

# MINUTES



# County of Inyo Board of Supervisors

**March 21, 2017**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on February 21, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Tothoroh, Rick Pucci, Jeff Griffiths and Matt Kingsley.

**PUBLIC COMMENT** Chairperson Tillemans asked for public comment and there was none.

**CLOSED SESSION** Chairperson Tillemans recessed open session at 8:35 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); IHSS Workers; Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

**OPEN SESSION** Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 10:09 a.m. with all Board members present.

**PLEDGE** Supervisor Kingsley led the pledge of allegiance.

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

**PUBLIC COMMENT** Chairperson Tillemans asked for public comment during the second public comment period. Earl Wilson of Lone Pine noted Los Angeles Mayor Garcetti’s Emergency Declaration regarding Owens Valley runoff conditions, adding that he has a hard time wrapping his mind around the amounts of water predicted to come off the mountains. He said he does not remember the aqueduct running this high since the 1950s and recommended the County tell LADWP to turn off all production wells except those being used for mitigation projects as clearly there is no need to be extracting groundwater right now. He said it’s time to let groundwater recharge and establish baseline levels in compliance with the Water Agreement.

Lone Pine resident Michael Dorame, a former Inyo County Supervisor, said he read an article in the newspaper regarding the BLM’s proposed withdrawal of lands from metallic mineral mining eligibility and a proposed disturbance cap on the same lands that would include County roads. He said it’s illogical to impose a disturbance cap on areas with pre-existing disturbances. He noted similar concerns caused the Board of Supervisors, when he was serving, to adopt a resolution to assert its rights under Revised Statute 2477. He asked the Board not to allow the disturbance cap to be applied because he believes it violates the County’s RS 2477 rights. He provided the Assistant Clerk of the Board with copies of Internet articles explaining RS 2477.

Kammi Foote spoke on behalf of the Owens Valley Committee to introduce a new program called “Adopt-a-Mitigation.” She urged Board members to get in touch with Committee members for more information.

COUNTY  
DEPARTMENT  
REPORTS

CAO Carunchio reminded the Board and public that the County's Office of Emergency Services has been holding pre-planning meetings with County departments, Caltrans, the City of Bishop, LADWP, Southern California Edison, and – later this week – local Tribes in anticipation of what could be record runoff. He said Mayor Garcetti's proclamation is not a surprise, and while it declared a State of Emergency adjacent to the aqueduct and associated infrastructure in Inyo County, it is only enforceable in Los Angeles. He said only the Inyo County Board of Supervisors can declare a State of Emergency in Inyo County and will be doing so in the next few weeks – out of concern for the threat to human life in addition to property. Sheriff Bill Lutze reiterated Carunchio's statements, adding that the County has been trying to get from LADWP statistical data from other high runoff years, such as 1969, to establish a potential baseline for the coming snowmelt in order to project a worst-case scenario. He noted that the numbers could mean nothing with the unpredictability of the weather. He said the Sheriff's Office is in the process of putting out a series of press releases about sand-bagging, clearing ditches and gutters, water safety, water recreation safety and others. Lutze noted that the County knew L.A. was going to issue a proclamation but they made it sound they had jurisdiction in Inyo County when in fact the Board of Supervisors does. Carunchio added that Mono County is working on declaring a State of Emergency as well. He said the bottom line is everyone will be relying on data from heavy runoff years like 1969 and 1983 but they will only be as good as the weather cooperates; one big storm will make that data useless. Until then, agencies hope to use that information to see where and when problems will likely arise with bridges, parks, and campgrounds. He added that SCE predicts its reservoirs will spill in August. Lutze said if the Owens Valley has a normal summer, he thinks they can handle the snowmelt. The problem, he said, will be if a big storm dumps another five inches of rain or snow all at once on top of the huge snowpack.

Head Librarian Nancy Masters updated the Board on the library automation project, which is entering the home stretch. She said a massive shipment of barcodes arrived, necessitating the rotating closure of four local branches so that teams could be dispatched to get those barcodes on books. She said a press release announcing the closures was going out via the radio today and signage was being put up at the libraries.

Clerk-Recorder-Registrar of Voters Kammi Foote informed the Board of a technology milestone surpassed in the Inyo County Elections Department in that Community Service Districts have now been added to the electronic database, which means a member of the public can provide her office their address and staff can tell that person whether they live in a CSD or not. She thanked the GIS Coordinator and the Planning Department for their assistance. She also mentioned training for special district secretaries on the filing process for the November election.

Public Works Director Clint Quilter said he would be participating in the City of Bishop's town hall tonight, making a presentation about commercial air service that he previously made to the Board, the Eastern Sierra Transit Authority, and Town of Mammoth Lakes.

PRESENTATION AND  
BOARD DIRECTION –  
EL CAMINO SIERRA  
PROJECT

CAO Carunchio introduced a presentation on the El Camino Sierra Project, an effort to restore the historical name El Camino Sierra to U.S. 395 through Inyo County. He noted today marks the last day of the County of Inyo's 150<sup>th</sup> birthday year, which included a lot of fun events and community support. He said El Camino Sierra was conceived as part of that sesquicentennial celebration. He explained he first heard about the historic highway designation and history of Inyo County's main travel route when Big Pine resident Howard Walker presented the history of the Roosevelt Tree during an event in Big Pine. Ted Williams later happened to write an article about the road in the local paper, and David Woodruff began work on a book about it. Carunchio then turned the presentation over to the three historians/writers. They each took turns telling a different portion of El Camino Sierra's saga through a PowerPoint presentation featuring historical photos. Carunchio then spoke about how the original idea for the project was to have U.S. Highway 395 renamed El Camino Sierra in honor of the Inyo Good Road Club's work. Assistant Administrator Rick Benson learned the highway was already historically designated "El Camino Sierra," so the County sought an Assembly Proclamation to reaffirm the designation. Assistant Clerk of the Board Darcy Ellis, Museum Services Director Jon Klusmire, Benson, and Carunchio crafted a draft proclamation to send to Assemblyman Devon Mathis, who approved an Assembly Proclamation on January 27, 2017. Benson told the Board Mathis wanted to be here today but was unable to attend. Benson showed the Board and all in attendance a framed copy, and read the text aloud. Carunchio then discussed the effort to develop a proprietary font and associated

artwork to promote El Camino Sierra. Graphic artist Elizabeth Glazner used a PowerPoint presentation to walk everyone through her creative process, and passed around the actual hot type from Independence Press Project that she used to make the master font. She compared her finished product to the original Inyo Good Road Club logo, which was used as inspiration. Enlarged images of the resulting font versions and seals were passed around so the Board and public could view them up close. Carunchio then explained that when the County kicked off its 150<sup>th</sup> birthday celebration a year ago, it made the sesquicentennial logo and artwork available to anyone in the community to use in promotional efforts. Along those same lines, Assistant Clerk of the Board Ellis put together business development kits with the artwork and other material for any organization that wants to help promote El Camino Sierra. Ellis then shared the idea behind and contents of the packets, via PowerPoint presentation, and handed out several packets to members of the audience. She noted that, to date, 190 packets have been produced. Carunchio then spoke about how El Camino Sierra has been propelled by teamwork, including those of community partners such as the Bishop and Lone Pine Chambers of Commerce. Lone Pine Chamber of Commerce Executive Director Kathleen New said she loved the idea from the start as it shares local history that is fresh and new. Her Chamber will be promoting El Camino Sierra via a billboard for northbound traffic, south of Lone Pine, and a visitor guide dedicated solely to the historic route. Bishop Chamber of Commerce Executive Director Tawni Thomson said she thought the idea was fabulous, noting that industry experts are saying history and heritage are a top travel motivator. Her Chamber has done a couple promotions already, including inviting Carunchio to make a presentation at a Chamber luncheon to about 40 people, and incorporating the El Camino Sierra logo and name into its popular Treasure Map, copies of which she distributed to the Board. She said an El Camino Sierra page would be added to BishopVisitor.com and the Chamber was considering adding it to social media campaigns and print ads. Thomson said El Camino Sierra could also be promoted during the Outdoor Writers Association of California's spring conference in Bishop. Supervisor Kingsley complimented the Treasure Map. Carunchio then discussed the County's own promotional efforts, such as incorporating the El Camino Sierra campaign alongside the previously adopted "The Other Side of California" campaign. Klusmire explained that traditional use of Advertising County Resources funds is a mix of in-state regional and national advertising using print and digital/online ads. While most of this year's ads have been purchased because the fiscal year is almost over, and the ads require a lot of lead time, he said he was able to squeeze in new El Camino Sierra ads in the Sunset Road Trip Special Edition and the June edition of Sunset, as well as the Eastern Sierra Fishing Guide. He said by the end of the fiscal year, he planned to launch a local El Camino Sierra ad campaign that included two radio campaigns, ads in the Mule Days Program and Inyo County Visitors Guide, and on the backs of ESTA buses. For next year, he proposed a comprehensive online and print ad campaign targeting very specific markets. Carunchio reiterated to the Board that today's presentation marks the finale of Phase 1 of the project. He reminded the Board that because U.S. 395 is a state highway, the County had to work with Caltrans in getting permits for two highway signs to be installed at either end of the County. County Road Superintendent Chris Cash showed the Board the official Caltrans sign to be installed at the north end of the County next week, noting that the southern sign was installed last week. He also showed a PowerPoint collage of the sign's installation. The signs say, "Inyo County The Heart of El Camino Sierra." He said Caltrans has been great to work with throughout the process, which consisted of 45 days of negotiations over the sign type and location. He said the County is hoping to get larger signs similar to the Scenic Byway Signs found at either end of Inyo. Carunchio said a lot of hard work has gone into Phase 1 but not a lot of money – under \$10,000, not counting the Chamber engagements. He said the Board can choose to stop here if it wants, or direct staff to embark on Phase 2, which would include installation of wayfinder signs along El Camino Sierra. Cash discussed the plan. Carunchio presented a prototype of the "birdhouse"-style signs, designed after the original sign dedicating El Camino Sierra in 1910. He said if the Board agreed, \$40,000 for the signs could be added to the budget and the first one could be installed in honor of Caltrans District 9. An example of the text for the first proposed sign was distributed to the Board. If not, then the Board could consider Phase 1 a great way to conclude the County's 150<sup>th</sup> anniversary celebration and had some great promotional artwork to show for it. Chairperson Tillemans said all the difference components of the project were amazing, as was the creativity involved. He thanked everyone for their efforts. Supervisor Kingsley said it seemed like a lot of history came together to make this happen, and he loved the work that the Chambers and everyone was doing. Supervisor Pucci said he thought everyone was on the right track – the history is out there, now it has to be shared in whatever way possible. He said he heard some people want to designate U.S. 395 as an "All American Road," and maybe that can be a part of El Camino Sierra if it gets visitors here, but this is a really great step. He thanked everyone for their efforts. Supervisor Totheroh

said it is mostly a great step and that everyone was doing a good job. Supervisor Griffiths said he was excited about El Camino Sierra and excited about Phase 2's wayfinders and historical markers. Supervisor Kingsley said he was definitely in favor of exploring Phase 2 and dedicating funding for it. He thanked Glazner for taking the original Inyo Good Road Club seal and turning it into great new artwork and a beautiful font. Chairperson Tillemans added that he was glad to hear the Assembly proclamation celebrate and include the Native American community. CAO Carunchio said with the Board's blessing he would work with Cash, Public Works Director Quilter and Caltrans to formulate a budget for Phase 2. Chairperson Tillemans said he really appreciated everyone's efforts, not just on El Camino Sierra, but the entire year-long 150<sup>th</sup> birthday celebration.

*RECESS FOR LUNCH* Chairperson Tillemans recessed the meeting for lunch at 12:08 p.m. and reconvened the meeting at 1:11 p.m. with all Board members present.

*CAO-RISK – JOHN KIRBY CONTRACT AMENDMENT 6* Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Contract Amendment No. 6 between the County of Inyo and John D. Kirby, APC for the provision of Civil Litigation Attorney Services for the period of June 30, 2016 through June 30, 2017, increasing the amount of the contract to \$277,000, and authorize the Chairperson to sign. Motion carried unanimously.

*PUBLIC WORKS – SBA LEASE AGREEMENT* Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to: A) approve the lease agreement between the County of Inyo and SBA Structures, LLC for the lease for radio/repeater space on Mazourka Peak 2 Way Site for the County Administration (911 Standby) with an Initial Term of three (3) years beginning on the Commencement Date and terminating on the third anniversary of the Commencement Date in an amount not to exceed that which is stated on the lease and contingent upon the Board's adoption of future budgets, automatically renewing for four (4) additional terms of three (3) years each, unless either party provides notice 120 days prior to expiration; and B) authorize the Chairperson to sign the agreements. Motion carried unanimously.

*SHERIFF – DAVE'S AUTO BLANKET P.O.* Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a blanket purchase order to Dave's Auto Parts in the amount of \$12,500 for the purchase of supplies for the Sheriff's Department Kitchen, Jail, and Substations. Motion carried unanimously.

*HHS-BEHAVIORAL HEALTH OFFICE CLERK III* Behavioral Health Director Gail Zwier said the department has a vacancy for a budgeted, authorized position following an employee's promotion. Moved by Supervisor Totheroh and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) full-time Office Clerk III position exists in non-General Fund Behavioral Health and Drinking Driver Program budgets, as certified by the Health and Human Services Director and concurred with by the County Administrator, and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure more qualified applicants apply; and C) approve the hiring of one (1) full-time Office Clerk III, Range 52 (\$2,880 - \$3,500). Motion carried unanimously.

*PUBLIC WORKS – RATIFY AND APPROVE MULTIPLE P.O.'S* Public Works Director Clint Quilter explained he was seeking Board ratification and approval of various purchases within various budget units in his department because the \$10,000 spending cap now applies to entire departments. He said the new interpretation came after the purchases were made. Chairperson Tillemans thanked him for the explanation. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) ratify and approve the purchase order for material from High Country Lumber for \$10,307.19, and approve a blanket purchase order to High Country Lumber in the amount of \$8,250, for a total amount not to exceed \$18,557.19; and B) ratify and approve the purchase of repairs and installation services from Bishop Heating and Air Conditioning in the amount of \$10,746.43, and approve two blanket purchase orders in the amount of \$2,800 (\$5,600) to Bishop Heating, for a total amount not to exceed \$16,346.43. Motion carried unanimously.

*PRESENTATION – OVMAP – 2017 MOSQUITO SEASON* Ag Commissioner Nate Reade updated the Board on efforts being made by the Owens Valley Mosquito Abatement Program to prepare for what is expected to be a horrendous mosquito season because of all record or near-record snowmelt. Chairperson Tillemans was unexpectedly called away on personal matters during the presentation, and Vice Chairperson Totheroh took over the meeting. Reade began his update by noting that another historically high runoff year, 1982-83, led to the creation of the OVMAP. He said with the snowpack 241 percent

of normal, one of the first things OVMAP did in February was hold a “mosquito manager summit” with the current manager (who retired Friday), lead field technician, and two retired managers to discuss possible issues that might arise and brainstorm strategies. He said points emphasized by the former managers were that fluctuating water levels attract aggressive, nuisance mosquitoes, and static levels attract the type carrying West Nile Virus, which was last seen in Inyo County in 2011. He discussed planning efforts, which have included ensuring availability of resources, identifying priorities, producing effective outreach and communication methods and strategies, and coordinating with Health Department staff. OVMAP stocked up on pesticides during Fiscal Year 2016-2017 and in Fiscal Year 2017-2018 will want to ensure it maintains adequate stocks and an appropriate overtime budget for staff. This summer’s seasonal staff has been increased, but four of the individuals are new and will have to undergo training. Reade said OVMAP may consider asking the City of L.A. to help by supplying a helicopter in the event that aerial applications are needed, which he said OVMAP will do as a last resort if large amounts of mosquitoes carrying West Nile Virus are found in population centers. He said those types of mosquitoes breed in the oxbows of the river. He reviewed OVMAP’s prioritization scale: 1. Protection of human health in towns; 2. Nuisance mosquito control in towns; 3. Special events mosquito control; 4. Mosquito control in recreational/other areas where people congregate; 5. Other outlying areas. Reade also discussed the types of pesticides used and the fogging process, which includes notifying residents beforehand through the media. He said his office also has a no-spray list of areas where OVMAP will not fog at the request of residents. Supervisor Kingsley asked about mosquito predictions with regard to the Owens Lake brine pool. Reade said the mosquitoes typically breed on the margins where the water meets the sand, so if the water levels stay high they will lose breeding ground. He said in this scenario, the problem might not arise until next year when water levels recede. Supervisor Griffiths asked how far an adult mosquito can travel. Field Tech Rob Miller said 10-20 miles on average, but some have been tracked traveling 120 miles. Supervisor Griffiths noted that the wind can also blow them from the Owens River into the towns. Reade said that is why such a small staff is a problem; when they leave the river to tend to the mosquitoes in town, the problem has a chance to grow at the river. Reade noted that more people in the Ag Department are getting licensed to work on mosquito abatement efforts so they can help out this season if and when needed. Supervisor Griffiths noted that they are also responsible for abatement efforts in Mammoth Lakes. Supervisor Kingsley thanked OVMAP for their important efforts.

**WATER DEPT./CAO –  
PUBLIC HEARING &  
APPROVAL OF GSA  
FORMATION**

Water Director Dr. Bob Harrington presented the Board with a staff report reviewing the State Groundwater Management Act’s (SGMA) requirements that an Eligible Local Agency file to become the Owens Valley Groundwater Basin’s Groundwater Sustainability Agency (GSA) by July 1. He reviewed the actions taken by the Board at its February 21 meeting that set the stage for today’s agenda item: *1. Direct staff to proceed with the steps necessary for the County of Inyo to file to become the GSA for the Owens Valley Groundwater Basin located in Inyo County, excluding any areas for which another eligible local agency is planning to file notice to become a GSA, including holding the required public hearing on March 21, 2017; 2. Establish Inyo County’s willingness and interest to form a GSA through a Joint Powers Agreement (JPA) with other Eligible Local Agencies, and with other interested government agencies and Indian Tribes eligible to participate in a JPA, by approving a GSA JPA Governance and Finance Framework to guide subsequent discussions and the formation of any JPA; and 3. Adopt Principles under which the County of Inyo, as a stand-alone GSA or as part of a GSA JPA, will consider preparing a single Groundwater Sustainability Plan (GSP) if two or more Eligible Local Agencies file to be a GSA in the Owens Valley Groundwater Basin and desire to develop a single plan in lieu of separate, coordinated GSPs.* Harrington noted staff is working on the narrative to submit to the State Department of Water Resources, has a draft resolution for Board approval today, and is assembling a list of interested parties. He again reviewed the application timeline and noted that other Local Eligible Agencies can file overlapping applications, in which case both applications will be withdrawn with the expectation those agencies resolve their own conflicts by July 1. Failing to do so is the same as failing to file to become a GSA at all, and will also trigger State intervention. Harrington distributed an update, draft fee schedule that would be implemented by the State during intervention. Changes include an increase in the base filing fee from \$100 to \$300 per well, and the added \$100 fee per de minimus (private) well. He noted that the City of Bishop notified the County that, while it hopes to join the County’s GSA through a JPA, it nevertheless would be filing to form a GSA for the City of Bishop to avoid State Intervention. As such, the County removed the City from its application to avoid overlap. He noted that regardless of how many GSAs are formed in a groundwater basin, they must fit together like a jigsaw puzzle. He also noted that, while there are 13 total Eligible Local Agencies in Inyo County, only the County covers the entire basin and, according to SGMA, there would

be areas left “unmanaged” if the County didn’t file. There was additional discussion between Harrington and the Board, including Supervisor Kingsley pointing out that the Board was not deciding today on a framework or structure for any type of JPA or doing anything other than considering giving the Water Department approval to file as a GSA for the unmanaged areas of the Owens Valley Groundwater Basin. Supervisor Griffiths also wanted it known that whether an entity (or communities such as Starlite, Swall Meadows, or Paradise) is considered a part of the Owens Valley Groundwater Basin or not has been determined by definitions created by the State Department of Water Resources. Vice Chairperson Totheroh opened up the public hearing at 2:12 p.m. David Baumwohl, attorney for Meadowcreek Mutual Water Company, said his client wants to become an active participant in the future JPA to protect its ability to deliver groundwater to its shareholders and protect their interests where the levying of fees is concerned. He also pointed out specific concerns with Item #2 in the Summary Discussion of the Agenda Request Form and was told by CAO Carunchio those were actions previously taken by the Board and were not up for approval today, but the proposed framework does welcome the participation of Mutual Water Companies. Baumwohl said Meadowcreek is supportive of the County being the basin’s GSA but the Water Company wants to have a seat at the table – specifically, it would love to have a vote but does not want to be liable for funding. CAO Carunchio said today’s agenda item has nothing to do with the formation of a JPA and is strictly Inyo County, as one of 13 Eligible Local Agencies, taking steps to file to be the GSA for the unmanaged areas of the basin. Supervisor Totheroh noted that the County cannot adopt a JPA on its own. Baumwohl said this is his first opportunity to address Meadowcreek’s concerns with the Board and, while the Water Company is supportive of the County’s filing, he thought it important to go on record with those concerns. Terry Tye, General Manager of the Indian Creek-Westridge Community Services District, said the district remains interested in the County’s ideas about financing the JPA. He also offered his formal notice that the CSD had accepted the County’s offer to participate in a multi-agency GSA and accepted County staff’s offer to meet with the CSD’s Board of Directors to discuss the framework. Sally Manning, Big Pine Paiute Tribe Environmental Director, said the County filing to become the GSA is a good idea because, through the Board, constituents can direct it. She also said she was under the impression a working group was to be formed. Manning said the County can do the valley a big favor by moving beyond the GSA and focusing on what a sustainability plan would actually look like and believed current County staff and other local water minds could come up with a draft in a couple of months and then see who wants to roll up their sleeves and stay at the table to get the work done. Michael Dorame of Lone Pine read Section 16A of the Long-Term Water Agreement: “Neither the County nor Los Angeles may sponsor, take a support position, or seek to amend any legislation or administrative regulation or initiate any litigation that would directly affect any provision of this Stipulation and Order or that would weaken or strengthen local authority to regulate groundwater unless such sponsorship, support, amended position or litigation is first approved by the other party.” He said the County’s proposed actions in relation to SGMA appeared to be a violation of this section and said if the Water Agreement is not followed, then it’s not worth the paper it is written on. County Counsel Marshall Rudolph clarified that the express carve-out of lands subject to the Water Agreement, so that the State Groundwater Management Act did not apply to them, was agreed to by both LADWP and the County. Supervisor Griffiths pointed out that agreement took place years ago. Rudolph said both parties agreeing to the exemption is consistent with the section Dorame cited. He said the idea behind the exemption was that any area of the state that has already been adjudicated for water management purposes doesn’t need SGMA layered on top of it. Dorame asked and received confirmation from Harrington that Resolution 10-04 is still in effect. He said he supported the County’s GSA filing in light of the explanation given. Burt Almond, President of Park West Mutual Water Company, said the Company was in support of being included in the JPA but thinks it should have been included from the start. He said SGMA is poorly written legislation. He offered the analogy of several people using straws to get water from a bathtub while a few have large hoses to take water from the same source. He said the Mutual Water Company doesn’t want to get in trouble later on if its water levels are low because of something it has no control over. He said he thought the governor and legislature were either over-medicated or under-educated when they passed SGMA. Almond said he was there to support other mutual water companies in saying this thing is a big enough can of worms to start with so the mutual water companies should be included from the start. Supervisor Kingsley said that prior to SGMA, those straws were only one-inch long and they had no recourse besides the Water Agreement. He said SGMA will help them. He asked whether Almond supported the County forming a GSA and Almond said yes. Mary Roper of Independence said she was in favor of the County filing to be a GSA. She noted that within the adjudicated basin there are several little freckles of land that are not adjudicated. She said what’s most important is what

comes out of this process: a plan for sustainable groundwater management. Now commenting as an Owens Valley Committee representative, she said noted that Salinas Valley has included environmental groups in its JPA. She said the OVC is a unique environmental group because it is a party to the Memorandum of Understanding for the Lower Owens River Project. County Counsel Rudolph clarified that by law, an environmental group cannot be a party to a JPA, so she might be referring to a board or committee set up by the Salinas Valley JPA. Roper said the OVC just wants to be a part of the effort to compile the sustainability plan and have a say in the future of the water in the Owens Valley. CAO Carunchio reiterated that at the February 21 meeting, the Board set in motion two parallel motions that seem to have blurred in the public's mind. He said today's action has nothing to do with forming a JPA but is Inyo on its own filing to be the GSA for the unmanaged areas of the Owens Valley basin. Supervisor Griffiths asked him to clarify the process. Carunchio reviewed the Board's actions on February 21, when it approved a Framework to guide discussions for future formation of a JPA. Griffiths added that the framework document states that Inyo County plans to be as inclusive as possible within the JPA process. He noted that under that process, the only thing the County has unilateral authority over is the decision to file as a GSA, which it is doing today. Anything else as far as the composition of the JPA would have to be decided by the JPA. Vice Chairperson Totheroh closed the public hearing at 3:01 p.m. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to: A) declare that Inyo County will become the Groundwater Sustainability Agency for the portion of the Owens Valley Groundwater Basin (Basin 6-12.01) that lies within Inyo County, excluding the jurisdiction of the City of Bishop, noting that within the Resolution it excludes the territory of any other eligible agency that chooses to become their own Groundwater Sustainability Agency within Inyo County; B) adopt a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Electing to Become a Groundwater Sustainability Agency for All Portions of the Owens Valley Groundwater Basin within the Statutory Boundaries of the County"; and C) direct staff to proceed to file the required notification with the Department of Water Resources within 30 days. Supervisor Kingsley added that it feels good having so many people who want to help in the process. He said he could not feel more supported in forming the GSA, and with the goal of making the Owens Valley a sustainable aquifer. Vice Chairperson Totheroh thanked everyone for their input and participation. Motion carried unanimously, with Chairperson Tillemans absent.

*RECESS FOR BREAK*

Vice Chairperson Totheroh recessed the meeting for a break at 3:03 p.m. and reconvened the meeting at 3:14 p.m. with all members present.

*PLANNING – 2016  
GENERAL PLAN APR*

Diane Fortney of the Planning Department presented the draft Inyo County 2016 General Plan Annual Progress Report (APR). She provided an overview of its contents, which was essentially a comprehensive list of the County's actions in 2016 to continue implementing the General Plan and further its goals, policies, and programs. The APR has already been reviewed by the Planning Commission with no requests for modifications. Fortney explained the APR includes planning activities conducted countywide, including those in the Water and Public Works departments for example. Projects cited in the APR range from the many building permits reviewed by the Planning Department, but also numerous requests for variances, General Plan Amendment and Conditional Use Permit from property owners. There were also many major projects undertaken or reviewed, including, but not limited to, the Specific Plans for Charleston View, Tecopa, and Shoshone, the Owens Valley Solar Energy Study, the North Sierra Highway Corridor Specific Plan, the Tribal Consultation Policy, Inyo National Forest Plan Revision and Travel Management Implementation, the Desert Renewable Energy Conservation Plan and Renewable Energy Transmission Initiative 2.0, the Saline Valley Plan, Adventure Trails, and Short-Term Vacation Rentals, and Commercial Cannabis. Supervisor Griffiths acknowledged the entire list of projects was quite cumbersome but impressive. Fortney said she had a hard time deciding what to highlight in her report to the Supervisors because there were so many to choose from. Supervisor Kingsley agreed with Supervisor Griffiths regarding the impressiveness of the amount of work, but noted the scope of it is also remarkable. Supervisor Pucci noted some of his constituents were confused about how to file reports related to Adventure Trails activity on the County website. Supervisor Griffiths added that he also receives calls about how hard it is to find the page to make a report. Fortney said she believed the page was accessed through the Local Transportation Commission page. Supervisor Pucci said the page should be accessed via the County page. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to accept the Inyo County 2016 General Plan Annual Progress Report and direct staff to forward the APR with any modifications to the State of California's Department of Housing and Community Development and Governor's Office of Planning and Research. Motion carried unanimously, with Chairperson Tillemans absent.

**CAO-EMERGENCY SERVICES – DESIGNATION OF APPLICANT’S AGENT RESOLUTION**

County Emergency Management Specialist Kelley Williams reminded the Board that back in February, Inyo County was included in a Presidential Declaration of Emergency related to the severe winter storms and subsequent widespread damage that occurred from approximately January 3-12. She said CalOES will be holding an Applicants Briefing in Inyo County tomorrow for those agencies planning to apply for funding in relation to the Presidentially declared Federal Disaster. Applicants must have a Designation of Applicant’s Agent Resolution in place in order to apply, and the County’s has expired. If a new one is approved today it will be good for three years, Williams said, and could be applied to other declarations. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve a resolution titled, “Designation of Applicant’s Agent Resolution for Non-State Agencies,” designating the County Administrative Officer and Director of Emergency Services as the County of Inyo’s Authorized Agent to provide to the California Governor’s Office of Emergency Services (CalOES) for all matters pertaining to such state and federal disaster assistance the assurances and agreements required. Motion carried unanimously, with Chairperson Tillemans absent.

**ROCKY ROAD EMERGENCY**

Public Works Director Clint Quilter provided an update and PowerPoint presentation on the road work associated with the Rocky Road Emergency. He said it took quite a bit of work just to get to the rock slide on Whitney Portal Road after it was reported in late January. He reviewed the different agencies that needed to be coordinated with before work could even begin, and thanked County Emergency Management Specialist Kelley Williams for obtaining a Mission Task Number from CalOES that cleared the way for Caltrans’ assistance. March 1 was the first day vehicles could get through to the other side of the rock fall; March 16 they were pouring three-slack slurry to protect the roadway over the summer. Once designs for permanent restoration are complete and federal funding is approved later this year, that slurry will be busted up and removed and the road will be repaved. Quilter offered some statistics: crews removed 12 million pounds (6,000 tons) of rock; blasted 70 boulders; and drilled more than 100 holes two- to eight-feet deep. An average of 22 personnel were on site each day and it took 41 calendar days from the discovery of the rockfall to the time vehicular access to the other side was possible. Quilter also addressed the damage to Horseshoe Meadow Road, where 20 feet of dirt washed away to expose a 36-inch pipe and the slope is cut back underneath the road. He said Federal Highway Administration and California Disaster Assistance Act funding will be available to help with the extensive repairs. Supervisor Totheroh Quilter’s crews have done a wonderful job, including coordinating with other agencies. Quilter said most of the coordination and work was done by Road Superintendent Chris Cash, Senior Engineer Mike Errante, and Assistant Engineer Ashley Helms. Supervisor Kingsley praised Public Works for two things: notifying the public early on that there was a problem with Whitney Portal Road and fixing it quickly. He said people in Lone Pine are happy with the response. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to continue the “Rocky Road Emergency” that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February. Motion carried unanimously, with Chairperson Tillemans absent.

**GULLY WASHER EMERGENCY**

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to continue the local emergency known as the “Gully Washer Emergency” that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously, with Chairperson Tillemans absent.

**DV DOWN BUT NOT OUT EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue the “Death Valley Down But Not Out Emergency” that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015. Motion carried unanimously, with Chairperson Tillemans absent.

**LAND OF EVEN LESS WATER EMERGENCY**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to continue the local emergency known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that exist in the County. Motion carried unanimously, with Chairperson Tillemans absent.

**CLERK OF THE BOARD – APPROVAL OF MINUTES**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the minutes of the special meeting of February 8, 2017. Motion carried unanimously, with Chairperson Tillemans absent.

*PUBLIC COMMENT*

Vice Chairperson Totheroh asked for public comment during the final public comment period. Earl Wilson of Lone Pine said perhaps the great big hole in Horseshoe Meadow Road could have been filled by all of the rock crews pushed over the side of the mountain while clearing Whitney Portal Road.

*BOARD MEMBERS AND STAFF REPORTS*

Supervisor Kingsley said he attended a Rural County Representatives of California meeting last week where there was a lot of discussion and a split vote to support the SB 1 and AB 1 transportation bills. He said he also attended a briefing on the Owens Dry Lake regarding the projected damage to the mitigation infrastructure from the expected near-record runoff levels. He also met with the Lone Pine Tribe and discussed its concerns about water and flooding and said he encouraged them to be in contact with the County in the event of problems.

Supervisor Pucci said he wrapped up his district’s cannabis meetings last night at JKBS School. He said it went well and complimented staff on being so knowledgeable on the subject.

Supervisor Griffiths requested today’s Board meeting be closed in honor of Eileen Peterson, one of the founding mothers of Wild Iris and all-around community supporter and activist who passed away last week. He said he attended a LAFCO meeting yesterday where other than a closed session nothing happened. He noted a decision in the LAFCO lawsuit is probably forthcoming. He also attended an Eastern Sierra Foundation meeting where it was revealed Cerro Coso College is looking at a graduating class that numbers in the low 80s – an amazing figure compared to the high school’s graduating class of 130. Griffiths mentioned a pilot program going through the legislature to allow community colleges farther than 100 miles from a university to offer baccalaureate degrees and said Cerro Coso would offer bachelor’s degrees in nursing if eligible. He also noted that ESTA is looking at a \$1 per trip surcharge on the Red’s Meadow Road route to pay for repairs on the road. He also attended a cannabis meeting, this one at the hospital district board room in Bishop.

CAO Carunchio said he attended the Groundwater Sustainability Agency formation meeting for the Tri-Valley Water District last week, as well as the past two cannabis meetings. He said great comments are coming from both sides of the issue and staff is doing a great job. He also attended the grand opening of the recycling facility at the Ft. Independence Reservation and found it promising for the County should the Tribe ever bid its services because its equipment outshines anything Sierra Recycling currently has to offer.

Supervisor Totheroh said he attended a Local Transportation Commission and the second cannabis meeting for his district. He said both cannabis meetings have seen low attendance but concurred that Planning staff is doing an excellent job and the comments being received are very good. He will be attending a Quad State meeting in Primm, Nev. later this week where they will discuss rural schools, PILT, and unpredictable federal policy changes.

*ADJOURNMENT*

Vice Chairperson Totheroh adjourns the meeting in honor of Eileen Peterson, one of the founding mothers of Wild Iris, at 3:55 p.m. to 8:30 a.m. Tuesday, March 28, 2017 at the County Administrative Center in Independence.

\_\_\_\_\_  
Chairperson, Inyo County Board of Supervisors

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

by: \_\_\_\_\_  
*Darcy Ellis, Assistant*