



County of Inyo Board of Supervisors

SPECIAL JOINT MEETING

September 23, 2013

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 6:00 p.m., on September 23, 2013, in the Home Economics Building at the Tri-County Fairgrounds, Sierra Street and Fairground Drive in Bishop, California, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley. Supervisor Rick Pucci led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period, a gentleman from the audience addressed the Board to thank the Board for their support of the Millpond Music festival, commenting that this year's event was a great three days.

BofS/Comment and Discussion on Critical Habitat Designation for Amphibians Supervisor Arcularius made opening remarks, explaining to the public the process that would be followed to take public comment on and to hear from representatives of the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (DFW), and the U.S. Forest Service (FS) concerning U.S. Fish and Wildlife's proposal to list as endangered and designate critical habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad. She noted that the critical habitat proposed for these species encompasses nearly 2-million acres of land in the Sierra Nevada, including over 100,000 acres in Inyo County.

Mr. Carl Benz, USFWS Assistant Field Supervisor for the Desert Region; Mr. Ed Armenta, FS Inyo Forest Supervisor; Ms. Heidi Sickler, Habitat Conservation Supervisor for Inyo and Mono Counties DFW; and Mr. James Erdman, Fisheries Biologist DFW, introduced themselves to the audience. Mr. Benz made a presentation regarding the USFWS proposal, explaining their mission, the laws that mandate the USFWS to take the actions being proposed, and reviewed the process for the public to provide input on the proposal. Ms. Heidi Sickler briefly described DFW activities concerning the amphibians being discussed. Mr. Ed Armenta, read a prepared statement into the record that provided information concerning the status of the amphibians in the Inyo Forest and what activities the FS has undertaken in conjunction with the DFW and the USFWS activities to protect and improve the habitat of the amphibians. Mr. Armenta noted in his comments that the FS has advised the USFWS that Saddlebag in the Mammoth Lakes Basin area for the toad, and Cow Creek and Baker Creek in the Coyote Flat Area for the frogs be removed from the habitat designation because of the presence of the chytrid fungus (fungus). Throughout the evening the Board of Supervisors asked questions of the panel and made comments on the proposal. The following people addressed the Board on this subject and various members of the panel responded to those questions and comments:

Mr. Larry Johnston, Vice Chairperson Mono County Board of Supervisors, read a letter to the Inyo County Board of Supervisors, identifying Mono County concerns with the designations.

Mr. Tom Sigler, questioned the public outreach prior to DFW instituting fish kills in the area and expressing his concern that these actions will have a negative impact on the local economy.

Mr. Nate Reade, Inyo-Mono Agricultural Commissioner, talked about the impact the proposed actions could have on grazing allotments and the local economy.

Mr. Joe Todd of Bishop noted studies by Roland Knapp at SNARL about the fungus and its impact on amphibians worldwide. Mr. Todd said there is documentation that points to other factors in the demise of amphibians, asked how much it costs to implement the fish kills, and questioned the procedure that is utilized to remove the fish from the lakes.

Mr. Ken Lloyd of Bishop opposed the designation questioning the agencies ability to enforce the designation if it is made. Mr. Lloyd said that he believes this designation is another way in which access to public lands will be further eroded.

Mr. Doug Brown of Bishop, questioned the impact this designation will have on the local economy and suggested that steps be taken to protect local business people similar to the actions being take to protect the amphibians.

Ms. Lynn Greer of Bishop, questioned if DWP water activities in the area are impacting the amphibian populations. She asked if all fish are being removed or just certain species and wondered what impact the critical wildfires will have on some of the critical habitat. Ms. Greer also questioned the feasibility and effectiveness of eliminating fish from the lakes.

Mr. Lanny Lehigh of Bishop questioned whether there was a way to kill the fungus that is killing the amphibians.

Ms. Eddie Trimmer of Big Pine commented that she thinks it is important for people to remain mindful that the agencies are working to make the public lands healthier.

Mr. Bob West of Bishop, asked if there was hard data regarding the two greatest impacts on the amphibians and if there is an absence of human activity in the frog habitat would the frog still be dying of the fungus.

Mr. Steve Toomay questioned the fish kill mentality. He questioned the viability of the economics of the area if the agencies continue to close public lands and to kill the fish.

Mr. Steve McLaughlin of Big Pine questioned the timing and development of a recovery plan.

Mr. Colin McGowan of Bishop questioned the impact of public comments on the process. He also questioned the methodology of the scientific publications in evaluating data and suggested using GIS technology to identify specific areas of critical habitat and ensure that maps are accurate. He also identified his concern with the economic impact the designation will have locally.

Mr. Dale Comontofski of Bishop expressed his frustration that the questions being asked are not being answered. He also questioned the impact of the recent wildfires on the habitat.

Mr. Jim King of Rock Creek who supported the activities of Mr. Jim Erdman of DFW who he said has been managing the habitat since the mid-90's. He say that Mr. Erdman and his predecessor Curtis Milliron have worked really hard to keep the yellow-legged frog off the endangered species list and are doing everything humanly possible to keep the frogs from disappearing. He said "they are the good guys" He went on to say that he believes that the fungus is the real problem and what is actually making the frogs survival tenuous at best. Mr. King asked if the boundary lines could be redrawn after public comment is received and asked if the consultants doing the economic analysis are consulting with local businesses, recreational users, and governmental entities.

Mr. Jim Harris of Bishop questioned the broad-brush approach of designating 2 million acres as critical habitat suggesting a better approach would be to designate precise areas that meet the specific criteria designations.

Mr. Ron Scira of Bishop expressed his concern with the suggestion that frogs may be found in the important local recreational areas, explaining that in his past experience, once its mentioned there is a tendency to proceed on to designation without proof. He also expressed his concern with attempting to designate 2 million acres and its impact on the local economy.

Mr. Sam Dean expressed his concerns that the agency representatives are unable to provide answers to the questions that are being posed. He questioned whether there is sufficient proof to support the premise being made regarding the amphibians. He said he thinks the USFWS proposal is premature.

Mr. Ron Yribarren of Bishop asked why areas that are known to have the fungus are still being included in the area to be designated as critical habitat, especially in the Coyote Flats area. Mr. Yribarren offered to share his water testing data from the Coyote Flats area with Mr. Erdman which confirms the presence of the fungus in the area.

Mr. Richard Rynne of Lone Pine, questioned the removal of the fish and its effectiveness. He identified a U.S.G.S. study he found on their website that talks about chemicals being responsible for making the amphibians more susceptible to the fungus and asked why that information was not taken into consideration by the USFWS. He also expressed concern with the economic impacts of removing the fish from lakes.

Ms. Michelle Layne from Crowley Lake, expressed her dismay that there are no answers to many of the questions being asked this evening. She went on to talk about the concern she has for the well being of her business, which is dependent upon fishing, if this designation is made and the fish are removed.

Mr. Harry Williams of Bishop talked about his respect for all living creatures and encouraged everyone to care as much about the frogs as they do about the fish.

Mr. Tai Devore expressed his concern that answers to questions were not forthcoming. He asked if the public like hikers were going to be kept from those areas that are designated critical habitat. He also questioned the lack of accurate information that is being provided to the public, thus causing rumors to take the place of facts.

A woman identifying herself as Karen from Bishop offered rebuttal regarding area closures. She said that in the San Gabriel Mountains because of the yellow-legged frog being declared endangered in 2006 it resulted in the closure of thousands of acres of the Pacific Crest Trail which causes great delays and detours around the area.

Mr. Josh Rhodes asked about the process DFW uses to ensure that they do not transfer the fungus when they are working in the lakes to kill the fish.

The Board Members made concluding remarks, thanking the public and the agency representatives for their participation in tonight's meeting.

The verbatim transcription of the meeting is incorporated herewith, and made a part of these minutes. (Available through the Clerk of the Board's Office.)

Planning/Letter
Requesting Public
Meetings in Inyo
County.

The Planning Director, Mr. Josh Hart, provided the Board with draft correspondence to the U.S. Fish and Wildlife Service regarding the proposed listing and designation of critical habitat for certain species of amphibians (noted above), which includes a request that the USFWS hold a formal public meeting in Inyo County regarding the habitat designation, and authorize the Chairperson to sign. The Board briefly discussed including a request for map changes in the letter but decided that request could be made later in the process. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve the letter to the U.S. Fish and Wildlife Service requesting that public meetings be held in Inyo County concerning the proposed listing and designation of critical habitat for certain species of amphibians. Motion carried unanimously.

Adjournment

The Chairperson adjourned the special meeting at 9:05 p.m.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Patricia Gunsolley, Assistant Clerk of the Board