begin Date: 6/30/2014, End Date: 7/31/2014

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	7/14/2014	89114QAA6	0.00	Toronto-Dominion Bank 1.375 7/14/2014		0.00	3,437.50	0.00	3,437.50
Interest	7/15/2014	717081DD2	0.00	Pfizer Inc 0.9 1/15/2017-14		0.00	2,250.00	0.00	2,250.00
Interest	7/16/2014	94974BFG0	0.00	Wells Fargo 1.5 1/16/2018		0.00	3,750.00	0.00	3,750.00
Interest	7/21/2014	33764JPM1	0.00	First Bank Puerto Rico 0.9 11/23/2015		0.00	184.93	0.00	184.93
Interest	7/22/2014	3136G1AP4	0.00	FNMA Step 1/22/2016-13		0.00	7,000.00	0.00	7,000.00
Interest	7/31/2014	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	1,290.81	0.00	1,290.81
		Subtotal	0.00			0.00	20,183.61		20,183.61
Total Interest/Dividends						0.00	20,183.61		20,183.61



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Office of Clerk/Recorder; County Counsel

TIME REQUIRED

SUBJECT

Consolidation of the Paradise Fire
Protection District's Special Election
with the November 4, 2014 General
Election

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The Paradise Fire Protection District has called a Special Election to be held on November 4, 2014, to present a tax measure to voters within the District ("Measure F"). The measure proposes to increase an existing special tax on real property within the District for fire protection purposes. The District has furthermore requested that the Special Election be consolidated with the Statewide General Election to be held on the same date.

Proposed resolution: Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election.

RECOMMENDED ACTION:

Adopt proposed resolution #R14-_____, approving and ordering the Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election. Provide any desired direction to staff.

FISCAL IMPACT:

The County will be reimbursed for all costs associated with the consolidation.

CONTACT NAME: Linda Romero

PHONE/EMAIL: 760.932-5534 / lromero@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](#)
-  [District's Resolution with Attachments](#)
-  [Board Resolution Ordering Consolidation](#)

History

Time	Who	Approval
8/14/2014 8:00 AM	County Administrative Office	Yes
8/14/2014 10:19 AM	County Counsel	Yes
8/14/2014 9:26 AM	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: Honorable Board of Supervisors

From: Linda Romero, Acting Clerk/Recorder/Registrar/Clerk of the Board

Date: August 19, 2014

Subject

Consolidation of the Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election.

Recommendation

Consider and potentially adopt a resolution consolidating Paradise Fire Protection District's Special Election with the November 4, 2014 Statewide General Election.

Discussion

The Paradise Fire Protection District adopted Resolution No. 14-01 calling and giving notice of a Special Election to be held on November 4, 2014, to present a special tax measure to voters within the Paradise Fire Protection District. The measure proposes to increase an existing special tax on real property within the District for fire protection purposes. The Resolution also requests the election be consolidated with the Statewide General Election to be held on November 4, 2014, pursuant to Section 10403 of the Elections Code.

Fiscal Impact

The County will be reimbursed for all costs associated with the consolidation.

ORDINANCE NO. 14-01
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
PARADISE FIRE PROTECTION DISTRICT IMPOSING
AN INCREASE OF THE SPECIAL TAX ON REAL PROPERTY WITHIN THE
PARADISE FIRE PROTECTION DISTRICT TO PAY FOR FIRE
PROTECTION SERVICES PROVIDED BY THE DISTRICT, TO
TAKE EFFECT ONLY UPON APPROVAL OF SAID ORDINANCE
BY TWO-THIRDS OF THE VOTERS OF THE DISTRICT VOTING
ON WHETHER TO APPROVE THE ORDINANCE

WHEREAS, Section 53978 of the California Government Code authorizes a local agency which provides fire protection services to propose by ordinance a special tax other than an ad valorem property tax, for fire protection services provided by the local agency; and

WHEREAS, Section 53978 allows the local agency proposing the tax to set in the ordinance the amount of the tax to be levied; and

WHEREAS, Section 53978 provides that the special tax shall take effect upon approval of two-thirds of the voters voting upon such proposition; and

WHEREAS, the procedures above are consistent with the requirements of California Constitution, article XIII C (Proposition 218); and

WHEREAS, on July 15, 1998, the Board of Directors of the Paradise Fire Protection District adopted Ordinance No. 98-01 imposing the special tax and which ordinance was approved by two-thirds of the voters of the District voting upon it; a copy of Ordinance No. 98-01 is attached hereto as an Exhibit and incorporated herein by this reference; and

WHEREAS, the Board of Directors of the Paradise Fire Protection District wishes to increase the special tax in accordance with the figures outlined below.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PARADISE FIRE PROTECTION DISTRICT ORDAINS as follows:

SECTION ONE: In compliance with Section 53978 of the Government Code and article XIII C of the California Constitution (Proposition 218), the special tax imposed upon each taxable parcel of real property within the Paradise Fire Protection District pursuant to Ordinance No.98-01, is hereby increased in accordance with the figures outlined below.

Exhibit A

SECTION TWO: The special tax which is hereby increased shall be levied once during the 2015-2016 fiscal year at flat rates based on the use of each taxable parcel of real property, in accordance with the schedule below, and then levied once during each fiscal year thereafter with percentage adjustments to the rates contained in the schedule below (either increasing or decreasing the amount of the tax) based on the percentage change (if any) during the preceding 12-month period in the Consumer Price Index (specifically, "CPI-U" for the U.S. City Average for All Items) of the Bureau of Labor Statistics, United States Department of Labor, or any index substituted by the Department of Labor therefore:

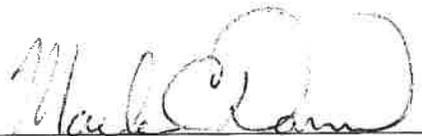
<u>Parcel Use</u>	<u>Current Rate:</u>	<u>2015-2016 Rate @ Increase</u>
- Improved residential	- \$ 100.00	- \$ 240.00
- Unimproved residential with utility hookups	- \$ 36.00	- \$ 86.00
- Improved commercial	- \$ N/A	- \$ N/A
- Unimproved without utility hookups	- \$ 257.00	- \$ 617.00

SECTION THREE: This ordinance shall only take effect if and when it is approved by two-thirds of the voters of the Paradise Fire Protection District voting on a proposition regarding whether to approve this ordinance.

SECTION FOUR: Should this ordinance not be approved, Ordinance 98-01 imposing the special tax will remain in full force and the special tax will be levied at the current rates.

APPROVED and ADOPTED this 8th day of August, 2014, by the following vote, to wit:

AYES: 5
 NOES: 0
 ABSENT: 1
 ABSTAIN: 0


 Vice Chairman, Board of Directors
 Paradise Fire Protection District

ATTEST:


 Board Co-Secretary

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ORDINANCE NO. 98-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PARADISE FIRE PROTECTION DISTRICT IMPOSING A SPECIAL TAX ON REAL PROPERTY WITHIN THE PARADISE FIRE PROTECTION DISTRICT TO PAY FOR FIRE PROTECTION SERVICES PROVIDED BY THE DISTRICT, TO TAKE EFFECT ONLY UPON APPROVAL OF SAID ORDINANCE BY TWO-THIRDS OF THE VOTERS OF THE DISTRICT VOTING ON WHETHER TO APPROVE THE ORDINANCE

WHEREAS, Section 53978 of the California Government Code authorizes a local agency which provides fire protection services to propose by ordinance a special tax, other than an ad valorem property tax, for fire protection services provided by the local agency; and

WHEREAS, Section 53978 allows the local agency proposing the tax to set in the ordinance the amount of the tax to be levied; and

WHEREAS, Section 53978 provides that the special tax shall take effect upon approval of two-thirds of the voters voting upon such proposition; and

WHEREAS, the procedures above are consistent with the requirements of California Constitution, article XIII C (Proposition 218).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PARADISE FIRE PROTECTION DISTRICT ORDAINS as follows:

SECTION ONE: In compliance with Section 53978 of the Government Code and article XIII C of the California Constitution (Proposition 218), a special tax is hereby imposed upon each taxable parcel of real property within the Paradise Fire Protection District.

SECTION TWO: Said special tax shall be levied once during the 1998-99 fiscal year at flat rates based on the use of each taxable parcel of real property, in accordance with the schedule below, and then levied once during each fiscal year thereafter with percentage adjustments to the rates contained in the schedule below (either increasing or decreasing the amount of the tax) based on the percentage change (if any) during the preceding 12-month period in the Consumer Price Index (specifically, "CPI-U" for the U.S. City Average for All Items) of the bureau of Labor Statistics, United States Department of Labor, or any index substituted by the Department of Labor therefor:

<u>Parcel Use</u>	<u>1998-99 Rate</u>
Improved residential	\$70.00
Unimproved residential with utility hookups	\$25.00
Improved commercial	\$400.00
Unimproved without utility hookups	\$180.00

SECTION THREE: This ordinance shall only take effect if and when it is approved by two-thirds of the voters of the Paradise Fire Protection District voting on a proposition regarding whether to approve this ordinance.

Exhibit

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PASSED, APPROVED and ADOPTED this 15th day of July, 1998, by the following vote, to wit:

AYES: five
NOES: none
ABSENT: none
ABSTAIN: none



Chair, Board of Directors
Paradise Fire Protection District

ATTEST:



Board Secretary



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RESOLUTION NO. R14-___

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS APPROVING
THE PARADISE FIRE PROTECTION
DISTRICT'S REQUEST TO CONSOLIDATE
THEIR SPECIAL ELECTION WITH THE
NOVEMBER 4, 2014 STATEWIDE GENERAL ELECTION**

WHEREAS, the Paradise Fire Protection District has called a Special Election to be held on November 4, 2014, to submit to the voters of the Paradise Fire Protection District the adoption of a proposed ordinance increasing the special tax for fire protection services within the district; and

WHEREAS, the Paradise Fire Protection District has requested that the Special Election be consolidated with the November 4, 2014, Statewide General Election; and

WHEREAS, it is desirable that the Special Election be consolidated with the Statewide General Election to be held on the same date, and that the Mono County Election Division canvass the returns of the Special Election, and that the election be held in all respects as if there were only one election; and

WHEREAS, the Board of Supervisors is requested to issue instructions to the Mono County Elections Division to take any and all steps necessary for the holding of the consolidated election.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors as follows:

SECTION ONE: Pursuant to Section 10400, et seq., of the Elections Code, the Mono County Board of Supervisors consents and hereby orders the consolidation of the Paradise Fire Protection District's Special Election with the Statewide General Election on Tuesday, November 4, 2014, for the purpose of submitting to the voters of the Paradise Fire Protection District the adoption of a proposed ordinance increasing the special tax for fire protection services within the district.

SECTION TWO: The Mono County Elections Division is instructed to take any and all steps necessary for the holding of the consolidated election. The election shall be held in all respects as if there were only one election and shall be in form and content as required by law.

SECTION THREE: The Mono County Elections Division is authorized to canvass the returns of the Special Election.

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SECTION FOUR: The Mono County Elections Division will bill the Paradise Fire Protection District for additional costs incurred because of this consolidation, and will be reimbursed by the Paradise Fire Protection District accordingly.

PASSED, APPROVED and ADOPTED this ____ day of August, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Larry K. Johnston, Chairman
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Board of Supervisors/County Administrator's Office

TIME REQUIRED 1 hour (20 minute staff presentation/40 minute Board/Public comments)

PERSONS APPEARING BEFORE THE BOARD

National Parks Service Superintendent
Deanna Dulen and NPS Staff

SUBJECT Devil's Postpile National Monument
Proposed General Management Plan
Breifing/Comments

AGENDA DESCRIPTION:

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

Presentation by National Parks Service staff regarding the proposed General Management Plan for Devil's Postpile National Monument. This item is being requested and sponsored by Supervisor Alpers.

RECOMMENDED ACTION:

1. Receive the briefing from the National Parks Service staff on the proposed GMP. 2. Direct staff to prepare for Board review comments to be sent to the National Parks Services. 3. Direct staff to bring back to the Board draft comments no later than the September 16th meeting comments for Board consideration.

FISCAL IMPACT:

There is no fiscal impact from discussing how to provide staff direction.

CONTACT NAME: Jim Leddy or Superintendent Dulen

PHONE/EMAIL: (760) 932-5414 or (760) 924-5505 /

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

[Devil's Postpile National Monument proposed General Management Plan Cover memo](#)

History

Time	Who	Approval
8/6/2014 2:47 PM	County Administrative Office	Yes
8/13/2014 6:00 PM	County Counsel	Yes
8/13/2014 5:49 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

To: Honorable Board of Supervisors
From: Jim Leddy, County Administrator
Date: July 22, 2014

Subject: Devils Postpile National Monument- General Management Plan and Environmental Assessment (GMP/EA)

Recommendation: Receive a briefing from The National Parks Service on the proposed general Management Plan/Environmental Assessment.

Background: At the request of Supervisor Tim Alpers, National Parks Service Superintendent Deanna Dulen is sending a team of National Parks Service staff to present a briefing on the first ever Devil's Post Pile National Monument General Management Plan (GMP). The official comment period is opening in Mammoth Lakes and there will be an open house on August 20th at the Mammoth Lakes main library. Comments will be gathered from both Mono and Madera Counties to help shape and inform the plan.

Discussion:

From the initial brief provided by the National Parks Service:

Devils Postpile National Monument (NM) is comprised of approximately 800 acres in the eastern Sierra Nevada Mountains. The monument was established by presidential proclamation in 1911 to preserve and protect the geologic features of Devils Postpile and Rainbow Falls and the surrounding landscape of the upper Middle Fork of the San Joaquin River. Most of the monument is federally designated wilderness. The monument sits in Reds Meadow Valley, and is completely surrounded by the Inyo National Forest. The Inyo National Forest is a cooperating agency under NEPA on the GMP and a Memorandum of Understanding (MOU) is in place between the two agencies for the planning effort.

PURPOSE AND NEED FOR THE PLAN: Devils Postpile NM has never had a general management plan. This GMP will provide long-term guidance for resource management, visitor services, interpretive programming, and infrastructure management at Devils Postpile NM.

CURRENT STATUS: The Draft GMP/EA, which includes the agency's preferred alternative, is expected to be released for public review and comment in August 2014. A public open house in the Town of Mammoth Lakes will be part of the formal review period. This briefing will present highlights of the general management plan, including specific proposals contained within the preferred alternative. The public comment period will last for approximately 60 days and conclude on September 30, 2014. Project completion is anticipated by the end of calendar year 2014.

Options:

1. Receive the briefing from the National Parks Service staff on the proposed GMP.
2. Direct staff to prepare for Board review comments to be sent to the National Parks Services.

3. Direct staff to bring back to the Board draft comments no later than the September 16th meeting comments for Board consideration.

Fiscal Impact: There is no fiscal impact from discussing how to provide staff direction.

For questions, please contact me at (760) 932-5414 or jleddy@mono.ca.gov

BRIEFING STATEMENT

Unit: Devils Postpile National Monument, Mono and Madera Counties, California

Title: General Management Plan and Environmental Assessment (GMP/EA)

Congressional Districts: 8th District: Paul Cook (R)

Senate: Barbara Boxer (D)

4th District: Tom McClintock (R)

Dianne Feinstein (D)

BACKGROUND: Located in California, Devils Postpile National Monument (NM) is comprised of approximately 800 acres in the eastern Sierra Nevada Mountains. The monument was established by presidential proclamation in 1911 to preserve and protect the geologic features of Devils Postpile and Rainbow Falls and the surrounding landscape of the upper Middle Fork of the San Joaquin River. Most of the monument is federally designated wilderness. The monument sits in Reds Meadow Valley, and is completely surrounded by the Inyo National Forest. The Inyo National Forest is a cooperating agency under NEPA on the GMP and a Memorandum of Understanding (MOU) is in place between the two agencies for the planning effort.

PURPOSE AND NEED FOR THE PLAN: Devils Postpile NM has never had a general management plan. This GMP will provide long-term guidance for resource management, visitor services, interpretive programming, and infrastructure management at Devils Postpile NM.

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CONTACT PERSON: Deanna Dulen, Superintendent, 760-924-5505



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Public Works

TIME REQUIRED 5 minutes

PERSONS APPEARING BEFORE THE BOARD Vianey White

SUBJECT Rejection of Bid for the Mountain Gate Phase 2 Fishing Access Project

AGENDA DESCRIPTION:

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

Reject the bid received for the Mountain Gate Phase 2 Fishing Access Project which consists of constructing a pedestrian path, ADA parking and access, installation of site amenities including picnic tables, timber fishing platform, amphitheater, riparian interaction area, river access, Par course, and landscaping at the Mountain Gate property located off Highway 395, ½ miles south of Walker.

RECOMMENDED ACTION:

Reject the bid received for the Mountain Gate Phase 2 Fishing Access Project.

FISCAL IMPACT:

There is no fiscal impact at this time.

CONTACT NAME: Vianey White

PHONE/EMAIL: 760-932-5446 / vwhite@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

- [Mtn Gate Ph2 BOS Staff Report](#)
 - [Mtn Gate Ph2 Exh 1 Bid Tabulation](#)
-

History

Time	Who	Approval
8/13/2014 1:08 PM	County Administrative Office	Yes
8/13/2014 6:01 PM	County Counsel	Yes
8/13/2014 5:54 PM	Finance	Yes



MONO COUNTY

DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • Fax 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: August 19, 2014
To: Honorable Chair and Members of the Board of Supervisors
From: Vianey White
Re: Rejection of Bid for the Mountain Gate Phase 2 Fishing Access Project

Recommended Actions:

Reject the bid received for the Mountain Gate Phase 2 Fishing Access Project.

Fiscal Impact:

On July 15, 2014 the Board approved the use of \$385,000 of the California River Parkways Grant Program (Proposition 50) funds for construction of this project. Due to the receipt of only one bid and it being over the approved amount, County Staff recommends the project be re-evaluated and re-bid later this year for construction in spring 2015. There is no fiscal impact at this time.

Background:

This project received the California River Parkways Grant Program (Proposition 50) funds in 2007. This project consists of constructing a pedestrian path, ADA parking and access, installation of site amenities including picnic tables, timber fishing platform, amphitheater, riparian interaction area, river access, PAR course, and landscaping at the Mountain Gate property located off Highway 395, ½ miles south of Walker. The project manual and the project plans were approved at the July 15, 2014 Board meeting, an optional pre-bid meeting was held at the project site on Wednesday July 23, 2014, and one bid was received on Monday August 4. See the Bid Tabulation attached as Exhibit 1.

The engineer's estimate of probable construction cost for the project is \$347,000. Due to the receipt of only one bid and it being well above the estimate, County staff recommends re-evaluating the project scope and re-bidding the project later this year for construction in spring 2015. This strategy will allow for a more competitive bidding process as most contractors are already committed to other projects this construction season and this delay will also allow the landscaping to be planted at a more optimal time of the year.

County staff planned to perform resident engineer duties for this project and quality assurance testing was to be performed under a separate contract expected to cost approximately \$6,000.

Please contact me at 760-932-5446 or by email at vwhite@mono.ca.gov if you have any questions regarding this matter.

Respectfully submitted,

Vianey White
Project Manager

Attachment: Exhibit 1 (Bid Tabulation)

Bid Tabulation
Mountain Gate Phase 2 Fishing Access Project
Monday, August 04, 2014

Item No.	Description	Qty	Unit	White Rock Construction, Inc.
BASE BID:				
1	Mobilization	1	LS	\$20,000.00
2	Clear & Grub	1	LS	\$25,400.00
3	Demolition & Temporary Erosion Control	1	LS	\$18,590.00
4	On-site Earth Movement	319	CY	\$93.00
5	Export Cut Material	46	CY	\$85.00
6	Trash Receptacle	2	EA	\$3,575.00
7	Pavement Marking	1	LS	\$7,800.00
8	PCC Flatwork	727	SF	\$10.00
9	Aggregate Base Road Section	3,500	SF	\$3.25
10	Picnic Table	8	EA	\$6,777.00
11	PAR Course	1	LS	\$30,000.00
12	Interpretive Sign	6	EA	\$4,160.00
13	Fishing Platform	1	LS	\$53,950.00
14	Decomposed Granite Pedestrian Path	9,450	SF	\$3.10
15	Riparian Interaction Area	1	LS	\$8,450.00
16	Amphitheater	1	LS	\$44,200.00
17	River Access Steps	18	LF	\$187.00
18	Scenic Byway Sign	2	EA	\$1,495.00
19	Redwood Header	656	LF	\$19.50
20	Bollard	10	EA	\$949.00
21	Temporary Irrigation	1	LS	\$23,000.00
22	Temporary Traffic Control	1	LS	\$5,000.00
23	Bike Rack	1	EA	\$4,885.00
24	Trees	6	EA	\$520.00
25	Shrubs	55	EA	\$87.00
26	Construction Control Stakes	1	LS	\$6,500.00
BIDDER'S GRAND TOTAL:				\$452,161.00



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Economic Development

TIME REQUIRED 15 minutes (5 minute presentation; 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Jeff Simpson

SUBJECT Mono County Fisheries Commission Appointments

AGENDA DESCRIPTION:

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

Presentation by Jeff Simpson regarding Mono County Fisheries Commission Appointments.

RECOMMENDED ACTION:

Appoint Don Morton and Jeff Parker to the Mono County Fisheries Commission.

FISCAL IMPACT:

None.

CONTACT NAME: Jeff Simpson

PHONE/EMAIL: 760-924-4634 / jsimpson@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](#)
- [Don Morton MCFC Application](#)
- [Jeff Parker MCFC Application](#)

History

Time	Who	Approval
8/13/2014 1:07 PM	County Administrative Office	Yes
8/13/2014 6:01 PM	County Counsel	Yes
8/12/2014 11:31 AM	Finance	Yes



MONO COUNTY

ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

P.O. BOX 2415, MAMMOTH LAKES, CALIFORNIA 93546
(760) 924-1700 • (760) 924-1701 (Fax)

Alicia Vennos
Economic Development Manager
Avennos@mono.ca.gov
760-924-1743

Jeff Simpson
Economic Development Assistant
Jsimpson@mono.ca.gov
760-924-4634

STAFF REPORT

SUBJECT: Mono County Fisheries Commission Appointments

RECOMMENDATION: The Board consider and appoint Don Morton and Jeff Parker to the Mono County Fisheries Commission to fill the vacancy left by Steve Marti and John Webb.

BACKGROUND: In April 2014 Steve Marti and John Webb resigned from the Mono County Fisheries Commission leaving 2 vacancies on the commission. A Notice of Vacancy was published in local newspapers in the month of June, resulting in a total of two (2) applications.

DISCUSSION: Mr. Don Morton of June Lake currently owns and operates June Lake Accommodations, June Lake Construction and Sierra Crest Real Estate and is the current Treasure of the June Lake Loop Chamber of Commerce. Mr. Morton is an avid trophy trout fly fisherman with over 40 years of experience fishing our local waters and is an advocate for sustainable catch and release fishing practices.

Mr. Jeff Parker of Crowley Lake is a catch and release fly fisherman who has fished in Mono County for over 50 years. Mr. Parker has worked in local resorts for the last 30 years and is a professional guide who would like to enhance the fishing experience in the Eastern Sierra.

FISCAL IMPACT: None.

MONO COUNTY APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS/COMMITTEES

DATE	June 18, 2014
NAME	Don Morton
POSITION APPLIED FOR:	
Fishing Commissioner	
RESIDENCE ADDRESS	2848 Highway 158, P. O. Box 237 June Lake, CA. 93529
PHONE	Cell 760-914-2594
BUSINESS ADDRESS	2784 Highway 158, P. O. Box 125 June Lake, CA
PHONE	760-648-1919
OCCUPATION	June Lake Accommodations, manager June Lake Construction, CEO

How did you learn of the opening? Jeff Simpson, Tim Alpers, Andrew Jones, Tom Loe

Please state briefly any experience of which you feel will be helpful when you serve in this appointment: Owner of multiple local businesses, June Lake Accommodations, June Lake Construction and Sierra Crest Real Estate. I'm also Treasurer/Board member of the June Lake Loop Chamber of Commerce, Board member of the June Lake Citizens Advisory Committee. I feel my business knowledge and community participation gives me a broad based overview of, and experience with, the business and tourist industry in Mono County. As an avid trophy trout fly fisherman with over 40 years experience fishing our local waters, I have a deep love for our area.

Other information may be submitted by resume if desired.

Summary of background and skills: A lifetime of local fly fishing experience has helped me appreciate the classic fishing opportunities available in Mono County. It has also made me aware of the need to develop multiple types of fishing experiences. The fishing industry has changed tremendously over the past decade or so. Mono County should embrace other segments of the fishing industry. I believe sustainable fishing is something we can develop and market to our visitors. Something the Santa Ana River Lakes can't compete with.

Professional experience: Licensed General Contractor since 1977

Education: School of hard knocks, Seeker of knowledge,

Professional and/or community organizations: Treasurer and Board member of the June Lake Loop Chamber of Commerce, Board member of the June Lake Citizens Advisory committee, member of the June Lake Trails Committee.

Personal interests and hobbies: Sustainable fishing. Protection and enhancement of our trout spawning streams. Fly fishing for trophy trout. Mountain bike riding. Ice skating local lakes. Snowmobile riding. Snow ski. Back Country skiing. Hiking. Being outdoors in the Eastern Sierra.

Have you ever been convicted of a felony, which would disqualify you from appointment? **NO!** If you are appointed and cannot be bonded as required, your appointment will be revoked.

If you desire a personal interview or wish to address the Board, you may contact the Board of Supervisor's Office directly at (760) 932-5533.

Please return application to:

Clerk of the Board
County of Mono
P. O. Box 715
Bridgeport, CA 93517

Signature

Date

Mono County Board of Supervisors, Re: Fishing Commissioner Position
June 18th, 2014

My name is Tom Loe. I am the owner of Sierra Drifters Guide Service. I have been in operation since 1997 and contract with seven other fly fishing guides on a year around basis in California, with our primary focus on Mono & Inyo Counties.

I am writing a letter of support for Don Morton who is applying for a position on the Mono County fisheries Commission.

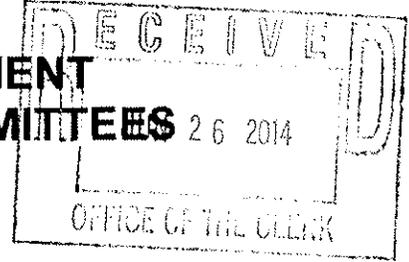
I have known Mr. Morton as a friend and client for fifteen years. I believe he would be a very good choice for this position, as his knowledge/experience of local fisheries would benefit all small businesses related to the fishing industry in Mono County.

Mr. Morton has an open mind, but is not afraid to bring forth new ideas. A vital trait needed in todays changing atmosphere regarding the future of trout in regions that they are not native to.

Don Morton has gigantic reserves of energy, and a friendly personality.
I implore you to consider him for this position.

Sincerely, Tom Loe
Sierra Drifters Guide Service
1645 Crowley Lake Drive
Mammoth Lakes, CA 93546
760-935-4250

**MONO COUNTY
APPLICATION FOR APPOINTMENT
TO BOARDS/COMMISSIONS/COMMITTEES**



DATE JEFF PARKER
NAME 06-23-14

POSITION APPLIED FOR:

MONO COUNTY FISHERIES COMMISSION

RESIDENCE ADDRESS 326 JUNIPER, UNIT B
CROWLEY LAKE, CA 93546
PHONE 760 935 4879

BUSINESS ADDRESS N/A

PHONE

OCCUPATION

How did you learn of the opening? LOCAL MEDIA, TIM KING

Please state briefly any experience of which you feel will be helpful when you serve in this appointment: I HAVE FISHED IN MONO COUNTY FOR OVER 50 YEARS. I'M A CATCH AND RELEASE FLY FISHERMAN. I'M A PROFESSIONAL GUIDE, NOT CURRENTLY PRACTISING.

Other information may be submitted by resume if desired.

Summary of background and skills: I HAVE WORKED IN LOCAL RESORTS FOR THE LAST 30 YEARS, HAVE LISTENED TO WHAT THE TOURIST FISHERMEN WOULD LIKE TO EXPERIENCE. I FEEL I CAN GIVE VALUABLE INPUT TO INCREASE THE FISHING EXPERIENCE IN LOCAL WATERS.

Professional experience: RESORT WORKER FOR ALMOST
30 YEARS. PROFESSIONAL GUIDE, OFF AND ON,
SINCE THE MID-1990'S. I HAVE ASSISTED
CALIFORNIA D.F.W. WITH STOCKING TROUT,
AS WELL AS TIM ALPERS.

Education: SOME COLLEGE, NO DEGREE.

Professional and/or community organizations: I'VE RECENTLY RETIRED,
THIS WOULD BE MY FIRST.

Personal interests and hobbies: FLYFISHING, LOCAL HISTORY,
MY GRAND PARENTS, TOM & HAZEL YERBY, FOUNDED
TOM'S PLACE IN 1923 - I'M WRITING THEIR STORY.

Have you ever been convicted of a felony, which would disqualify you from appointment? If you are appointed and cannot be bonded as required, your appointment will be revoked. NO.

If you desire a personal interview or wish to address the Board, you may contact the Board of Supervisor's Office directly at (760) 932-5533.

Please return application to:

Clerk of the Board
County of Mono
P. O. Box 715
Bridgeport, CA 93517



Signature

06-23-14

Date



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Board of Supervisors

TIME REQUIRED 10 minutes (5 minute presentation; 5 minute Board discussion)

PERSONS APPEARING BEFORE THE BOARD Marshall Rudolph

SUBJECT Caltrans MOU Amendment

AGENDA DESCRIPTION:

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

Proposed Fifth Amendment of the Conway Ranch Memorandum of Understanding (MOU) between the County and Caltrans. Said amendment would extend certain deadlines for implementing MOU provisions.

RECOMMENDED ACTION:

Approve County entry into Fifth Amendment of the Conway Ranch MOU, and authorize Board Chair to sign said Fifth Amendment on behalf of the County.

FISCAL IMPACT:

None (as a result of this amendment).

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

- [staff report re MOU amendment](#)
- [MOU Fifth amendment](#)
- [Caltrans MOU](#)
- [Caltrans MOU Fourth Amendment](#)

History

Time	Who	Approval
8/14/2014 7:59 AM	County Administrative Office	Yes
8/14/2014 10:39 AM	County Counsel	Yes
8/14/2014 9:25 AM	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: August 19, 2014

RE: Proposed Fifth Amendment of Conway Ranch MOU with Caltrans

Recommendation:

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

Fiscal/Mandates Impact:

None as a result of this amendment.

Discussion:

As the Board is aware, the County is currently in the process of effectuating the requirements of an MOU with Caltrans, a copy of which is enclosed for reference. The MOU has previously been amended in order to extend the deadline for implementation of MOU requirements and, most recently, to address an issue that arose pertaining to lot B in the Conway Ranch subdivision (APN 019-210-060).

While considerable progress has been made toward implementation of the MOU, more time is necessary. In addition, it has come to our attention that there are certain encroachments (trespasses) on County property within the Conway Ranch subdivision portion of the property, which will need to be resolved before that portion of the property can be included in a conservation easement. As a result, it is proposed to accomplish the conservation easement in two phases: the first phase would involve all portions of the property other than the area in the subdivision with encroachment issues; the second phase would involve that subdivision area, after the encroachment issues have been resolved.

The proposed MOU would effectuate the phasing concept and would extend the deadline for implementation of MOU provisions with respect to phase one until December 1, 2014, and would extend the deadline for implementation of MOU provisions with respect to phase two until July 1, 2015.

Note: the version of the MOU amendment in the Board packet is still under review by Caltrans. Preliminarily, Caltrans has indicated that it would prefer to develop a more precise description of the phase two property for purposes of the amendment, and I will endeavor to do so. Accordingly, it is possible that I will be bringing a slightly revised "final" version of the amendment to the Board meeting.

If you have any questions, please feel free to call me at (760) 924-1707.

Encl.

FIFTH AMENDMENT OF THE CONWAY RANCH MOU

THIS FIFTH AMENDMENT OF the Conway Ranch Memorandum of Understanding (FIFTH AMENDMENT) is ENTERED INTO as of August 19, 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 amendments of the MOU, the deadline for implementation of the provisions of the MOU was extended until September 1, 2014. The parties also amended the MOU to address an issue that arose pertaining to lot B in the Conway Ranch subdivision (APN 019-210-060).
3. While considerable progress has been made toward implementation of the MOU, more time is necessary. In addition, it has come to the parties' attention that there are certain encroachments (trespasses) on County property within the Conway Ranch subdivision portion of the property, which will need to be resolved before that portion of the property can be included in a conservation easement. As a result, the parties have decided to accomplish the conservation easement in two phases: the first phase would involve all portions of the property other than the area in the subdivision with encroachment issues; the second phase would involve that subdivision area, after the encroachment issues have been resolved.
4. Through this fifth amendment, the parties wish to address the phasing issue and to extend the deadline for implementation of MOU provisions with respect to phase one until December 1, 2014, and to extend the deadline for implementation of MOU provisions with respect to phase two until July 1, 2015.

IT IS THEREFORE MUTUALLY AGREED

1. The first paragraph of the "Roles and Responsibilities" portion of the MOU is revised to read as follows:

"As a condition of approval by Caltrans for the removal of 75 acres plus Lot B 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), which may be accomplished in two phases in order to allow the County time to resolve certain encroachment (trespass) issues in the Conway Ranch subdivision portion of the property. Specifically, phase one shall consist of the entire property with the exception of that subdivision portion with encroachment issues (the precise description of which shall be mutually-developed by and agreeable to the parties); and phase two shall consist of that subdivision portion that was not included in phase one. Note: Lot B will not be included in either phase. For purposes of satisfying the aforementioned condition of approval (with respect to both phases), 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.

(Note: although not mandated by Caltrans or by the foregoing language, Mono County’s present intention is to include the 75 acres within the *Conservation Easement*, with specific provisions applicable only to that area).”

2. The last sentence of the paragraph in the “Roles and Responsibilities” portion of the MOU that begins with “Caltrans will fund half of the cost . . .” is amended to read as follows: “Funding of the entire Stewardship Fund shall occur within 30 days after recording of the *Conservation Easement* with respect to the phase one portion of the property (and no further Stewardship Fund funding shall be required after recording of a subsequent document extending the *Conservation Easement* to the phase two portion of the property).”
3. The paragraph of the “Roles and Responsibilities” portion of the MOU that begins with “The existing *Agreement Declaring Restrictive Covenants . . .*” is amended in its entirety to read as follows:

“The existing *Agreement Declaring Restrictive Covenants* and/or the underlying grant agreements will be amended to change the legal description of the real property encumbered by said agreements (in order to exclude the 75-acre portion and Lot B). Said amendment will be recorded or otherwise effectuated on the same day or prior to the recording of the *Conservation Easement* with respect to the phase one portion of the property.”
4. The second sentence of the last paragraph of the Roles and Responsibilities portion of the MOU is amended in its entirety to read as follows: “The parties have until December 1, 2014, to implement all provisions of this MOU with respect to phase one; and the parties have until July 1, 2015, to implement all provisions of this MOU with respect to phase two. See discussion above regarding phasing of the conservation easement.”
5. All other terms and conditions of the MOU not hereby amended remain in full force and effect and are hereby incorporated by reference and reaffirmed by the parties.

EXECUTION

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

Mono County

Approved as to form:

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

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:

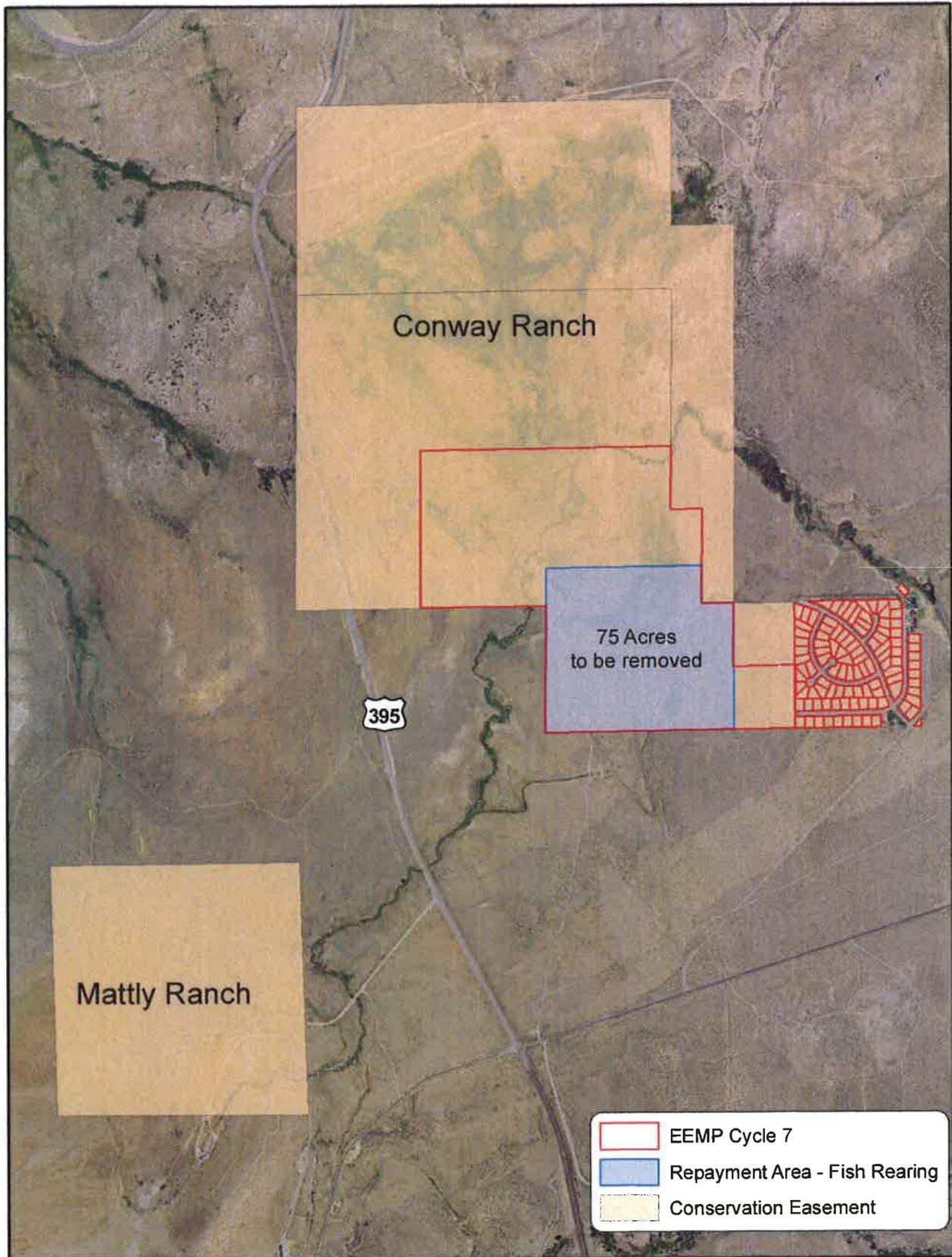

Marshall Rudolph, County Counsel

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

FOURTH AMENDMENT OF THE CONWAY RANCH MOU

THIS FOURTH AMENDMENT OF the Conway Ranch Memorandum of Understanding (FOURTH AMENDMENT) is ENTERED INTO as of July 15, 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 amendments of the MOU, the deadline for implementation of the provisions of the MOU was extended until September 1, 2014. Meanwhile, an issue has arisen between the parties that they wish to incorporate into the MOU through this amendment, pertaining to lot B in the Conway Ranch subdivision (APN 019-210-060).

IT IS THEREFORE MUTUALLY AGREED

1. The following paragraph is added to the end of the "Recitals" portion of the MOU:

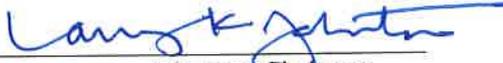
"In addition to and notwithstanding the foregoing, the parties have agreed to include Lot B with the 75 acres to be removed from the delineated grant area thereby freeing Lot B from current restrictions."

2. The first sentence of the paragraph in the "Roles and Responsibilities" portion of the MOU that begins with "The cost of repayment for the 75 acres . . ." (previously the fourth paragraph) is amended to read as follows: "The cost of repayment for the 75 acres and Lot B of the Conway Ranch that includes the fish rearing portion is \$96,761.50."
3. The first sentence of the paragraph in the "Roles and Responsibilities" portion of the MOU that begins with "Caltrans will fund half of the cost . . ." (previously the fifth paragraph) is amended to read as follows: "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 \$96,761.50 due to Caltrans, thereby reducing the amount payable to Caltrans to \$79,261.50."
4. The first sentence of the paragraph in the "Roles and Responsibilities" portion of the MOU that begins with "The existing *Agreement Declaring Restrictive Covenants* . . ." (previously the sixth paragraph) is amended to read as follows: "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 and Lot B)."
5. Exhibit A of the Agreement will be modified to identify Lot B to be released.
6. All other terms and conditions of the MOU not hereby amended remain in full force and effect and are hereby incorporated by reference and reaffirmed by the parties.

EXECUTION

The parties have executed and entered into this Fourth 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: 7/18/14



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 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, 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

8/6/2014 2:40 PM	County Administrative Office	Yes
8/13/2014 6:00 PM	County Counsel	Yes
7/31/2014 11:14 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 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: Madrid v. County of Mono 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:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
8/14/2014 8:00 AM	County Administrative Office	Yes
8/14/2014 10:23 AM	County Counsel	Yes
8/14/2014 9:24 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 19, 2014

Departments: Board of Supervisors

TIME REQUIRED 40 minutes (20 minute presentation;
20 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Shannon Ciotti, Bruce Woodworth

SUBJECT Overview of Analysis Made by the
RCD Consultants Regarding the
Potential for Water Right Holders

AGENDA DESCRIPTION:

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

A brief summary of the Feasibility Assessment of Participation in a Water Transactions Program, Walker Basin, California will be presented. This item is being sponsored by Supervisor Fesko.

RECOMMENDED ACTION:

None. Informational only.

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

- [RCD Staff](#)
- [power point presentation](#)
- [executive summary](#)

History

Time	Who	Approval
8/13/2014 1:09 PM	County Administrative Office	Yes
7/31/2014 5:08 PM	County Counsel	Yes
8/12/2014 11:34 AM	Finance	Yes

Shannon Peterson Ciotti, LLC
11210 Camjen Lane
Auburn, CA 95603
541-973-5608
shannontpeterson@gmail.com

The Honorable Board of Supervisors
County of Mono
P.O. Box 715
Bridgeport, CA 93517

Date: June 23, 2013

To: Honorable Board of Supervisors

From: Shannon Peterson Ciotti, LLC
In conjunction with the Mono County Resource Conservation District

Subject: An overview of Analysis made by RCD consultants regarding the potential for water right holders in the Walker River Basin to sell or lease surface water to the National Fish and Wildlife Foundation (NFWF).

Description

Shannon Ciotti and Bruce Woodworth will present a brief summary of the Feasibility Assessment of Participation in a Water Transactions Program, Walker Basin, California. The RCD commissioned the analysis to provide information related to consideration of participation in the National Fish and Wildlife Foundation's water transactions program, which is currently active in Nevada through the Walker Basin Restoration Program. A draft report was released at the end of June, and the RCD is currently soliciting comments on the report.

Recommended Action

None; Informational only.

Fiscal Impact to the County

None.

Feasibility Assessment of a Water Transactions Program
in the Walker River Basin, California

DRAFT FINDINGS

Presentation to the Mono County Board of Supervisors

August 12, 2014

Shannon Peterson Ciotti & Partners

Feasibility Assessment of a Water Transactions Program in the Walker River Basin, California

PURPOSE

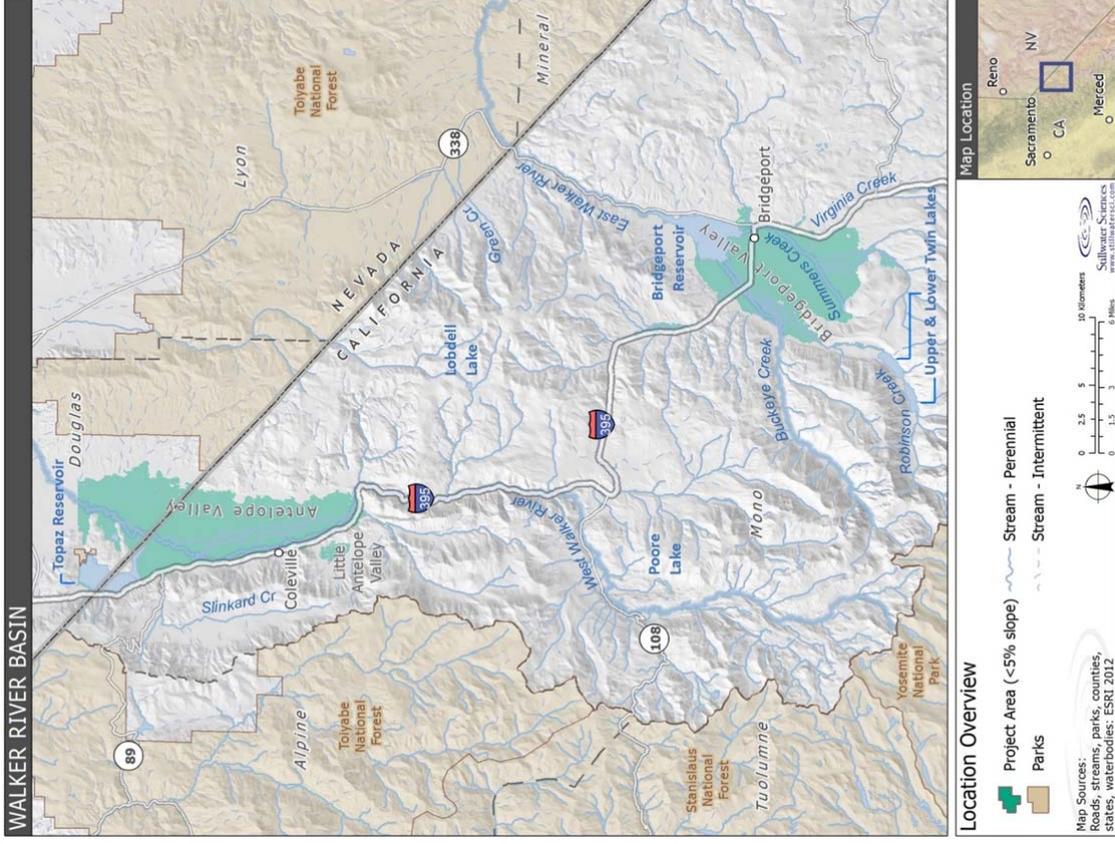
An analysis of the feasibility of water transactions on the California side of the Walker Basin, providing the Resource Conservation District with objective information to assist in discussion surrounding potential participation in the water transactions component of the Walker Basin Restoration Program.

TEAM

Shannon Ciotti	
Bruce Aylward:	Ecosystem Economics LLC
Amy Merrill:	Stillwater Sciences
Debbie Leonard:	McDonald, Carano Wilson
Greg Young:	Tully & Young Comprehensive Water Planning

Irrigation / Transaction Scenarios

1. Full season dryland.
No irrigation on specific acreage for the entire season.
2. Partial year – Early season following.
No irrigation before June 1.
3. Partial year – Late season following.
No irrigation after July 1.
4. Reduced irrigation throughout the season.
5. Release of storage water for instream flows,
just after the end of the irrigation season



Methods to Calculate Potential Water Savings

Net Irrigation Water Requirement NIWR

- Evapotranspiration minus Precipitation (*simplified*)
- Generally accepted method to determine consumptive use of irrigation water, and thus water available for transactions

Irrigation Water Budget Model IWBM

- Determines what portion of evapotranspiration is from
 - direct irrigation diversions
 - storage water irrigation
 - pumped groundwater irrigation
 - precipitation
 - water stored in the ground (*some incomplete information*)
- Developed by Ecosystem Economics in response to concerns about return flow and subirrigation not being fully accounted
- More conservative estimate of potential water savings

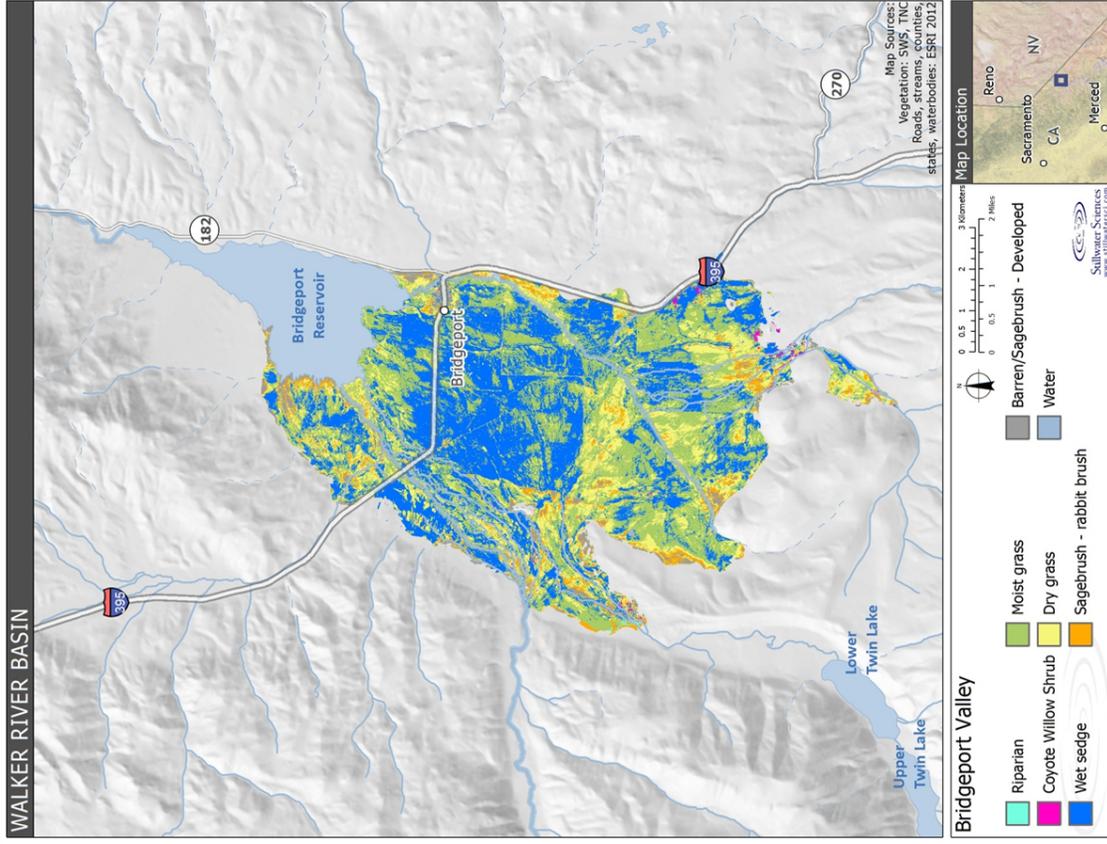
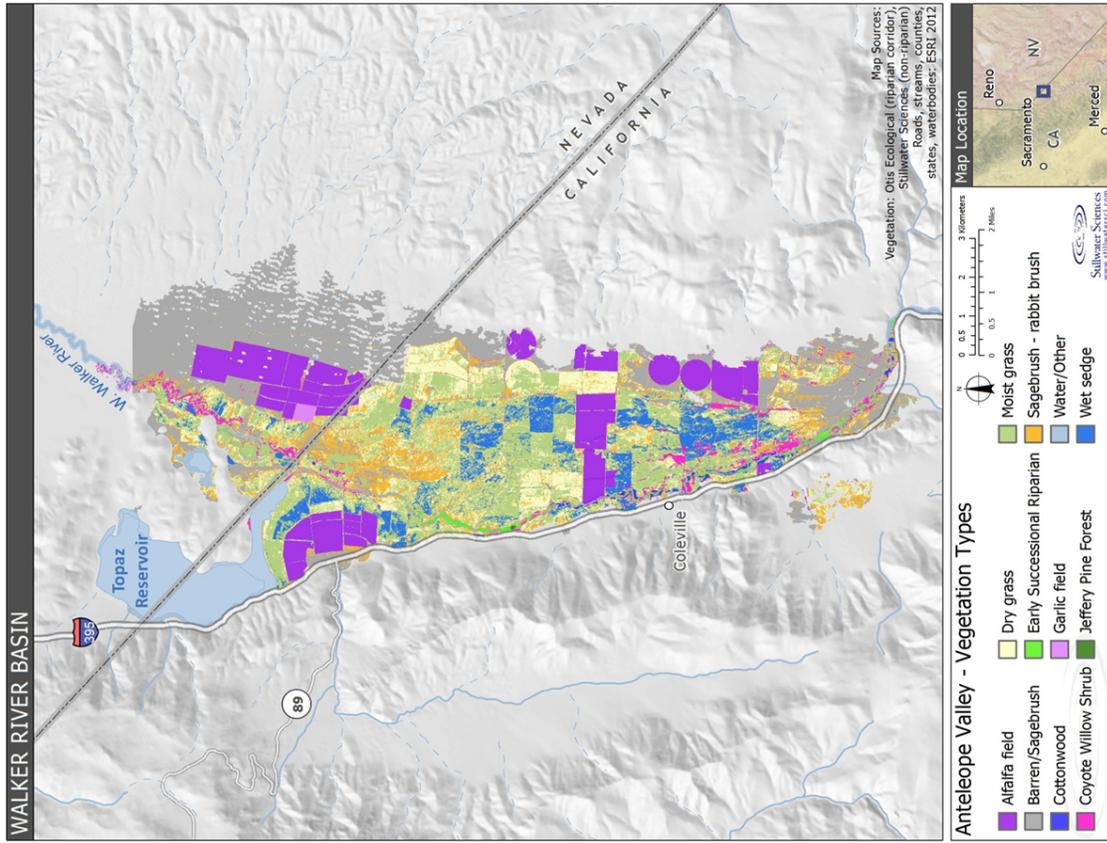
Potential Water Savings

Based on both NIWR and IWBM

Transaction Type (all figures in ft of ET)	DRI - METRIC Analysis						Irrigation Water Budget Model					
	Net Irrigation Water Requirement						Antelope Valley			Bridgeport Valley		
	Antelope Valley		Bridgeport Valley		Decree Only		All Sources*		All Sources*		Decree Only	
	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
Full Year - Temporary	3.1	3.5	3	3.3	2.1	3.2	1.7	3	1.5	1.9	1.3	1.7
Full Year - Permanent	1.6	2	1.4	1.5	3.2	3.7	2.8	3.5	3.3	3.7	3.2	3.6
Partial Year - Late Season	0.8	0.9	1.0	1.1	0.3	0.9	1.4	1.1	0.4	0.6	0.4	0.7
Temporary Full Year Reduction	0.4	0.4	0.3	0.3	1.1	1.3	1.3	0.4	0.4	0.4	0.4	0.4

**All sources do not include water table / groundwater for temporary transactions but do include this for permanent transactions*

Vegetation Types



Vegetation Response

SCENARIO	ALFALFA RESPONSE	PASTURE RESPONSE	
		ANTELOPE	BRIDGEPORT
1 Dryland	Severe yield reduction, to under 2 tons per acre. Only viable with reseeded to dryland cultivars.	Conversion from moist grass to dry grass species. 75% reduction in production. Highest impact in late season.	If groundwater levels fall significantly, 75% reduction in production, but effects may be felt over a larger area of the Valley than in Antelope. If groundwater levels are naturally higher, then there may be a lesser reduction (25%-40%)
2 No irrigation before June 1	Significant yield reduction during the most productive part of the season. 1 st cutting at half or less of normal levels.	Potentially minimal drop in production, assuming winter / spring precip. Difficult to implement with timing needed to deliver water to all fields.	Minimal impact.
3 No irrigation after July 1	Recommended management for water savings. Yield estimated at least 80% of full irrigation.	Reduced forage production for 1-2 years, but could then return close to existing levels. Sandy soils would be more impacted in late season.	Reduced forage production for 1-2 years, but could then return close to existing levels.
4 Reduced irrigation throughout the season	Similar impacts as Scenario 3.	Similar impacts as Scenario 3.	Similar impacts as Scenario 3.
5 Storage releases	No impacts unless tied to an actual reduction in water applied to the fields.	No impacts unless tied to an actual reduction in water applied to the fields.	No impacts unless tied to an actual reduction in water applied to the fields.

Habitat Response



Photo: Ting / USFWS

Net Financial Benefits (calculated using NIWR water savings)

Transaction	Payments (\$/acre)		Opportunity Costs (\$/acre)				Net Benefits (\$/acre)		
	Antelope	Bridgeport	Antelope	Bridgeport		Antelope		Bridgeport	
			Alfalfa	Pasture	Pasture	Alfalfa	Pasture	Pasture	
Permanent Transaction (\$/acre)									
Full Season Purchase - Decree	\$6,012	\$5,688	- \$8,579	- \$845	- \$856	-\$2,567	\$5,167	\$4,832	
Purchase - Storage Water		(\$1,500/AF)							
Single Year Transaction (\$/acre/yr)									
Full Season Lease	\$361	\$341	- \$784	- \$42	- \$42	- \$423	\$319	\$299	
Partial Year Lease – Late Season	\$199	\$157	- \$229	- \$8	- \$4	- \$30	\$191	\$143	
Partial Year Lease – Early Season	\$98	\$110							
Temporary Full Year Reduction	\$86	\$32							
Storage		(\$90/AF)							

Net Financial Benefits (calculated using IWBW water savings)

Transaction	Payments (\$/acre)		Opportunity Costs (\$/acre)				Net Benefits (\$/acre)	
	Antelope	Bridgeport	Antelope		Bridgeport		Antelope	
			Alfalfa	Pasture	Alfalfa	Pasture	Alfalfa	Pasture
Permanent Transaction (\$/acre)								
Full Season Purchase - Decree	\$5,670	\$6,120	- \$8,579	- \$845	- \$856	-\$2,909	\$4,825	\$5,264
Purchase - Storage Water		(\$1,500/AF)						
Single Year Transaction (\$/acre/yr)								
Full Season Lease	\$254	\$162	- \$784	- \$42	- \$42	-\$530	\$212	\$120
Partial Year Lease – Late Season	\$92	\$59	- \$229	- \$8	- \$4	-\$137	\$84	\$55
Partial Year Lease – Early Season	\$108	\$70						
Temporary Full Year Reduction	\$86	\$32						
Storage		(\$90/AF)						

Legal Framework

Legal Mechanism	Initial Step	Benefit and Burden	Time
Decree	Petition Decree Court directly under its “exclusive jurisdiction” over interstate transfers to dedicate water for instream beneficial uses under the identified adjudicated water right	Decree Court sanction of dedication. Significant procedural action to modify decree.	9 months to 1.5 year to complete
Forbearance	Engage water user and downstream users to forbear from using water.	Must engage a large number of potential diverters in order to secure water for desired objectives	3 months to 3 years to complete (if there are protracted negotiations with multiple landowners)
Water Code §1707	File petition with SWRCB in order to dedicate a water right to instream purposes	Decree Court would still need to modify the decree in order for 1707 right to be protected.	2 to 5 years to complete
Water Code §1435	File petition with SWRCB for a temporary urgency change.	Under Decree Court Rules and Regs, temporary change must be ratified by the Decree Court.	6 months based on decree court requirements
Water Code §1725	File petition with the SWRCB to dedicate water for instream purposes	Temporary change must be ratified by the decree court	6 months based on decree court requirements
Water Code §1736	File petition with the SWRCB to dedicate existing water right for instream purposes	Permanent change must be ratified by the decree court	2 to 5 years

Other Considerations

- CEQA
- ESA

Potential Impacts to Consider

- 1) Maintain agricultural land use for economic base, open space, and rural character of the region
- 2) Maintain scenic qualities and aesthetic character of the region
- 3) Protect habitat values and species of concern
 - vegetation • wildlife • fisheries •
- 4) Protect wetland values
- 5) Protect groundwater resources
- 6) Maintain economic stability for individuals and communities:
 - property taxes • recreational economic benefits •
- 7) Protect cultural resources
- 8) Protect other water users from detrimental impacts of water transactions:
 - continued water delivery • noxious weeds
- 9) Transferring water across state lines
- 10) Conflict with existing conservation plans

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FEASIBILITY ASSESSMENT OF A WATER TRANSACTION PROGRAM IN THE WALKER RIVER BASIN, CALIFORNIA

EXECUTIVE SUMMARY

This report was prepared for the Resource Conservation District (RCD) of Mono County. The RCD is spearheading an effort to conduct an analysis of the potential impacts of water transactions in the California side of the Walker Basin. Our primary goal was to provide the RCD with objective information to assist in the County's discussion surrounding potential participation in the water transactions component of the Walker Basin Restoration Program. The analysis of outcomes is driven by a set of three potential objectives for water transactions in Mono County:

- Objective 1: *Provide water to the state line for delivery to Walker Lake.*
- Objective 2: *Improve productivity for fish and wildlife in area waterways.*
- Objective 3: *Improve, or minimize, impacts on pasture and crop productivity.*

The team approached the analysis through a series of interrelated tasks.

- Task 1. Determine and map current water use throughout the Walker Basin within Mono County.
- Task 2. Water Flow and consumptive use analysis.
- Task 3. Determine potential impacts on agricultural productivity and habitat conditions.
- Task 4. Determine potential economic impacts to both individual landowners and the community.
- Task 5. Identify options to minimize and mitigate for impacts of concern.
- Task 6. Complete an alternatives analysis to determine the most viable options for water transactions.
- Task 7. Determine the legal and procedural approaches related to implementation of a water transactions program

As described in Sections 2 and 3, the geographic scope of this study covers all irrigated ground in the Mono County portion of the Walker Basin, as well as waterways that may be affected by transactions. For purposes of the quantitative models used, the scope was limited to the Antelope and Bridgeport Valley floors. Antelope Valley was divided into "Hydrologic Response Units" based on what ground receives irrigation from which diversion point. Bridgeport was treated as a single valley unit. The Team selected five water transaction scenarios on which to focus further study. The scenarios were selected based on potential for quantifiable water savings and expressed irrigator interests. The selected transaction scenarios are not the only ones that might apply to the Mono County portion of the Walker Basin, but were modeled by the Team to quantify water savings, agricultural productivity changes, habitat impacts, economic considerations, and legal and procedural pathways.

The water transaction scenarios chosen were:

1. Full season dryland.
No irrigation on specific acreage for the entire season.
2. Partial year – Early season following.
No irrigation before June 1. Ground receives normal irrigation after June 1.
3. Partial year – Late season following.
Ground receives normal irrigation until July 1. No irrigation after July 1.

4. Reduced irrigation throughout the season.
The intent behind this transaction approach is to approximate deficit irrigation ... where only the minimum water needed is applied. As this is very site-specific management, it was difficult to model for water savings and production impacts with the given information. Instead, the team looked at irrigating during a normal or wet year, but using only as much water as was normally available in a dry year.

5. Release of storage water for instream flows.
Storage water is released but remains instream. While there is potential for storage releases at any time needed, the Team considered the most straightforward approach; releasing water just after the end of the irrigation season.

For each of transaction scenarios the Team considered:

- Geographic location within Bridgeport Valley or Antelope Valley Hydrologic Response Unit.
- Type of land use, including pasture, alfalfa, crop or non-agricultural.
- Spatial extent of the transaction, including 100%, 50%, or 20% of ground within the model.
- Time frame of the transaction, including 1 year, 5 year, or permanent agreements.
- Water year type, identified as dry, normal, or wet. For modeling purposes 2002 is used as the sample dry year, 2010 as the sample normal year, and 2005 as the sample wet year. This selection was made because overall availability of evapotranspiration, flow, and diversion data was best for these recent years.

Not all of these situations were explicitly modeled for every Task, as they were dependent on information available. However, all situations were considered in the overall analysis. Findings of note are outlined below.

WATER AVAILABILITY FROM CONSUMPTIVE USE SAVINGS

Consumptive use savings were calculated with two different approaches. The first is the standard accepted method of Net Irrigation Water Requirement (NIWR), which is determined by evapotranspiration minus precipitation. This is the typically accepted approach, and is used in Nevada to determine water quantities available for water transactions. Due to concerns about subirrigation from shallow groundwater, Ecosystem Economics developed an Irrigation Water Budget Model to account for shallow groundwater contribution to evapotranspiration.

Summary of water savings based on METRIC NIWR Results and Irrigation Water Budget Results for Irrigation and Decree Sources for Decree Rights

(all figures in ft of ET) Transaction Type	DRI - METRIC Analysis				Irrigation Water Budget Model							
	Net Irrigation Water Requirement				Antelope Valley				Bridgeport Valley			
	Antelope Valley		Bridgeport Valley		All Sources*		Decree Only		All Sources*		Decree Only	
	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
Full Year - Temporary	3.1	3.5	3	3.3	2.1	3.2	1.7	3	1.5	1.9	1.3	1.7
Full Year - Permanent					3.2	3.7	2.8	3.5	3.3	3.7	3.2	3.6
Partial Year - Late Season	1.6	2	1.4	1.5			0.3	1.4			0.4	0.7
Partial Year - Early Season	0.8	0.9	1.0	1.1			0.9	1.1			0.6	0.7
Temporary Full Year Reduction	0.4		0.3		1.1		1.3		0.4		0.4	

**All sources do not include water table / groundwater for temporary transactions but do include this for permanent transactions*

VEGETATION RESPONSE TO WATER TRANSACTIONS

Potential environmental impacts of a water transactions program in Antelope and Bridgeport Valleys are described in this report. Overall, a scarcity of quantitative information limited the degree to which conclusions could be made; however, we outline basic comparisons among potential water transaction scenarios and their associated potential impacts. An existing general vegetation map of the West Walker River riparian corridor was expanded upon and combined with field survey and other information to develop a description and map of local vegetation types in Antelope and Bridgeport Valleys. A conceptual model that articulates linkages among surface water, groundwater, crop production, natural vegetation, fisheries, and wildlife was used to direct this assessment. For either all or part of Antelope Valley and for all of Bridgeport Valley, potential impacts associated with five water transaction scenarios are considered: (1) no irrigation for full season; (2) late summer reduction in irrigation (July 1); (3) no irrigation until June 1; (4) reduced irrigation throughout the irrigation season; and (5) end of season storage water release.

Alfalfa is grown in roughly one-fifth of the irrigated area in Antelope Valley and therefore is an important agricultural crop in this area. Both Antelope and Bridgeport Valleys include grazing pastureland, which cover over 80% of Bridgeport Valley and approximately 60% of Antelope Valley. Garlic is also grown on a small portion of Antelope Valley. Water transaction scenarios that suspend irrigation of existing alfalfa stands in Antelope Valley would have significant impacts to overall production rates, cutting production yields to less than two tons/ac per season. Conversion to alfalfa cultivars specific to dryland cultivation would be recommended for alfalfa production under this scenario. Of the twelve areas within Antelope Valley that share an irrigation ditch, those dependent upon Big Slough for irrigation include the greatest amount of land supporting alfalfa production and therefore implementing this transaction scenario to this part of Antelope Valley would result in the greatest negative impact to alfalfa production. Delaying irrigation until after June 1 would have a similarly large effect on alfalfa production since this would sharply impact the first and usually largest cut of the season. Although halting irrigation following July 1 could also reduce alfalfa production, production under this scenario could still be roughly 80% of current levels. This is the recommended approach for alfalfa and is already applied in other regions. Scenario 4 (reduced irrigation throughout season) would have impacts similar to halting irrigation as of July 1, and end of season water releases would be expected to have no impact on alfalfa production.

Under Scenario 1 (no irrigation), forage production is expected to decrease substantially in both valleys. While impacts to forage production in Bridgeport Valley could be important, large uncertainties regarding near-surface groundwater levels and the degree of natural sub-irrigation without diversions make it difficult to determine if there would be significant impacts to pasture production in this valley. Within Antelope Valley, pastures irrigated by Big Slough, Swauger, and Rickey and Private would experience the impact on production. Proportionally, areas irrigated by West Goodenough & Harney, Swauger, Powell, and Alkali would be most impacted. Shutting off irrigation on July 1 (Scenario 2) could reduce forage production for the first one to two years, but given appropriate weed and grazing management, production could return to existing levels, or close to it, within several years of ongoing management. Delaying irrigation until June 1 could have a small impact on forage production in Antelope Valley, but these effects could vary depending upon fall precipitation and temperature. Forage production is not expected to be impacted in Bridgeport Valley if irrigation is delayed until June 1. As with alfalfa, Scenario 4 (reduced irrigation throughout season) impacts would be similar to those described for Scenario 2, and water releases after the growing season (Scenario 4) would have no impact on forage production.

Potential impacts of the water transaction scenarios to existing natural vegetation overlap with the pastureland assessment because many of these areas are the same. Thus, the density, above ground production, and native forb diversity could be impacted in moist grasslands found in both Antelope and Bridgeport Valleys. Smaller impacts to dry grass vegetation found within and separate from areas supporting sagebrush are expected to occur for irrigated areas or areas adjacent to irrigated lands. Several sensitive forb, grass, and moonwort plant species that could occur in the Study Area and that are associated with moist grass or sedge areas could be affected; however surveys have not been performed for these species so their actual occurrence in the Study Area is unknown. Coyote willow and Woods' rose also occurs along many irrigation canals, and in low, wet spots in both valleys. Reduced all-season and early-season irrigation could impact these shrub thickets. Native riparian vegetation along the West Walker River in Antelope Valley includes Fremont cottonwood and several different native willow tree and shrub species. Water transaction scenarios that increase channel flows in a way that is similar to the natural hydrograph could increase recruitment and survival of native cottonwood and willow trees along the riparian corridor. This could increase the density and species richness of the river area, and diversify the age structure of the riparian forests, which are currently skewed towards mature and senescent age classes of cottonwood and red willow.

HABITAT IMPACTS FROM WATER TRANSACTIONS

The wildlife impact assessment is closely tied to our understanding of potential impacts to natural vegetation as wildlife habitat. Antelope and Bridgeport Valleys could provide important habitat for many wildlife species, including the greater sage-grouse, yellow warbler, mule deer, pygmy rabbit, western white-tailed rabbit, and the American badger. Because the pygmy rabbit, western white-tailed rabbit, and American badger are all well adapted to dryland habitats, none of the water transaction scenarios are expected to negatively impact these species. Greater sage-grouse thrives in areas with a mixture of sagebrush, dry grass, and moist grass vegetation. It is hypothesized that an increase in the amount of interface between these vegetation types could positively affect greater sage-grouse, but the importance of this is unknown, as is the extent and distribution of any greater sage-grouse populations in the Study Area. Any assessment of potential effects on greater sage-grouse associated with changed vegetation in the valley bottoms would need to be centered upon the current distribution of greater sage-grouse in the valley(s). Only Scenario 1, implemented for multiple years, is expected to have a significant effect on the amount of interface between sagebrush and moist meadow vegetation. Other scenarios are expected to have negligible-to-minor effects on the greater sage-grouse that might occupy one or both valleys.

The yellow warbler also occurs in the Study Area and prefers open canopy or deciduous riparian forest and shrubs. Therefore, increases in willow and riparian forest cover that could occur with Scenario 1 and 3 (increased stream flows all or in the early part of the season) could positively affect yellow warbler. On the other hand, decreased extent of coyote willow in other parts of Bridgeport and Antelope Valleys with reduced early season irrigation could negatively affect yellow warbler habitat. Thus, the impacts could be mixed for this species. Mule deer, which have a varied diet that spans the vegetation types in both valleys, are not likely to be affected either way by any of the water transaction scenarios. Yosemite toad, Mt. Lyell salamander and Sierra Nevada yellow-legged frog were also considered in this assessment but determined not to have potential habitat within the Study Area.

The Walker River Basin in California currently supports both native and non-native fish species. Native fish species include Lahontan cutthroat trout and whitefish, as well as sucker, minnows and sculpin. Introduced fish species include brook, brown, and rainbow trout that have been planted in various lakes, reservoirs, and stream reaches for improved recreational fishing opportunities. Lahontan cutthroat trout occupy less than three percent of their historic range, which formerly included all or

most of the Walker River Basin, and are listed as threatened under the Endangered Species Act. Current populations in California are isolated in small headwater streams and do not overlap with the irrigated lower valleys. Thus, the water transaction scenarios are not expected to affect these existing populations of Lahontan cutthroat trout. However, non-native brown and rainbow trout do exist in the river reaches that flow through Antelope and Bridgeport Valleys and could benefit from increased early and late season flows that could occur under Scenario 1, and to a lesser degree, under Scenarios 2 and 3. These benefits to non-native trout are primarily associated with creating cooler stream temperatures due to increased instream flows during critical times of year. Most of the native fish in Antelope and Bridgeport Valleys are less sensitive to stream temperatures but could experience minor benefits from the water transactions due to reduced entrainment in diversions.

FINANCIAL NET BENEFITS FROM WATER TRANSACTIONS

Payment for an acre foot of water was based on NFWF’s 2014 Program Appraisal Report. Permanent purchase of diversion rights were set at \$1,800 /AF, and storage rights at \$1,500/AF. Lease rates for diversion rights were set at \$108/AF/year, and storage rights at \$90/AF/year

Financial Benefits from Water Sales and Leases, Using METRIC NIWR

Transaction	Price (\$/AF)	Water Not Consumed - NIWR in AF Available to Sell or Lease		Payments (\$/Acre)	
		Antelope Valley	Bridgeport	Antelope Valley	Bridgeport
Permanent Transaction (\$/AF)					
Full Season Purchase - Decree	\$1,800	3.34	3.16	\$6,012	\$5,688
Purchase - Storage Water	\$1,500				
Single Year Transaction (\$/AF/yr)					
Full Season Lease	\$108	3.34	3.16	\$361	\$341
Partial Year Lease - Late Season	\$108	1.84	1.45	\$199	\$157
Partial Year Lease - Early Season	\$108	0.91	1.02	\$98	\$110
Temporary Full Year Reduction	\$108	0.39	0.24	\$86	\$32
Storage	\$90				

Ecosystem Economics estimated the net income for landowners participating in water transactions, using both NIWR and Irrigation Water Budget Model estimates of water savings. Both approaches result in favorable benefits for all land uses, except alfalfa growers in Antelope.

Net Financial Benefits to Water Right Holders from Water Transactions; METRIC NIWR

Transaction	Payments (\$/acre)		Opportunity Costs (\$/acre)			Net Benefits (\$/acre)		
	Antelope	Bridge-port	Antelope		Bridge-port	Antelope		Bridge-port
			Alfalfa	Pasture	Pasture	Alfalfa	Pasture	Pasture
Permanent Transaction (\$/acre)								
Full Season Purchase – Decree Water	\$6,012	\$5,688	-\$8,579	-\$845	-\$856	-\$2,567	\$5,167	\$4,832
Purchase – Storage Water	(\$1,500/AF)							
Single Year Transaction (\$/acre/yr)								
Full Season Lease	\$361	\$341	-\$784	-\$42	-\$42	-\$423	\$319	\$299
Partial Year Lease - Late Season	\$199	\$157	-\$229	-\$8	-\$4	-\$30	\$191	\$153
Partial Year Lease – Early Season	\$98	\$110						
Temporary Full Year Reduction	\$86	\$32						
Storage	(\$90/AF)							

Net Financial Benefits to Water Right Holders from Water Transactions; Irrigation Water Budget Model

Transaction	Payments (\$/acre)		Opportunity Costs (\$/acre)			Net Benefits (\$/acre)		
	Antelope	Bridge-port	Antelope		Bridge-port	Antelope		Bridge-port
			Alfalfa	Pasture	Pasture	Alfalfa	Pasture	Pasture
Permanent Transaction (\$/acre)								
Full Season Purchase – Decree Water	\$5,670	\$6,120	-\$8,579	-\$845	-\$856	-\$2,909	\$4,825	\$5,264
Purchase – Storage Water	(\$1,500/AF)							
Single Year Transaction (\$/acre/yr)								
Full Season Lease	\$254	\$162	-\$784	-\$42	-\$42	-\$530	\$212	\$120
Partial Year Lease – Late Season	\$92	\$59	-\$229	-\$8	-\$4	-\$137	\$84	\$55
Partial Year Lease – Early Season	\$108	\$70						
Temporary Full Year Reduction	\$86	\$32						
Storage	(\$90/AF)							

With respect to potential fiscal impacts, the three primary ways water transactions have the potential to affect the local economy are through changes in a) local spending by landowners; and b) property taxes; and c) recreation/tourism associated with water-related amenities or aesthetics. With the exception of the general store in Bridgeport, personal communication and anecdotal evidence suggests that the majority of agriculture related purchases are made outside the County, often in Nevada, and that diesel is typically trucked up from Sacramento in order to comply with California standards. Thus, water transaction impacts on local spending is expected to be negligible. While full- or partial-season leases are unlikely to result in changes to property zoning or assessed property values, there may be that potential with permanent purchases; however, there are numerous considerations that have the potential to affect that result. Whether this would result in higher or lower taxes would depend on whether the property lost its agricultural deferral and the basis and rate for the tax calculations. Furthermore, while it might be expected that less value being generated might reduce taxes, experience in other jurisdictions suggests that tax policies are often designed to subsidize agricultural properties and therefore there is typically no decline in tax paid, and the tax paid potentially could even rise. It is generally believed that the majority of local water-related activities (e.g., fishing, boating, camping/hiking) could benefit indirectly as a result of increased instream flow associated with water transactions; however, the degree to which such indirect benefits may result in changes to recreational use patterns and/or associated local spending was outside the scope of this analysis. One caveat to assumption that the direction of impacts would generally be positive related to recreational activities occurring on small reservoirs (e.g., Twin Lakes), as there is concern that water transactions could result in decreased water levels in these reservoirs because of early recreation season releases for the benefit of Walker Lake. Leasing of storage water for delivery downstream to Nevada could be structured as releases at the end of the irrigation and recreation season to avoid this impact.

The basic analysis of the County-level economic impacts from a water transaction program, including the multiplier effect, concluded that given the a) “leaky” nature of county-level economics in general; b) evidence that many agricultural purchases and subsequent income expenditures by ranchers/farmers are done outside the County; and c) the assumption that farmers/ranchers would still be compensated if participating in a water transaction, it suggests that changes to the County-level economy are unlikely to be substantial.

ADDITIONAL SUPPORT FOR LANDOWNERS INVOLVED IN WATER TRANSACTIONS

Most water transactions will result in decreased irrigation to specific acres, which will reduce productivity. However, there may be other complementary changes in land, livestock, or crop management which could maintain productivity at higher levels than expected. The goal for any landowner participating in a water transaction program should be to reach maximum productivity with minimum water use. Some options include:

- Rotational grazing
- Transition from cow/calf pairs to steers
- Grass banking
- Dryland seeding
- Change in alfalfa cultivar
- Irrigation efficiency methods

There are a myriad of avenues for landowners to receive technical and financial support related to conservation-based management changes on their property. These programs, in addition to water transaction agreements, may help to offset costs related to productivity and management changes under reduced irrigation. Multiple programs or approaches can be bundled together to enable landowners to make changes they would like to see their property and offset some of the costs of those changes. These include a host of different programs under the Agricultural Act of 2014 (Farm Bill), conservation easements, and restoration grants.

While this analysis chose to focus on the five transaction scenarios described for modeling purposes, there are a host of other transaction options that may be beneficial in the area of interest. These may not all fit the goals of the NFWF Walker Basin Restoration Program, but there are opportunities to find funding from other sources to complete transactions.

1. Change in point of diversion in order to decrease delivery losses, or increase stream flow in a critical stream reach.
2. Improve efficiency at the diversion point, in conveyance to the irrigation location, or on-field.
3. Minimum flow agreements, where irrigators agree to not divert after streamflow reaches a specified low flow level.
4. Rotational sharing, where multiple water users on the same system could coordinate their irrigation practices in a way that would either use less water, or divert less water at any one time.
5. A change in crop type between pasture / alfalfa / hay / or other crops.
6. Instream flow water right donations. While still in the early stages, there is increasing interest in tax deductions given for water right donations. In some cases the IRS has allowed the value of such donations to be deducted for tax purposes.
7. Water trading or water banking.

LEGAL FRAMEWORK FOR TRANSFER OF CALIFORNIA WALKER RIVER WATER RIGHTS

Before any transaction can move forward in the California portion of the Basin, two other activities need to be complete:

1. CEQA must be completed, either through the County or NFWF. Parties may wish to explore opportunities for exemptions from CEQA, though this is unlikely.
2. A Section 7 ESA Consultation on the effects to listed or candidate species and their habitat must occur. NFWF is recommended as the lead agent on the Consultation.

The greatest legal obstacles that the proposed water transfers program may confront can be narrowed to essentially three related issues: time for regulatory and court approvals, transaction costs to secure those approvals and the no-injury rule. Additionally, the interstate nature of the proposed transfers adds another layer of legal complexity. Transaction parties will need to assure that there is no injury to other users, primarily that the amount of water protected instream is the real consumptive use savings. The Decree Court has jurisdiction over changes to decree water rights, and is likely to request recommendations from both the California State Water Resources Control Board and the Nevada State Engineer. As such, if the Decree Court's approval is required, there may be an extended time period before the transaction is finalized.

The chart below can be used to help identify the appropriate legal mechanism to use under various transaction conditions.

Legal mechanisms applicable to water transactions in the Mono County portion of the Walker Basin

Legal Mechanism	Initial Step	Benefit and Burden	Time
Decree	Petition Decree Court directly under its “exclusive jurisdiction” over interstate transfers to dedicate water for instream beneficial uses under the identified adjudicated water right	Decree Court sanction of dedication. Significant procedural action to modify decree.	9 months to 1.5 year to complete
Forbearance	Engage water user and downstream users to forbear from using water.	Must engage a large number of potential diverters in order to secure water for desired objectives	3 months to 3 years to complete (if there are protracted negotiations with multiple landowners)
Water Code §1707	File petition with SWRCB in order to dedicate a water right to instream purposes	Decree Court would still need to modify the decree in order for 1707 right to be protected.	2 to 5 years to complete
Water Code §1435	File petition with SWRCB for a temporary urgency change.	Under Decree Court Rules and Regs, temporary change must be ratified by the Decree Court.	6 months based on decree court requirements
Water Code §1725	File petition with the SWRCB to dedicate water for instream purposes	Temporary change must be ratified by the decree court	6 months based on decree court requirements
Water Code §1736	File petition with the SWRCB to dedicate existing water right for instream purposes	Permanent change must be ratified by the decree court	2 to 5 years

POTENTIAL IMPACTS OF CONCERN TO MONO COUNTY

Based on the analysis and interviews completed as part of this study, we have identified potential impacts which may be in conflict with policies and goals identified in the Mono County General Plan, and considerations to mitigate for or minimize the negative effects. Please note that this includes concerns that residents and County officials raised in conversation, even if the Assessment did not explicitly study them. It is important to note that for many of these concerns there are regulations in place that would already provide protection, including under California water law, the Walker River Decree, and existing County policies. This discussion presents ideas for the County to consider based on information gathered, but by no means intends to convey that these are all certain impacts, or that all or any of the mitigation or minimization steps are necessary for a functional program.

Potential Impacts of Concern	Recommendations to Minimize or Mitigate for Impacts
Maintain agricultural land use for economic base, open space, and rural character of the region.	Mono County has guidelines in place limiting parcel sizes and requiring extensive processes to allow for additional development or conversion from agricultural zoning to other zoning. These guidelines can help to maintain the open space and rural character of the region as they are intended to do with or without a water transactions program. However, it may benefit the County to implement additional safeguards targeted specifically at acreage under water transaction agreements. The County may state clearly as part of the agreement to participate in the water transactions program that the program should not undermine the agricultural economy, advance development, or contribute to the loss of open space. Limits may be placed on the ability of landowners to subdivide their properties through county zoning or planning regulations, transfer of development credits, or conservation easements.
Maintain scenic qualities and aesthetic character of the region	To reduce the impact of irrigation cessation on the scenic vista and visual character of the area, the extent of high-risk acres entered into transactions for permanent cessation of irrigation may be limited. The County will have to explore the legal ramifications of limiting the number of acres allowed to participate in specific transactions, and the approach used. Using a Memorandum of Agreement or Understanding with NFWF to set thresholds on the extent of the program within the County appears to be a viable approach. However, this Assessment did not consider legal standing of landowners who might then be excluded due to those limitations.
Protect habitat values and species of concern	VEGETATION This Assessment identified 11 plant species under the California Rare Plant Ranks that might be present in the project area, and thus may potentially be impacted by irrigation cessation. These are not plants listed as rare or threatened under the Federal or State Endangered Species Acts, but their status on the CRPR list means that they must be considered under CEQA. The County can mandate that if there are suspected special status plants present on specific ground involved in a full dryland (complete irrigation cessation) water transaction, then surveys should be conducted before the transaction is in place

	<p>WILDLIFE</p> <p>This Assessment highlighted ten species because of their special-status designation and/or high public interest value, as well as their potential to be affected by water diversions. Of these species, the yellow warbler and the greater sage-grouse were determined to have the potential of being affected by a change in irrigation regime. Yellow warbler might be benefited by an improvement in riparian vegetation, but could lose some habitat if willow decreases within the fields. Sage grouse could be negatively impacted if there is a loss in moist grass vegetation, although they use a mix of sagebrush, dry grass, and moist grass habitats. Detailed information about grouse population extent and habitat use in the area is not known.</p> <p>If the bistate population of greater sage grouse is officially listed with the proposed critical habitat, then federal law would require an ESA Section 7 Consultation under USFWS. This Consultation might include a biological assessment with more detailed determination of presence and timing of habitat use in the program area. For efficiency the Consultation should be done on a program-wide level, thus NFWF would be the likely lead. Landowners working cooperatively (such as within the AVMWC) may develop a Habitat Conservation Plan (HCP) or Safe Harbor Agreement (SHA) for the greater sage grouse which would protect the bird while potentially providing more flexibility in land and water management.</p>
	<p>FISHERIES</p> <p>A timed release in storage water may lower water levels in small reservoirs or their outflows to the point that it would have a detrimental impact on the fisheries in the reservoirs. While normal irrigation may lower water levels to the same extent, there is the potential that it would happen more often as part of a water lease. There may be added incentive to do a complete fill and drawdown for multiple years or to abbreviate the release timeline. Limits may be placed on the timing of the storage releases, and/or the extent of drawdown in reservoirs, and/or minimum flows in outflow creeks. The maximum drawdown in Twin Lakes appears to maintain sufficient habitat for resident fish. However, the impact of multiple years of maximum drawdown is unknown. The County might want to suggest that under a water transaction agreement full drawdown cannot occur in consecutive dry years, and in every other consecutive dry year a certain amount of the storage water right needs to remain in reservoir Timing of the drawdown for instream purposes could be limited to outside of the recreation season and critical time periods for fish of concern. storage water transaction could also be coupled with a minimum flow agreement for the outflow stream</p>
<p>Protect Wetland Values</p>	<p>Antelope and Bridgeport Valleys, as well as the Swauger Creek region, have extensive areas identified as wetlands. Some are naturally occurring wetlands, while others are likely irrigation-induced. Multiple layers of protection for wetlands currently exist at the federal, state, and county levels. Additional information could be collected to provide a better understanding of the extent of the impact of reduced irrigation on wetland conditions. Currently, only portions of Bridgeport have a wetland delineation complete. A more complete delineation should include 1) determination between irrigation-induced and natural wetlands, 2) if the natural wetlands are dependent on irrigation, and 3) identification of areas that may be significantly important to wildlife. As this exercise would be quite burdensome to complete across all irrigated ground, it may be more practical to require a site-specific wetland delineation only for properties considering irrigation cessation for longer than three years.</p>

<p>Protect Groundwater Resources</p>	<p>There are three potential concerns related to groundwater resources and a water transactions program: 1) The leasing or selling of groundwater, 2) Reduction in surface water irrigation could lead to increased extraction of groundwater as a substitute irrigation source, and 3) Reduced irrigation would decrease water recharge into the deep aquifer. Mono County can specifically state that groundwater is not eligible for transactions at this time. Mono County and NFWF may both wish to explicitly disallow the substitution of groundwater (or storage water) for direct diversion surface water. There is currently very limited information on aquifer interactions with irrigation water and shallow groundwater. This Assessment does not have the information to comment on any potential impacts on groundwater recharge.</p>
<p>Maintain economic stability for both individuals and communities</p>	<p><i>PROPERTY TAX CHANGES</i></p> <p>There are already specific policies in place to address zoning changes, requiring thorough review and approval from the County. These policies should assure that changes in land use, and thus related tax income, are within County guidelines with or without a water transactions program. The County may wish to consider how to directly or indirectly affect the pace and extent of permanent transactions to sell water rights through agreement with NFWF or by altering county policies governing land and water use. Through an MOA with NFWF the County could reserve their future right to consider the amount of acreage permitted to permanently cease irrigation if it appears to be having a detrimental impact on tax income. The scope of the CEQA analysis can be set to cover the permanent sale of water rights only on a limited total acreage, or up to a certain amount of lost tax income from properties involved in water sales.</p> <p><i>RECREATIONAL ECONOMIC BENEFITS</i></p> <p>It is generally believed that the majority of local water-related activities (e.g., fishing, boating, camping/hiking) could benefit indirectly as a result of increased instream flow associated with water transactions. One possible exception to the assumption that the direction of impacts would generally be positive is related to recreational activities occurring on small reservoirs. Limits may be placed on the timing of the storage releases, and/or the extent of drawdown in reservoirs as part of a water transaction. These limits could be arranged either through the initial agreement between the County and NFWF, and/or per agreement between the water purchaser and irrigator. The easiest approach to assure that the reservoir recreation facilities are not impacted by a water lease or sale is to only allow the drawdown after the height of the recreation season.</p>
<p>Protect Cultural Resources</p>	<p>This Assessment did not include identification of cultural resources. No significant impacts would be expected as the program would simply keep water instream, but this Assessment did not explicitly consider these impacts. Mono County has policies in place to identify and protect cultural resources.</p>

Protect other water users from detrimental impacts	<p>California water law and the Walker River Decree both provide protection to other water users from injury caused by other’s water transactions. There are two aspects to changes in irrigation that often cause concern to neighbors that may NOT be considered legal injury. These are 1) delivery of other’s irrigation water on a shared ditch, and 2) noxious weed control.</p> <p>The County can make clear in agreements with NFWF that carry water and stock water is a point of concern and needs to be considered when structuring transactions. In most cases transactions can be structured in such a way to protect other users on a shared ditch system. The County may mandate that water transaction agreements include a requirement that landowners maintain weed control within a set distance from neighboring properties. The County may wish to establish a weed control program with NFWF under a joint MOU.</p>
Transferring water across state lines.	<p>Transferring water out of basin or across state lines is a controversial practice. Out-of-basin extractive transfers currently require permits from the Mono County Planning Commission. The County could consider permanent transfers under the Walker Basin program under the same rules and requirements. Another option is to set a limit for the amount of water that could be permanently dedicated to instream uses in Nevada. This limit could be set under a few different approaches: 1) Beneficial instream flow targets for the East and West Walker systems, as determined by further analysis of instream habitat conditions; or 2) A percentage of the amount of water targeted for increased flow into Walker Lake, currently under development by NFWF. This percentage could be based on California’s percentage of irrigated acreage within the Basin, or California’s percentage of consumptive use of water within the Basin.</p>
Conflict with existing conservation plans	<p>There is no expected conflict with any existing conservation plans. All such plans take precedence over a water transaction, and land on which such irrigation changes are not compatible with existing plans would not be eligible for the program. All applicants should be made aware of this limitation early in the process.</p>

It is equally important to highlight that many of Mono County’s objectives could also be addressed through participation in the program. There are aspects of the program that could deliver clear benefits to the County. Outdoor recreation and the fisheries found in the East and West Walker systems are a critical part of the identity and economy of the region. Mono County policies recognize the value of these resources, and specifically support efforts to regulate instream flows, support riverine and riparian habitats, and increase wild trout populations.

Outstanding points related to the overall feasibility of a water transactions program in the Mono County portion of the Walker Basin

1. Settling on a reasonable estimate of water savings in different locations for individual transactions. The accepted methodology in Nevada and elsewhere is to use the Net Irrigation Water Requirement, essentially evapotranspiration minus precipitation. Ecosystem Economics developed a model to account for shallow groundwater contribution to consumptive use. It is important to stress that the model results in estimates based on incomplete information. Without a detailed picture of flow regimes and groundwater dynamics many assumptions were made. Throughout the process the most conservative assumptions were used. The true consumptive use savings are likely somewhere between NIWR and the model results, depending on location and time of season. Refer to Table 19, Section 3.7

2. The time, effort, and expense required to move a water right change through the Decree Court. The Decree Court has jurisdiction over all water right changes, and will likely involve the California Water Board and the Nevada State Engineer. As such, the recommendation is that water leasing and sales are done on a larger scale cooperative or programmatic manner. In addition, the regulatory requirements related to CEQA and the ESA should be met in a programmatic fashion, approving the transaction program in California as a whole instead of by individual lease or sale.
3. Addressing concerns about reduced irrigation on greater sage-grouse habitat. The entire area of interest for this study is proposed critical habitat for the greater sage-grouse. Sage-grouse require a mosaic of habitat, including large expanses of sage brush and wet meadows. They are known to use irrigated areas adjacent to sagebrush habitats. Thus, a water transaction scenario that suspends all water delivery to irrigated areas or wet meadows may reduce the availability and/or quality of nesting, brood-rearing, and summer foraging habitats. However, since sagebrush habitat is currently mapped on less than 20% of the land in both Bridgeport and Antelope Valleys, and the meadow vegetation types take up most of the remaining area, an increase in sagebrush habitat would likely increase the amount of area where a combination of both habitat types are available, potentially benefiting the greater sage-grouse. Additionally, maintaining instream flows is intended to benefit another listed species, the Lahontan cutthroat trout. It is unclear how USFWS might balance the needs in an ESA consultation for the Water Transactions Program. Certain irrigation changes can be made in most locations without detriment to the sage-grouse. It is recommended that a more detailed assessment of sage-grouse distribution and habitat use throughout the area of interest take place as a precursor to water transactions.