

February 4, 2014

Regular Meeting

Item #9a

Community

Development

Comments on Sage-

Grouse Listing and

BLM/HTNF Plan

Amendment

1st Revision



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

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Lynda Roberts, Clerk of the Board

February 4, 2014

Mr. Edward D. Koch
State Supervisor
U.S. Fish and Wildlife Service
Nevada Fish and Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502

**RE: Comments on proposed rules and critical habitat designation for the Bi-State
Distinct Population Segment (DPS) of Greater Sage-Grouse**

Dear Mr. Koch:

The Mono County Board of Supervisors is disappointed and deeply concerned about the U.S. Fish and Wildlife Service's (Service's) proposals to list and designate critical habitat for the Bi-State DPS of greater sage-grouse (Bi-State DPS). As expressed in the County's letter of August 23, 2013, the County believes that a listing is not only unwarranted, but threatens the very foundation of the collaborative, multi-jurisdictional work currently supporting Bi-State DPS recovery. The County seeks to make this point with the Service again, as well as provide direct feedback on several of the identified threats and the proposed critical habitat designation.

First, Mono County warrants unique consideration, as private lands comprise only 6% of the land base and the 15 communities containing 90% of the unincorporated population are concise, compact, and constrained. This high percentage (94%) of public land, coupled with compact growth, drives land use patterns which require consolidated infrastructure and leave large tracts of intact lands for grazing and resource management. The County stresses to the Service that several concepts utilized in the proposals, such as "exurban development" and the scale of renewable energy development, are entirely inapplicable to Mono County.

Another unique consideration is the cumulative impact of the pending Sierra Nevada yellow-legged frog and Yosemite toad listings and critical habitat designations. Taken together, 82% of the private lands in Mono County could be impacted, along with major tourism and recreation locations at higher elevations. Restrictions on such a high percentage of private lands, from which the County derives 45% (\$16.2 million) of its General Fund budget through property taxes, coupled with major impacts to the two biggest economic sectors - tourism and agriculture - is an unthinkable "double whammy" for a small, rural county like Mono to absorb.

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Listing is Not Warranted

The available evidence shows that the Bi-State DPS has experienced no significant contraction of its historical range in Mono County (Hall *et al.*, 2008). The small and localized contractions that have been documented can be attributed to specific, manageable factors that fall under the jurisdiction and interest of local agencies and managers. These naturally small populations have been managed by the California Department of Fish and Wildlife for many years as a species of special concern, resulting in programs and measures designed to prevent species loss and support recovery.

Recovery Under Way

The Service is well aware of the Bi-State Local Area Working Group (LAWG), including its history, purpose, and the 298+ projects in progress to conserve, expand and improve sage-grouse habitat. All this conservation work has been accomplished on a **voluntary** basis by parties working across jurisdictional lines **collaboratively** and **in good faith**. Regulatory intervention in this group and removal of management authority directly undermines its foundation, and will result in frustration and potentially disengagement. The County submits that **less will be accomplished under a coercive, regulatory framework** than in the current working group model, which has been championed as an unprecedented success in conservation management.

Mono County participates directly in the Bi-State LAWG, regularly attending meetings and providing input to the 2012 Bi-State Action Plan. The County's current General Plan update provides an opportunity to further sage-grouse conservation measures to mitigate foreseeable impacts, and strengthen existing language to encourage growth in and adjacent to existing communities. The County's Benton Crossing Landfill, cited as an anthropogenic subsidy and attractant for ravens that may depredate sage-grouse nests and young, is scheduled to close no later than 2023, thereby removing any subsidy in its entirety. These programs and activities directly relate to the following actions in the 2012 Bi-State Action Plan: MSI1-2 and 1-3, IRM 2-1, and MER3-2. The total cost committed to implementing these Bi-State Action Plan programs is anticipated at \$5.7 million by 2023.

In addition to direct participation, Mono County convenes the Landownership Adjustment Subcommittee through the Collaborative Planning Team (CPT) on a quarterly basis to "Consider landownership patterns in the Eastern Sierra that benefit land management agencies, communities, and private landowners through agency coordination and collaboration." The Bishop Field Office of the Bureau of Land Management chairs the meeting, and the Inyo and Humboldt-Toiyabe National Forests, California Department of Fish and Wildlife (CDFW), Eastern Sierra Land Trust (ESLT), Marine Corps Mountain Warfare Training Center, and Inyo County participate. Conservation easements and land acquisitions for sage-grouse are regularly discussed and coordinated. This subcommittee represents an unprecedented multi-agency effort to coordinate landownership patterns across a regional landscape. Recent successes by subcommittee participants include the following (Action Plan citations included):

- CDFW acquisitions in the Wheeler Flat and Burcham Flat areas (MER2-8): 1,230 acres at a cost of \$2.19 million since 2007 (Alisa Ellsworth, Jan. 23, 2014, *pers. comm.*). More acquisitions are in progress, but information is confidential due to the nature of real property transactions. CDFW also owns land in the Green Creek corridor, some of which may be within proposed critical habitat but is not considered by CDFW to be good sage-grouse habitat (please contact the CDFW office in Bishop for details).
- ESLT completed acquisition of a 40-acre site in the Green Creek corridor (MER2-9) in December 2013 (Aaron Johnson, Jan. 15, 2014, *pers. comm.*).

The proposed critical habitat designation encompasses 82% of private lands in Mono County. These private lands, as stated earlier, constitute only 6% of the county's land base yet generate 45% of the General Fund budget through property taxes alone. A decision to list the Bi-State DPS as Threatened will be harmful to the overall health of Mono County and will result in significant social and economic damage. *The County will need to re-focus its limited resources on a defensive position to protect against private property takings claims, other litigation resulting from new regulations and those campaigning for the elimination of certain activities, property tax loss, and devastation to the agricultural economy.*

Completely Refined and Fully Implemented Bi-State Plan

The listing proposal states "...the Bi-State Action Plan, if completely refined and fully implemented, may result in the removal of threats to the Bi-State DPS so that protections of the Act may no longer be warranted..." (p. 64377). Conversations with Service staff clarified that "fully implemented" means ensuring adequate funding to implement agreed-upon conservation actions developed in the Action Plan.

The Executive Oversight Committee (EOC) developed a five-year program implementation list at a cost of \$38 million, or \$7.6 million per year (William A. Dunkelberger, Jan. 6, 2014, *pers. comm.*). Mono County added its **funded** projects of \$2.8 million in the next five years, and \$5.7 million by 2023. In addition, the County developed a legislative briefing to advocate for appropriation of the funds and have been lobbying elected officials and sending it to congressional representatives in California and Nevada, as well as utilizing contacts with lobbyists and in the California Governor's office.

Mono County fully supports funding of the Bi-State Action Plan as a means to preclude listing; however, other data also exist that would fully support an "unwarranted" listing decision.

Population Assessment

The BLM reported at a Mono County Board of Supervisor's meeting statistically significant increases observed for both number of leks and number of males observed at leks within the Bi-State's range during the period 1995 to 2012 (Steven Nelson, March 5, 2013, see powerpoint slide #17, *pers. comm.*). The Bi-State Action Plan (2012), with lek attendance counts as recent as 2011, supports the BLM's data by documenting stable to increasing lek attendance at all PMUs except White Mountain PMU, for which no data exists, and Mount Grant PMU. These local and most recent data present a contrasting picture to the population trend assessments utilized

by the Service in their Species Status Assessment Bi-State Distinct Population Segment of Greater Sage-Grouse (2013, p. 29-31).

The data discrepancy calls into question the identified population trends. The 298+ conservation projects completed and in progress by the LAWG may be resulting in a recent positive trend captured by the more current data, but not reflected in the older data models. The WAFWA (2008) and Garton *et al.* (2011) studies cited by the Service include counts of males at leks until 2007, leaving a five-year gap in the population trend analysis which could miss a recent change in the population trajectory.

Therefore, four of the six PMUs encompassing the vast majority of the population show stable to increasing populations and/or lek attendance based on the most recent and local data, which should be considered the “best available science.” Of the other two PMUs, no data exist for one of them. Only one PMU in the Bi-State DPS currently exhibits a downward trend, and it is outside the “core” population.

Conclusion

Based on the most recent data from local sources indicating stabilized to increasing populations, the concrete progress of the Bi-State LAWG, and Mono County’s direct participation in and funding of implementation of the 2012 Bi-State Action Plan, *the County unequivocally believes listing of the Bi-State DPS under the Endangered Species Act is unwarranted.*

Analysis of Proposed Threats

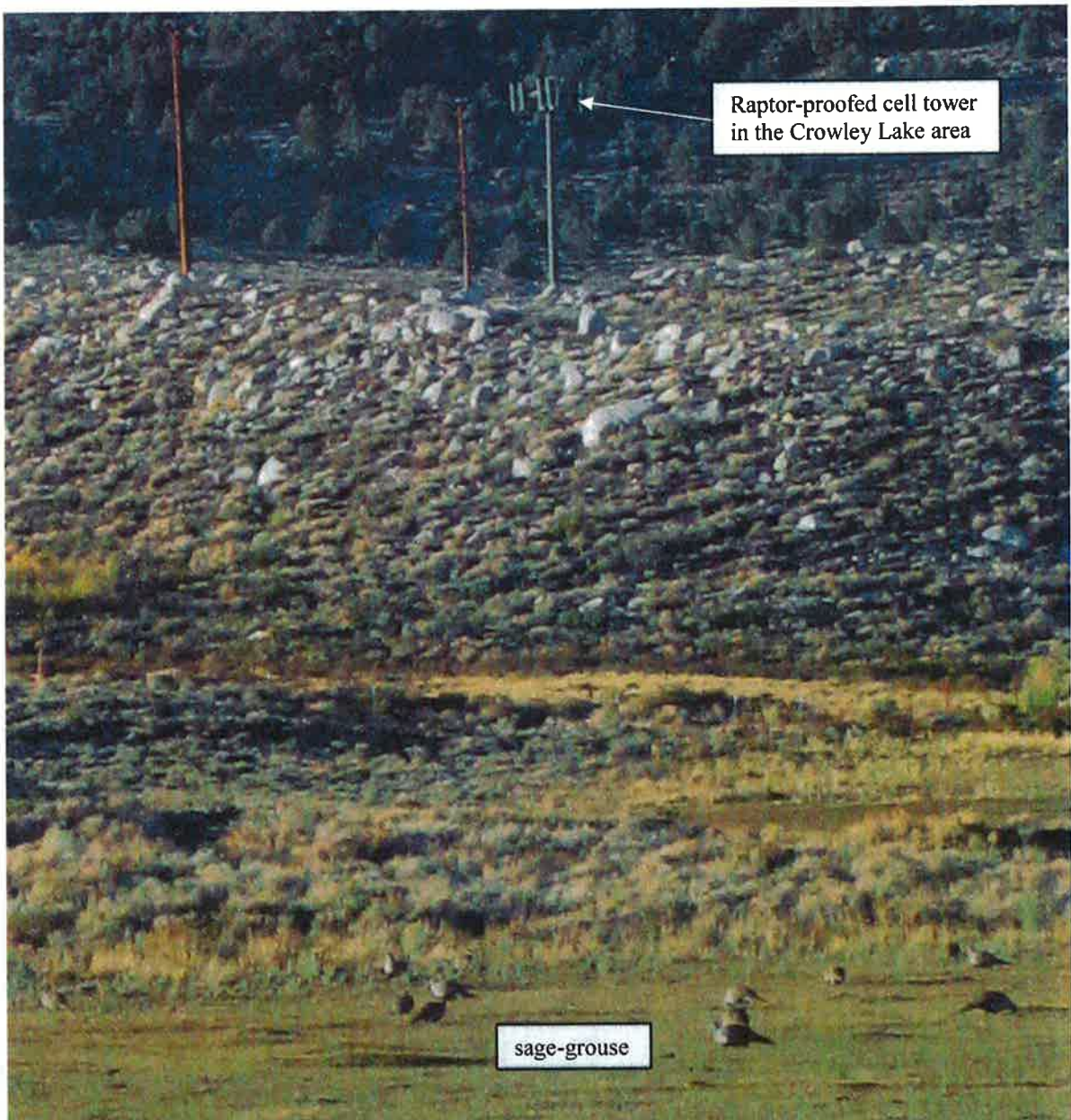
Mono County has reviewed the threats to the Bi-State DPS and offers the following comments on several identified threats:

Infrastructure

The County finds that major linear features, such as roads and power lines, are not expected to increase and the impacts of other features, such as fences and communication towers, can be mitigated as follows:

- **Roads:** No new roads are anticipated and the existing roads, which have mostly been in place for a very long time and therefore impacts would be historical, are expected only to be maintained for public safety and access purposes. The US Forest Service travel management plans have resulted in the closure and rehabilitation of unpaved roads in sensitive areas.
- **Power lines:** No plans exist to upgrade transmission capacity, demand is static, and the fiber-optic cable project (Digital 395) is complete. New power lines under County jurisdiction are required to be undergrounded (see Mono County General Plan Excerpts: Utilities, 2013).
- **Communication towers:** Impacts can be mitigated by raptor proofing, which has been required for years in Mono County through the California Environmental Quality Act (CEQA). A photograph taken in October 2013 (below, Gerry Le Francois, Mono County Community Development Department) of a cell tower near Crowley Lake with sage-

grouse in the foreground demonstrates the effectiveness of the mitigation. (See Mono County Use Permit 11-002 for an example of specific conditions of approval.)



This photo also demonstrates sage-grouse utilizing habitat adjacent to US 395, the busiest road in the county, and less than half a mile from the largest community with the most growth in the last 20 years. Thousands of acres of similar habitat not constrained by these "threats" are located adjacent and nearby.

- **Fencing:** Impacts can be mitigated with markings or by using alternative fence types. Fencing provides benefits by separating uses, for example excluding range animals from certain sage-grouse habitats at certain times.
- The historic use of the Eastern Sierra region for water and power infrastructure for the City of Los Angeles has resulted in, and will continue to result in, the preservation of vast tracts of land as open space that provide a major benefit to the Bi-State DPS.

Mono County's communities are concise, compact and constrained, resulting in concentration of infrastructure investment and projects in the 6% of the county's private land base. As these features are not expected to increase, the impacts can be mitigated, and benefits are provided, *the County believes the best information available supports downgrading the threat of "infrastructure" to not significant.*

Grazing

The 2012 Bi-State Action Plan, for all PMUs throughout Nevada and California, classifies grazing by permitted livestock to be a low level threat. Livestock grazing permits have been modified on 35 allotments covering more than 1 million acres to include terms and conditions that benefit sage-grouse habitat by adjusting seasons of use, modifying permit number, and limiting use levels. These conclusions contrast with multiple statements in the proposed listing that grazing is one of the most significant threats (p. 64358, 64364, 64368, 64372, 36373). The 2012 Bi-State Action Plan's conclusions represent the best available science and should be utilized. If legacy impacts of historical grazing uses are the cause of habitat degradation, as implied on p. 64368, then this distinction between historic and current management should be made clearer in the final rule. *Therefore, the best available science supports downgrading "grazing" as currently managed to not a significant threat.*

In addition, Mono County *supports the Service's special rule under section 4(d)*. Given the clarification that historical impacts are the real threat coupled with the benefits identified on p. 64367 and the lack of evidence directly linking current grazing practices to sage-grouse population responses, retaining intact lands for grazing provides more benefits for the Bi-State DPS than an alternate future that makes subdividing and development more likely. The photo below, taken in the South Mono PMU on September 17, 2013 (Garrett Higerd, Mono County Public Works Department), on the west side of Crowley Lake, demonstrates sage-grouse and grazing cattle can and do coexist in the same habitat in addition to persisting near a community and US 395.



Existing Regulatory Mechanisms

With the ongoing updates of multiple BLM Resource Management Plans and US Forest Service Forest Plans, regulatory mechanisms are being strengthened and will be adequate on public lands prior to the publication of the listing decision. With respect to private lands, the proposed listing states that some counties have supportive regulations but "...neither preclude development nor ... provide for monitoring of the loss of sage-grouse habitats" (p. 64372). This text is highly troubling as it implies these are the only two adequate regulatory mechanisms for private lands, and fails to recognize the extent of the County's authority. Precluding development oversteps the County's authority to regulate private development and therefore exposes us to legal action under private property takings laws. However, Mono County can strengthen its policies by requiring additional mitigation measures such as limiting and marking fencing, siting development and infrastructure on the property to minimize impacts, undergrounding infrastructure, monitoring the loss of sagebrush habitat, etc. Mono County also aggressively applies and monitors the California Environmental Quality Act (CEQA), one of the most restrictive environmental laws in the nation. In addition, private development benefits sage-grouse by contributing to the mosaic of habitat types needed to meet life cycle requirements. Benny Romero, a long time resident of Smith Valley, stated at the December 10, 2013, Mono County Board of Supervisors meeting that sage-grouse regularly forage on his lawn.

Given public land regulatory mechanisms will be adequate prior to publication of the listing decision, prohibition of development on private lands is rarely legally defensible, stringent environmental laws and prescribed mitigation measures are applied through CEQA on private lands, and private lands provide benefits, *the best information supports a determination that regulatory mechanisms are adequate.*

Overutilization

The proposed listing cites questionable genetic viability for persistence into the future due to low numbers and lack of connectivity between PMUs as reasons for Threatened status. The theoretical threshold of 5,000 individuals for genetic viability is referenced (Franklin and Frankham, 1998), and the listing proposal implies the Bi-State DPS may be close to that threshold. If this is the case and Threatened status is truly warranted, then hunting should be considered a significant impact. The intentional taking of any single individual should be unacceptable when-if, as implied in the listing proposal, the entire population teeters on the brink of this persistence threshold is significant. In addition, and hunting likely eliminates from the gene pool the boldest and most dominant individuals, which are also from the gene pool the most likely individuals. ~~These bolder individuals are also likely to be the individuals that to~~ disperse to other sites and provide the rare connectivity events that mix genotypes. Therefore, *this rationale supports elevating hunting to a significant impact.*

Urbanization and Habitat Conversion

Mono County supports the Service's determination that "urbanization and habitat conversion" are not significant threats, and offers the following supporting evidence:

- County policies direct growth to community areas (see Mono County General Plan Excerpts: Community Growth, 2013), and 90% to 95% of the unincorporated population lives within 15 community areas (Brent Calloway, Jan. 28, 2014, *pers. comm.*). Development outside community areas is typically seasonal-use residences that are vacant much of the year.
- Specific requirements for sage-grouse have been included in use permits for over 20 years (see Inaja Land Company Adopted Mitigation Monitoring Plan, 1992).
- Lands in the proposed critical habitat areas (excluding the community areas the County proposes be removed, see next section) are designated Resource Management, Agriculture, or Open Space (see Mono County General Plan Excerpts: Land Use Designations, 2013), which limit development capacity and site disturbance.
- Conservation easements and land acquisitions are being secured with willing landowners to prevent future development impacts to important sage-grouse habitats, and these efforts are supported by Mono County's Collaborative Planning Team Landownership Adjustment Subcommittee. Recent successes are described on page 2 of this comment letter, and a few more highly strategic and targeted successes could completely eliminate this threat in Mono County.
- Use of "exurban development" is completely inappropriate for Mono County as the terms "suburbs" and "city" are of a much larger and inapplicable scale. The only incorporated town in the county is Mammoth Lakes (2010 census population of 8,234), and the largest community in the unincorporated area has only 875 residents (Brent Calloway, Jan. 28, 2014, *pers. comm.*).

Recreation

Mono County supports the Service's determination that "recreation" is not a significant threat.

Mining

Mining is identified as not significant or a lesser threat on pages 64358, 64364, and 64369, but then as a significant threat on p. 64373. ***Please modify the language on p. 64373 to be consistent with the rest of the listing document by identifying "mining" as not a significant threat.***

Renewable Energy Development and Associated Infrastructure

Renewable energy development and associated infrastructure is identified as not significant or a lesser threat on pages 64358, 64363, 64364, and 64369, but then as a significant threat on p. 64373. ***Please modify the language on p. 64373 to be consistent with the rest of the listing document by identifying "renewable energy development and associated infrastructure" as not a significant threat.***

Mono County supports the Service's determination that "renewable energy development and associated infrastructure" are not significant threats, and offers the following supporting evidence:

- Mono County is developing policy language in support of community-scale (1-3 megawatt) renewable energy generation (see Draft Mono County Resource Efficiency Plan, 2014), and does not support and has not identified appropriate locations for utility-scale generation.
- Inquiries from developers within the last five years have been unsuccessful due to community opposition, environmental constraints, lack of appropriate sites, and transmission capacity constraints. The County is unaware of plans to upgrade distribution lines, and Southern California Edison transmission capacity to export electricity is unavailable until 2018 when the lines at Kramer Junction (in Kern County) are improved (Kevin Richardson, May 14, 2013). Even then, the local distribution and transmission lines are at capacity.
- Therefore, the description of renewable energy development is on a scale not applicable to Mono County, except for the one existing geothermal complex which is located primarily in forested areas and does not impact sage-grouse habitat.

Nonnative and native invasive species

Mono County expresses concern over management intentions to return the landscape to a static point in time as the “natural condition” of a landscape is dynamic. The post-mining era (e.g., early to mid 1900s) landscape would have lacked trees, which would have been cleared for use as firewood and lumber, and would have been an ideal, open sagebrush habitat well-suited for a sage-grouse population explosion. It could be hypothesized that population declines cited in the Service’s references (Connelly *et al.*, 2004; WAFWA, 2008; Garton *et al.*, 2011) are simply resulting from a return to equilibrium following a major increase in sage-grouse numbers due to the anthropogenically altered landscape following mining. In addition, landscape-scale vegetation changes cannot be decoupled from fire regimes and climate change. Paleoecological research could provide better historical context for population trends and the “natural” landscape variability, including the spatial scale and composition of vegetation and woodlands, in the context of known climate events.

Climate Change

Climate variations and cycles, altered fire regimes, and vegetation composition and structure interact with each other to result in ecological changes over time at varying spatial scales, from specific sites to landscape wide (Sugimura *et al.*, 2008). Given nonnative and native invasive species and altered fire regimes are significant threats to the Bi-State DPS, *climate change cannot be excluded and should be elevated to the same level as a significant threat.*

Disease and Predation

A recent study by Lockyer *et al.* (2013) indicates depredation on greater sage-grouse may be a more significant cause of nest failure than previously identified, and that predators include more species than ravens, such as bobcats and weasels. The Service should consider the possibility that depredation by ravens and other species may have a more significant impact on the survival and recovery of the Bi-State DPS than previously identified.

The County's Benton Crossing Landfill is specifically cited as an anthropogenic subsidy and attractant for ravens. However, the landfill is scheduled to close no later than 2023, thereby removing any subsidy in its entirety and eliminating this concern by the Service.

Conclusion

Mono County concludes the only significant threats are wildfire and altered fire regimes, nonnative and native invasive species, climate change, small population size and structure, and overutilization due to hunting. Predation could be an elevated threat, as well. Both hunting and predation could be eliminated by management programs, leaving a small subset of threats. These threats are outside the County's ability to address, except for the reduction of greenhouse gas emissions as mandated by State laws, but for the most part are within the jurisdiction and interest of resource management agencies. Therefore, due to the few threats and the ability of agency partners to manage or mitigate them, *the County unequivocally believes listing of the Bi-State DPS under the Endangered Species Act is unwarranted.*

Analysis of Proposed Critical Habitat

Should the County's position that the proposed listing is unwarranted be denied, the County has analyzed the proposed critical habitat and offer comments on the prudency determination and suitability of the boundaries.

Prudency Determination

The Service's regulations (50CFR 424.12(a)(1)) state that one reason the designation of critical habitat may not be prudent is when it would not be beneficial to the species. In this case, 561,375 hectares (ha) (1,692,874 acres) of the proposed critical habitat are under the jurisdiction and management of tribal, federal, state and local agencies. Only 70,878 ha (175,143 acres), or 12.6% of proposed critical habitat, is on private lands (per Table 3 in the proposed listing, p. 64339). The agencies have committed, through the Local Area Working Group (LAWG) and 2012 Bi-State Action Plan, to the conservation and recovery of the species. Private landowners are also participating in the Action Plan and species conservation and recovery.

Thus, the awareness of necessary habitat and impacts to the species is already very high with State and county governments and private landowners, and designating critical habitat does not provide any further educational benefit or awareness. Outside of these land managers and owners, the visiting public is not likely to know about an endangered species or even the jurisdictional agency managing the land, and therefore the critical habitat designation will not prevent inadvertent harm. Education campaigns via the LAWG and Bi-State Action Plan will be more effective than a promulgated rule in the Federal Register.

The 2012 Bi-State Action Plan focuses conservation activities on the most essential features and areas. The proposed listing and critical habitat designation adds an additional regulatory layer and dilutes the management control of the LAWG, hindering these efforts and the application of scarce resources to conservation and recovery. Thus, section 7 consultation becomes a burden rather than a positive benefit to the Bi-State DPS.

Finally, harm to these agencies and private landowners committed to the conservation and recovery of the Bi-State DPS is imminent with the designation of critical habitat in the form of redirecting funds to administrative matters like section 7 consultation, and/or defending against legal action associated with potential private property takings claims or other aspects of the final rule by those interested in precluding certain land uses. Additional harm results from the undermining of the voluntary and good faith foundation of the LAWG, and some participants, particularly private landowners, will almost certainly abandon voluntary efforts since their actions are to be regulated regardless.

The rationale above refutes the benefits cited in the proposed critical habitat designation (p. 64331), and concludes *designation of critical habitat is not prudent as it provides no benefits to the species and may, in fact, be harmful to conservation efforts in progress.*

Critical Habitat Modifications

Regardless of prudence, the “broad brush” approach for designating critical habitat is inappropriate in Mono County and certain areas must be excluded by text and/or mapping. While the footprints of developed areas are excluded by text, the term “residential enclave” would be more appropriate for Mono County. As cited earlier, 90% to 95% of the county’s population resides in 15 communities,¹ with the largest unincorporated community being 875 residents. The County’s General Plan actively directs growth to these areas rather than the more isolated parcels of private lands and/or resource-sensitive lands, which typically carry a land use designation of Resource Management, Agriculture, or Open Space with limited development capacity and allowable site disturbance. Excluding these residential enclaves by text supports these policies and assists the County in managing growth to benefit sage-grouse populations.

In addition, Mono County has compiled biological data for the portions of residential enclaves that have discretionary development potential through the ongoing General Plan update. As a result, the County is able to offer habitat presence and quality data specific to the primary constituent elements (PCEs) necessary to justify excluding Bi-State DPS critical habitat for these particular areas. These data are extensive and complex, and have already been transmitted to the Service separately with a “readme” document to explain how each data parameter is related to the various habitat requirements as delineated in the Service’s proposal.

The “readme” text is chiefly explanatory so that the Service may conduct its analysis and appropriately alter critical habitat extent prior to finalizing its rule. However, simple, illustrative examples of how the data may be used and the type of conclusions that may be reached if the analysis is conducted objectively will also be provided. For example, the Service justifies inclusion of areas of meadow habitat because of sage-grouse use for lek sites and brood raising, and the current critical habitat proposal gives detailed thresholds that must be met for these areas to be used and ultimately participate in species recovery. Creeping wildrye meadows are one type of this habitat that - outside developed areas - often easily satisfy the stated criteria for sage-grouse use, and the County has mapped 109 acres of creeping wildrye

¹ Insert list of communities.

meadow within the Bridgeport community and fringe area. A query of the database finds that, of these 109 acres of "potential habitat," only 0.15 acres (0.1%) actually meet the Service's criteria. The habitat fragmentation, isolation and degradation that are typical of historically occupied Bridgeport (and documented in the database) clearly indicate that Bridgeport's creeping wildrye meadows do not meet the critical habitat thresholds. The Service will also obtain this result, and similar outcomes for potential habitats, in every portion of the residential enclaves included in the County's research. As pointed out in the "readme" report, the amassed data support (and can be used to scientifically defend) a conclusion that *the entirety of the inventoried areas can be removed from Bi-State DPS critical habitat because these areas do not meet the critical habitat definition thresholds.*

The two airports in Mono County, Bryant Field in Bridgeport and Lee Vining Airport, are located within and adjacent to existing communities, and are therefore included in the submitted vegetation quality assessment. Besides not presenting suitable habitat, the airports provide additional benefits that outweigh the exclusion of specifying such area as part of the critical habitat, and would not result in the extinction of the species (per section 4(b)(2) of the Act). These benefits include the following:

- Emergency medical: Care Flight transports patients to advanced medical care.
- Fire fighting: a US Forest Service Helitack crew is permanently stationed at Bryant Field and Lee Vining Airport is regularly utilized. Fire suppression efforts for the 2012 Indian Fire east of Mono Lake and 2013 Spring Peak Fire east of Bodie, both in critical sage-grouse habitat, utilized Bryant Field and Lee Vining Airport.
- Law enforcement: aircraft is used to locate illegal activities that damage public lands and cause fire risk.
- National Defense: the Marine Corps Mountain Warfare Training Center regularly uses the airports for training exercises, and the Air Force periodically conducts exercises.
- Emergency landings.
- Provision of goods and services to rural areas: helicopters are sometimes staged at airports to deliver equipment, materials and workers to sensitive areas.
- Scientific research: a researcher studying glaciers recently utilized Bryant Field. Sage-grouse population data for remote areas like the White Mountain PMU is obtained using aerial surveys. Other wildlife species like Sierra Nevada Bighorn Sheep and wild horse populations are monitored with aerial surveys.
- Economic/Tourism/Recreation: a unique offering, tourists can experience a bird's eye view of the Sierra.

Features requested for exclusion that should be excluded but are not covered by the critical habitat vegetation data include road rights of way, existing aggregate borrow pits operating under approved reclamation plans, and existing landfill sites. As stated earlier, the existing road network has been in place for a very long time, and new roads are not anticipated within proposed critical habitat. The road network is minimal yet critical to general public safety, as only four paved roads in Mono County provide basic access into and out of the Eastern Sierra region. Caltrans and the County are charged with operating roads under their jurisdiction in a

safe and efficient manner, which may include activities outside the road bench such as removal of a "hazard tree," replacement of a culvert, road reconstruction after a major flood, snow removal, guard rail additions or repairs, and shoulder widening. In addition, County policies encourage the addition of bicycle lanes to existing roads to encourage non-motorized transportation, improve community mobility, and reduce greenhouse gas emissions and exhaust pollution. The public safety and pollution reduction aspects provide benefits that outweigh the exclusion of road rights of way as part of the critical habitat, and *therefore the County requests these roads and rights of way ~~should be excluded by text.~~*

Aggregate borrow pits operating under approved reclamation plans are individual points on the landscape highly site-specific and result in negligible habitat fragmentation. These areas have largely been denuded of vegetation, and do not contain the PCEs or vegetation characteristics necessary for sage-grouse habitat (see Mono County Aggregate Borrow Pit & Landfill Photographs, 2014). The aggregate from these pits is used for essential public safety and construction purposes, including road construction and repair, residential and commercial construction, and de-icing and road traction, providing benefits that outweigh the exclusion of these localized areas. In addition, the reclamation plans provide for recovery and restoration of native vegetation as mining occurs and ultimately if use is discontinued. Therefore, *the County requests the following aggregate borrow pits ~~should be excluded by text:~~ Blackpoint, Goat Ranch, Granite/Desert Aggregates Rush Creek, Auchoberry, Benton, Goat Ranch, Long Valley Airport, Marzano & Sons/Granite Construction Rush Creek, and Black Point cinder mine Mono County Sonora Pit, and Mono County Long Valley.*

Like the aggregate borrow pits, the County's landfill sites are largely denuded of vegetation and do not provide the PCEs or vegetation characteristics necessary for sage-grouse habitat. Walker and Pumice Valley are active construction and demolition landfills, and the Benton Crossing landfill is planned to close no later than 2023. (See correspondence from Tony Dublino, Jan. 29, 2014, pers. comm.). The County requests these landfill sites be excluded by text.

Conclusion

~~The proposed critical habitat designation encompasses 82% of private lands in Mono County. These private lands constitute only 6% of the county's land base, yet generate 45% or \$16.2 million of the General Fund budget through property taxes alone. A decision to list the Bi-State DPS as Threatened will be harmful to the overall health of Mono County and will result in significant social and economic damage. We will need to re-focus our limited resources on a defensive position to protect against private property takings claims, other litigation resulting from new regulations and those campaigning for the elimination of certain activities, property tax loss, and devastation to the agricultural economy.~~

The County finds designation of critical habitat not to be prudent as it provides no benefit to the Bi-State DPS, per rule 50CFR 424.12(a)(1), yet could initiate impediments and increased legal exposure for parties committed to conservation and recovery. In addition, critical habitat must exclude "residential enclaves" and airports in Mono County. The County has provided, via separately transmitted GIS files, biological resource data supporting lack of available habitat for the Bi-State DPS in portions of the residential enclaves and County airports. Other

exclusions by text include existing roads and the associated rights of way, ~~and existing aggregate borrow pits, and existing landfill sites. Both of which provide benefits that outweighing~~ the exclusion of these areas have been described.

Comment Summary

Mono County presents a unique conservation opportunity due to the existing high percentage of land in public ownership, compact communities, and large tracts of open lands. Mono County has a long history of leadership in environmental policy, advocacy and stewardship. Protection of iconic landscapes like the Mono Basin National Scenic Area is a clear example of the County's support for protecting its natural treasures. However, this stewardship must be balanced with the viability of local communities and the County itself. When 82% of the small private land base is threatened with potential preclusion of future development, it is certainly a cause for dramatic alarm. Such an act will necessitate the re-focusing of the County's limited resources on a defensive position to protect against private property takings claims, other litigation resulting from new regulations and those campaigning for the elimination of certain activities, property tax loss, and devastation to the agricultural economy.

~~To summarize,~~ Mono County has provided evidence that the proposed listing is unwarranted, and the severity of threats to the Bi-State DPS should be modified. In addition, the County submits the designation of critical habitat is not prudent. If these claims are denied, the County requests exclusion from critical habitat by mapping or text of residential enclaves, County airports, existing roads and road rights of ways, existing landfill sites, and aggregate borrow pits operating under approved reclamation plans due to lack of suitable habitat and associated benefits.

Thank you for taking the time to consider the additional information the County has presented and the position the data have led us to take. The County appreciates the challenging political, environmental and social position of the Service, and hopes that this analysis will assist the Service with supporting the continued effort and progress of the LAWG to conserve and recover the Bi-State DPS, or at least with identifying the true threats and modifying the critical habitat designation to reflect local habitats in Mono County best suited for successful preservation and recovery.

Respectfully,

Larry Johnston
Chair

CC: Congressman Paul Cook
Senator Dianne Feinstein
Senator Barbara Boxer

Town of Mammoth Lakes
County of Inyo
County of Alpine

State of California, Governor Brown
State of Nevada, Governor Sandoval
USFS, Humboldt-Toiyabe National Forest
Rural County Representatives of California (RCRC)
California State Association of Counties (CSAC)

BLM, Bishop Field Office
USFS, Inyo National Forest

Personal Communications

Aaron Johnson, Eastern Sierra Land Trust, Bishop. Email dated January 15, 2013.

Alisa Ellsworth, California Department of Fish and Wildlife, Region 6 Office, Acting Senior Environmental Scientist, Bishop. Email dated January 23, 2014.

Benny Romero, long-time rancher and resident of Smith Valley and active in Bridgeport Valley civic life. Public statements at the December 10, 2013 Board of Supervisors workshop with the US Fish and Wildlife Service on the proposed Bi-State DPS listing and critical habitat designation.

Brent Calloway, Mono County Community Development Department, Associate Analyst, Mammoth Lakes. Email dated January 28, 2014 providing a basic analysis of 2010 Census data for Mono County.

Kevin Richardson, Southern California Edison Transmission Planner, Rosemead, CA. Email dated May 14, 2013 was received in connection to a Request for Proposal selection process for a Biomass Utilization Feasibility Study. The consultant's name has been redacted for privacy reasons.

Steven Nelson, Bureau of Land Management, Bishop Field Office, Field Manager, Bishop. Mono County Board of Supervisors Greater Sage-Grouse Workshop powerpoint slides, #17. Dated March 5, 2013.

Tony Dublino, Mono County, Solid Waste Superintendent, Bridgeport. Email dated January 29, 2014.

William A. Dunkelberger, US Forest Service, Humboldt-Toiyabe National Forest, Forest Supervisor, Sparks, NV. Email dated January 6, 2014.

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Final Version



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

**BOARD OF SUPERVISORS
COUNTY OF MONO**

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts, Clerk of the Board

February 4, 2014

Mr. Edward D. Koch
State Supervisor
U.S. Fish and Wildlife Service
Nevada Fish and Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502

RE: Comments on proposed rules and critical habitat designation for the Bi-State Distinct Population Segment (DPS) of Greater Sage-Grouse

Dear Mr. Koch:

The Mono County Board of Supervisors is disappointed and deeply concerned about the U.S. Fish and Wildlife Service's (Service's) proposals to list and designate critical habitat for the Bi-State DPS of greater sage-grouse (Bi-State DPS). As expressed in the County's letter of August 23, 2013, the County believes that a listing is not only unwarranted, but threatens the very foundation of the collaborative, multi-jurisdictional work currently supporting Bi-State DPS recovery. The County seeks to make this point with the Service again, as well as provide direct feedback on several of the identified threats and the proposed critical habitat designation.

Mono County warrants unique consideration, as private lands comprise only 6% of the land base and the 15 communities containing 90% of the unincorporated population are concise, compact, and constrained. This high percentage (94%) of public land, coupled with compact growth, drives land use patterns which require consolidated infrastructure and leave large tracts of intact lands for grazing and resource management. The County stresses to the Service that several concepts utilized in the proposals, such as "exurban development" and the scale of renewable energy development, are entirely inapplicable to Mono County.

Another unique consideration is the cumulative impact of the pending Sierra Nevada yellow-legged frog and Yosemite toad listings and critical habitat designations. Taken together, 82% of the private lands in Mono County could be impacted, along with major tourism and recreation locations at higher elevations. Restrictions on such a high percentage of private lands, from which the County derives 45% (\$16.2 million) of its General Fund budget through property taxes, coupled with major impacts to the two biggest economic sectors -

9a

tourism and agriculture – is an unthinkable "double whammy" for a small, rural county like Mono to absorb.

LISTING IS NOT WARRANTED

The available evidence shows that the Bi-State DPS has experienced no significant contraction of its historical range in Mono County (Hall *et al.*, 2008). The small and localized contractions that have been documented can be attributed to specific, manageable factors that fall under the jurisdiction and interest of local agencies and managers. These naturally small populations have been managed by the California Department of Fish and Wildlife for many years as a species of special concern, resulting in programs and measures designed to prevent species loss and support recovery.

Recovery Under Way

The Service is well aware of the Bi-State Local Area Working Group (LAWG), including its history, purpose, and the 298+ projects in progress to conserve, expand and improve sage-grouse habitat. All this conservation work has been accomplished on a **voluntary** basis by parties working across jurisdictional lines **collaboratively and in good faith**. Regulatory intervention in this group and removal of management authority directly undermines its foundation, and will result in frustration and potentially disengagement. The County submits that **less will be accomplished under a coercive, regulatory framework** than in the current working group model, which has been championed as an unprecedented success in conservation management.

Mono County participates directly in the Bi-State LAWG, regularly attending meetings and providing input to the 2012 Bi-State Action Plan. The County's current General Plan update provides an opportunity to further sage-grouse conservation measures to mitigate foreseeable impacts, and strengthen existing language to encourage growth in and adjacent to existing communities. The County's Benton Crossing Landfill, cited as an anthropogenic subsidy and attractant for ravens that may depredate sage-grouse nests and young, is scheduled to close no later than 2023, thereby removing any subsidy in its entirety. These programs and activities directly relate to the following actions in the 2012 Bi-State Action Plan: MSI1-2 and 1-3, IRM 2-1, and MER3-2. The total cost committed to implementing these Bi-State Action Plan programs is anticipated at \$5.7 million by 2023.

In addition to direct participation, Mono County convenes the Landownership Adjustment Subcommittee through the Collaborative Planning Team (CPT) on a quarterly basis to "Consider landownership patterns in the Eastern Sierra that benefit land management agencies, communities, and private landowners through agency coordination and collaboration." The Bishop Field Office of the Bureau of Land Management chairs the meeting, and the Inyo and Humboldt-Toiyabe National Forests, California Department of Fish and Wildlife (CDFW), Eastern Sierra Land Trust (ESLT), Marine Corps Mountain Warfare Training Center, and Inyo County participate. Conservation easements and land acquisitions for sage-grouse are regularly discussed and coordinated. This subcommittee represents an

unprecedented multi-agency effort to coordinate landownership patterns across a regional landscape. Recent successes by subcommittee participants include the following (Action Plan citations included):

- CDFW acquisitions in the Wheeler Flat and Burcham Flat areas (MER2-8): 1,230 acres at a cost of \$2.19 million since 2007 (Alisa Ellsworth, Jan. 23, 2014, *pers. comm.*). More acquisitions are in progress, but information is confidential due to the nature of real property transactions. CDFW also owns land in the Green Creek corridor, some of which may be within proposed critical habitat but is not considered by CDFW to be good sage-grouse habitat (please contact the CDFW office in Bishop for details).
- ESLT completed acquisition of a 40-acre site in the Green Creek corridor (MER2-9) in December 2013 (Aaron Johnson, Jan. 15, 2014, *pers. comm.*).

The proposed critical habitat designation encompasses 82% of private lands in Mono County. These private lands, as stated earlier, constitute only 6% of the county's land base yet generate 45% of the General Fund budget through property taxes alone. A decision to list the Bi-State DPS as Threatened will be harmful to the overall health of Mono County and will result in significant social and economic damage. ***The County will need to re-focus its limited resources on a defensive position to protect against private property takings claims, other litigation resulting from new regulations and those campaigning for the elimination of certain activities, property tax loss, and devastation to the agricultural economy.***

Completely Refined and Fully Implemented Bi-State Plan

The listing proposal states "...the Bi-State Action Plan, if completely refined and fully implemented, may result in the removal of threats to the Bi-State DPS so that protections of the Act may no longer be warranted..." (p. 64377). Conversations with Service staff clarified that "fully implemented" means ensuring adequate funding to implement agreed-upon conservation actions developed in the Action Plan.

The Executive Oversight Committee (EOC) developed a five-year program implementation list at a cost of \$38 million, or \$7.6 million per year (William A. Dunkelberger, Jan. 6, 2014, *pers. comm.*). Mono County added its **funded** projects of \$2.8 million in the next five years, and \$5.7 million by 2023. In addition, the County developed a legislative briefing to advocate for appropriation of the funds and have been lobbying elected officials and congressional representatives in California and Nevada.

Mono County fully supports funding of the Bi-State Action Plan as a means to preclude listing; however, other data also exist that would fully support a "not warranted" listing decision.

Population Assessment

The BLM reported at a Mono County Board of Supervisor's meeting statistically significant increases observed for both number of leks and number of males observed at leks within the Bi-State's range during the period 1995 to 2012 (Steven Nelson, March 5, 2013, see powerpoint slide #17, *pers. comm.*). The Bi-State Action Plan (2012), with lek attendance counts as recent as 2011, supports the BLM's data by documenting stable to increasing lek attendance at all PMUs

except White Mountain PMU, for which no data exists, and Mount Grant PMU. These local and most recent data present a contrasting picture to the population trend assessments utilized by the Service in their Species Status Assessment Bi-State Distinct Population Segment of Greater Sage-Grouse (2013, p. 29-31).

The data discrepancy calls into question the Service's identified population trends. The 298+ conservation projects completed and in progress by the LAWG may be resulting in a recent positive trend captured by the more current data, but not reflected in the older data models. The WAFWA (2008) and Garton *et al.* (2011) studies cited by the Service include counts of males at leks until 2007, leaving a five-year gap in the population trend analysis which could miss a recent change in the population trajectory.

Therefore, four of the six PMUs encompassing the vast majority of the population show stable to increasing populations and/or lek attendance based on the most recent and local data, which should be considered the "best available science." Of the other two PMUs, no data exist for one of them. Only one PMU in the Bi-State DPS currently exhibits a downward trend, and it is outside the "core" population.

Conclusion

Based on the most recent data from local sources indicating stabilized to increasing populations, the concrete progress of the Bi-State LAWG, and Mono County's direct participation in and funding of implementation of the 2012 Bi-State Action Plan, *the County unequivocally believes listing of the Bi-State DPS under the Endangered Species Act is unwarranted.*

ANALYSIS OF PROPOSED THREATS

Mono County has reviewed the threats to the Bi-State DPS and offers the following comments on several identified threats:

Infrastructure

The County finds that major linear features, such as roads and power lines, are not expected to increase and the impacts of other features, such as fences and communication towers, can be mitigated as follows:

- Roads: No new roads are anticipated and the existing roads, which have mostly been in place for a very long time and therefore impacts would be historical, are expected only to be maintained for public safety and access purposes. The US Forest Service travel management plans have resulted in the closure and rehabilitation of unpaved roads in sensitive areas.
- Power lines: No plans exist to upgrade transmission capacity, demand is static, and the fiber-optic cable project (Digital 395) is complete. New power lines under County jurisdiction are required to be undergrounded (see Mono County General Plan Excerpts: Utilities, 2013).

- Communication towers: Impacts can be mitigated by raptor proofing, which has been required for years in Mono County through the California Environmental Quality Act (CEQA). A photograph taken in October 2013 (below, Gerry Le Francois, Mono County Community Development Department) of a cell tower outside the Crowley Lake residential enclave with sage-grouse in the foreground demonstrates the effectiveness of the mitigation. (See Mono County Use Permit 11-002 for an example of specific conditions of approval.)



This isolated cell tower is outside the residential enclave of Crowley Lake and demonstrates that raptor-proofing is a successful mitigation strategy. The photograph also demonstrates that sage-grouse will utilize sufficiently large areas of high-quality habitat outside residential enclaves despite existing power lines and poles, and relatively close (but outside the right of way) proximity to US 395. Thousands of acres of similar habitat free of these linear features are located adjacent and nearby.

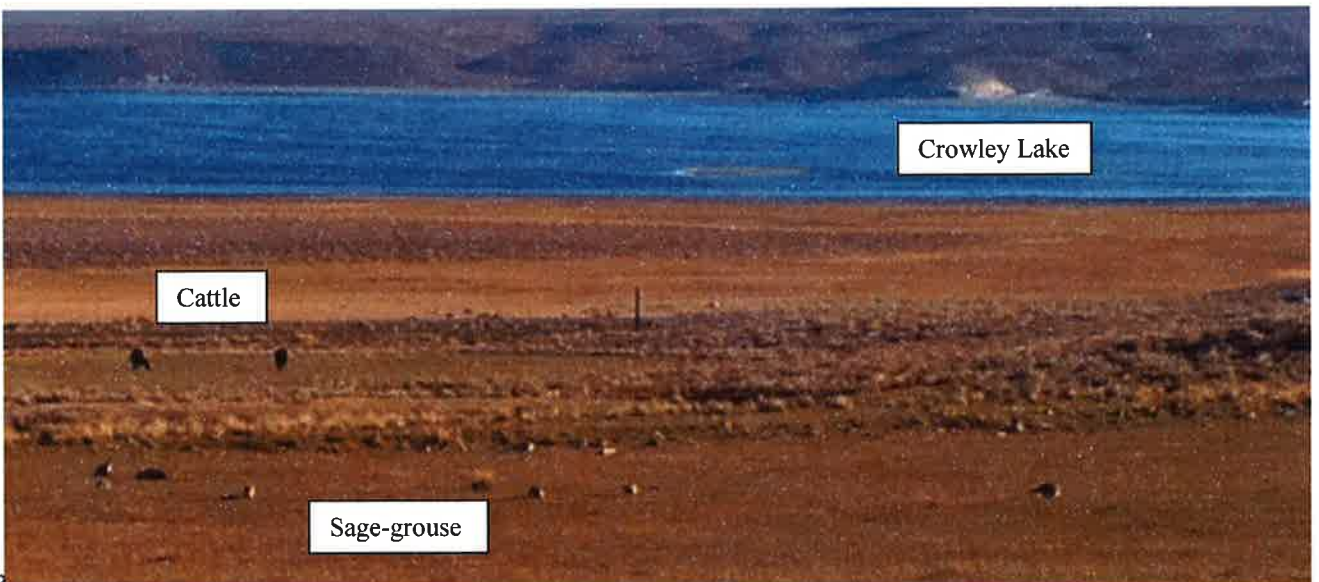
- Fencing: Impacts can be mitigated with markings or by using alternative fence types. Fencing provides benefits by separating uses, for example excluding range animals from certain sage-grouse habitats at certain times, or protecting endangered big horn sheep populations. In addition, deer fencing along busy roads can prevent the loss of life and property damage, as well as impacts to deer populations. Mono County is very concerned that listing could preclude other beneficial projects.
- The historic use of the Eastern Sierra region for water and power infrastructure for the City of Los Angeles has resulted in, and will continue to result in, the preservation of vast tracts of land as open space that provide a major benefit to the Bi-State DPS.

Mono County's communities are concise, compact and constrained, resulting in concentration of infrastructure investment and projects in the 6% of the county's private land base. As these features are not expected to increase, the impacts can be mitigated, and benefits are provided, *the County believes the best information available supports downgrading the threat of "infrastructure" to not significant.*

Grazing

The 2012 Bi-State Action Plan, for all PMUs throughout Nevada and California, classifies grazing by permitted livestock to be a low level threat. Livestock grazing permits have been modified on 35 allotments covering more than 1 million acres to include terms and conditions that benefit sage-grouse habitat by adjusting seasons of use, modifying permit number, and limiting use levels. These conclusions contrast with multiple statements in the proposed listing that grazing is one of the most significant threats (p. 64358, 64364, 64368, 64372, 36373). The 2012 Bi-State Action Plan's conclusions represent the best available science and should be utilized. If legacy impacts of historical grazing uses are the cause of habitat degradation, as implied on p. 64368, then this distinction between historic and current management should be made clearer in the final rule. *Therefore, the best available science supports downgrading "grazing" as currently managed to not a significant threat.*

In addition, Mono County *supports the Service's special rule under section 4(d)*. Given the clarification that historical impacts are the real threat coupled with the benefits identified on p. 64367 and the lack of evidence directly linking current grazing practices to sage-grouse



population responses, retaining intact lands for grazing provides more benefits for the Bi-State DPS than federal regulation that makes subdividing and development more likely. The photo above, taken in the South Mono PMU on September 17, 2013 (Garrett Higerd, Mono County Public Works Department), on the west side of Crowley Lake, demonstrates sage-grouse and grazing cattle can and do coexist in the same habitat.

Existing Regulatory Mechanisms

With the ongoing updates of multiple BLM Resource Management Plans and US Forest Service Forest Plans, regulatory mechanisms are being strengthened and will be adequate on public lands prior to the publication of the listing decision. With respect to private lands, the proposed listing states that some counties have supportive regulations but "...neither preclude development nor ... provide for monitoring of the loss of sage-grouse habitats" (p. 64372). This text is highly troubling as it implies these are the only two adequate regulatory mechanisms for private lands, and fails to recognize the extent of the County's authority. Precluding development oversteps the County's authority to regulate private development and therefore exposes us to legal action under private property takings laws. However, Mono County can strengthen its policies by requiring additional mitigation measures such as limiting and marking fencing, siting development and infrastructure on the property to minimize impacts, undergrounding infrastructure, monitoring the loss of sagebrush habitat, etc. Mono County also aggressively applies and monitors the California Environmental Quality Act (CEQA), one of the most restrictive environmental laws in the nation. In addition, private development can benefit sage-grouse by contributing to the mosaic of habitat types needed to meet life cycle requirements. Benny Romero, a long time resident of Smith Valley, stated at the December 10, 2013, Mono County Board of Supervisors meeting that sage-grouse regularly forage on his lawn.

Given that 1) public land regulatory mechanisms will be adequate prior to publication of the listing decision, 2) prohibition of development on private lands is rarely legally defensible, 3) stringent environmental laws and prescribed mitigation measures are applied through CEQA on private lands, and 4) private lands provide benefits, *the best information supports a determination that regulatory mechanisms are adequate.*

Overutilization

The proposed listing cites questionable genetic viability for persistence into the future due to low numbers and lack of connectivity between PMUs as reasons for Threatened status. The theoretical threshold of 5,000 individuals for genetic viability is referenced (Franklin and Frankham, 1998), and the listing proposal implies the Bi-State DPS may be close to that threshold. If this is the case and Threatened status is truly warranted, then hunting should be considered a significant impact. The intentional taking of any single individual should be unacceptable if, as implied in the listing proposal, the entire population teeters on the brink of this persistence threshold. In addition, hunting likely eliminates from the gene pool the boldest and most dominant individuals, which are also the most likely individuals to disperse to other sites and provide the rare connectivity events that mix genotypes. Therefore, *this rationale supports elevating hunting to a significant impact.*

Urbanization and Habitat Conversion

Mono County supports the Service's determination that "urbanization and habitat conversion" are not significant threats, and offers the following supporting evidence:

- County policies direct growth to community areas (see Mono County General Plan Excerpts: Community Growth, 2013), and 90% to 95% of the unincorporated population lives within 15 community areas¹ (Brent Calloway, Jan. 28, 2014, *pers. comm.*). Development outside community areas is typically seasonal-use residences that are vacant much of the year.
- Specific requirements for sage-grouse have been included in use permits for over 20 years (see Inaja Land Company Adopted Mitigation Monitoring Plan, 1992).
- Lands in the proposed critical habitat areas (excluding the community areas the County proposes be removed, see next section) are designated Resource Management, Agriculture, or Open Space (see Mono County General Plan Excerpts: Land Use Designations, 2013), which limit development capacity and site disturbance.
- Conservation easements and land acquisitions are being secured with willing landowners to prevent future development impacts to important sage-grouse habitats, and these efforts are supported by Mono County's Collaborative Planning Team Landownership Adjustment Subcommittee. Recent successes are described on page 2 of this comment letter, and a few more highly strategic and targeted successes could completely eliminate this threat in Mono County.
- Use of "exurban development" is completely inappropriate for Mono County as the terms "suburbs" and "city" are of a much larger and inapplicable scale. The only incorporated town in the county is Mammoth Lakes (2010 census population of 8,234), and the largest community in the unincorporated area has only 875 residents (Brent Calloway, Jan. 28, 2014, *pers. comm.*).

Recreation

Mono County supports the Service's determination that "recreation" is not a significant threat.

Mining

Mining is identified as not significant or a lesser threat on pages 64358, 64364, and 64369, but then as a significant threat on p. 64373. ***Please modify the language on p. 64373 to be consistent with the rest of the listing document by identifying "mining" as not a significant threat.***

Renewable Energy Development and Associated Infrastructure

Renewable energy development and associated infrastructure is identified as not significant or a lesser threat on pages 64358, 64363, 64364, and 64369, but then as a significant threat on p. 64373. ***Please modify the language on p. 64373 to be consistent with the rest of the listing***

¹ Crowley Lake, Walker, Chalfant, June Lake, Bridgeport, Coleville, Benton, Lee Vining, Swall Meadows, Sunny Slopes, Mono City, Paradise, Aspen Springs, Topaz, McGee Creek.

document by identifying “renewable energy development and associated infrastructure” as not a significant threat.

Mono County supports the Service’s determination that “renewable energy development and associated infrastructure” are not significant threats, and offers the following supporting evidence:

- Mono County is developing policy language in support of community-scale (1-3 megawatt) renewable energy generation (see Draft Mono County Resource Efficiency Plan, 2014), and does not support and has not identified appropriate locations for utility-scale generation.
- Inquiries from developers within the last five years have been unsuccessful due to community opposition, environmental constraints, lack of appropriate sites, and transmission capacity constraints. The County is unaware of plans to upgrade distribution lines, and Southern California Edison transmission capacity to export electricity is unavailable until 2018 when the lines at Kramer Junction (in Kern County) are improved (Kevin Richardson, May 14, 2013). Even then, the local distribution and transmission lines are at capacity.
- Therefore, the description of renewable energy development is on a scale not applicable to Mono County, except for the one existing geothermal complex which is located primarily in forested areas and does not impact sage-grouse habitat.

Nonnative and native invasive species

Mono County expresses concern over management intentions to return the landscape to a static point in time as the “natural condition” of a landscape is dynamic. The post-mining era (e.g., early to mid 1900s) landscape would have lacked trees, which would have been cleared for use as firewood and lumber, and would have been an ideal, open sagebrush habitat well-suited for a sage-grouse population explosion. It could be hypothesized that population declines cited in the Service’s references (Connelly *et al.*, 2004; WAFWA, 2008; Garton *et al.*, 2011) are simply resulting from a return to equilibrium following a major increase in sage-grouse numbers due to the anthropogenically altered landscape following mining. In addition, landscape-scale vegetation changes cannot be decoupled from fire regimes and climate change. Paleoecological research could provide better historical context for population trends and the “natural” landscape variability, including the spatial scale and composition of vegetation and woodlands, in the context of known climate events.

Climate Change

Climate variations and cycles, altered fire regimes, and vegetation composition and structure interact with each other to result in ecological changes over time at varying spatial scales, from specific sites to landscape wide (Sugimura *et al.*, 2008). Given nonnative and native invasive species and altered fire regimes are significant threats to the Bi-State DPS, *climate change cannot be excluded and should be elevated to the same level as a significant threat.*

Disease and Predation

A recent study by Lockyer *et al.* (2013) indicates depredation on greater sage-grouse may be a more significant cause of nest failure than previously identified, and that predators include more species than ravens, such as bobcats and weasels. The Service should consider the possibility that depredation by ravens and other species may have a more significant impact on the survival and recovery of the Bi-State DPS than previously identified.

The County's Benton Crossing Landfill is specifically cited as an anthropogenic subsidy and attractant for ravens. However, the landfill is scheduled to close no later than 2023, thereby removing any subsidy in its entirety and eliminating this concern by the Service.

Conclusion

Mono County concludes the only significant threats are wildfire and altered fire regimes, nonnative and native invasive species, climate change, small population size and structure, and overutilization due to hunting. Predation could be an elevated threat, as well. Both hunting and predation could be eliminated by management programs, leaving a small subset of threats. These threats are outside the County's ability to address, except for the reduction of greenhouse gas emissions as mandated by State laws, but for the most part are within the jurisdiction and interest of resource management agencies. Therefore, due to the few threats and the ability of agency partners to manage or mitigate them, *the County unequivocally believes listing of the Bi-State DPS under the Endangered Species Act is unwarranted.*

ANALYSIS OF PROPOSED CRITICAL HABITAT

Should the County's position that the proposed listing is unwarranted be denied, the County has analyzed the proposed critical habitat and offer comments on the prudence determination and suitability of the boundaries.

Prudence Determination

The Service's regulations (50CFR 424.12(a)(1)) state that one reason the designation of critical habitat may not be prudent is when it would not be beneficial to the species. In this case, 561,375 hectares (ha) (1,692,874 acres) of the proposed critical habitat are under the jurisdiction and management of tribal, federal, state and local agencies. Only 70,878 ha (175,143 acres), or 12.6% of proposed critical habitat, is on private lands (per Table 3 in the proposed listing, p. 64339). The agencies have committed, through the Local Area Working Group (LAWG) and 2012 Bi-State Action Plan, to the conservation and recovery of the species. Private landowners are also participating in the Action Plan and species conservation and recovery.

Thus, the awareness of necessary habitat and impacts to the species is already very high with State and county governments and private landowners, and designating critical habitat does not provide any further educational benefit or awareness. Outside of these land managers and owners, the visiting public is not likely to know about an endangered species or even the jurisdictional agency managing the land, and therefore the critical habitat designation will not prevent inadvertent harm. Education campaigns via the LAWG and Bi-State Action Plan will be more effective than a promulgated rule in the Federal Register.

The 2012 Bi-State Action Plan focuses conservation activities on the most essential features and areas. The proposed listing and critical habitat designation adds an additional regulatory layer and dilutes the management control of the LAWG, hindering these efforts and the application of scarce resources to conservation and recovery. Thus, section 7 consultation becomes a burden rather than a positive benefit to the Bi-State DPS.

Finally, harm to these agencies and private landowners committed to the conservation and recovery of the Bi-State DPS is imminent with the designation of critical habitat in the form of redirecting funds to administrative matters like section 7 consultation, and/or defending against legal action associated with potential private property takings claims or other aspects of the final rule by those interested in precluding certain land uses. Additional harm results from the undermining of the voluntary and good faith foundation of the LAWG, and some participants, particularly private landowners, will almost certainly abandon voluntary efforts since their actions are to be regulated regardless.

The rationale above refutes the benefits cited in the proposed critical habitat designation (p. 64331), and concludes *designation of critical habitat is not prudent as it provides no benefits to the species and may, in fact, be harmful to conservation efforts in progress.*

Critical Habitat Modifications

Regardless of prudence, the “broad brush” approach for designating critical habitat is inappropriate in Mono County and certain areas must be excluded by text and/or mapping. While development footprints are excluded by text, the term “residential enclave” would be more appropriate for areas of exclusion in Mono County. Residential enclaves are those areas of private property committed to residential buildout through previous approvals, and are no longer subject to discretionary action by the County. The County’s General Plan actively directs growth to these areas rather than the more isolated parcels of private lands and/or resource-sensitive lands, which typically carry a land use designation of Resource Management, Agriculture, or Open Space with limited development capacity and allowable site disturbance. Excluding these residential enclaves by text supports these policies and assists the County in managing growth to benefit sage-grouse populations.

In addition, Mono County has compiled biological data for a smaller subset of areas within several residential enclaves that have discretionary development potential. As a result, the County is able to offer habitat presence and quality data specific to the primary constituent elements (PCEs) necessary to justify excluding Bi-State DPS critical habitat for these particular areas. These data (Mono County Draft General Plan Update, 2014) are extensive and complex, and have already been transmitted to the Service separately with a “readme” document (Paulus, 2014) to explain how each data parameter is related to the various habitat requirements as delineated in the Service’s proposal.

The “readme” text is chiefly explanatory so that the Service may conduct its analysis and appropriately alter critical habitat extent prior to finalizing its rule. However, simple, illustrative examples of how the data may be used and the type of conclusions that may be reached if the analysis is conducted objectively are provided. For example, the Service justifies

inclusion of areas of meadow habitat because of sage-grouse use for lek sites and brood raising, and the current critical habitat proposal gives detailed thresholds that must be met for these areas to be used and ultimately participate in species recovery. Creeping wildrye meadows are one type of this habitat that – outside developed areas - often easily satisfy the stated criteria for sage-grouse use, and the County has mapped 109 acres of creeping wildrye meadow within the Bridgeport community and fringe area. A query of the database finds that, of these 109 acres of “potential habitat,” only 0.15 acres (0.1%) actually meet the Service’s criteria. The habitat fragmentation, isolation and degradation that are typical of historically occupied Bridgeport (and documented in the database) clearly indicate that Bridgeport’s creeping wildrye meadows do not meet the critical habitat thresholds. The Service will also obtain this result, and similar outcomes for potential habitats, in every portion of the residential enclaves included in the County’s research. As pointed out in the “readme” report (Paulus, 204), the amassed data support (and can be used to scientifically defend) a conclusion that *the entirety of the inventoried areas can be removed from Bi-State DPS critical habitat because these areas do not meet the critical habitat definition thresholds.*

The two airports in Mono County, Bryant Field in Bridgeport and Lee Vining Airport, are located within and adjacent to existing communities, and are therefore included in the submitted vegetation quality assessment. Besides not presenting suitable habitat, the airports provide additional benefits that outweigh the exclusion of specifying such area as part of the critical habitat, and would not result in the extinction of the species (per section 4(b)(2) of the Act). These benefits include the following:

- Emergency medical: Care Flight transports patients to advanced medical care.
- Fire fighting: a US Forest Service Helitack crew is permanently stationed at Bryant Field and Lee Vining Airport is regularly utilized. Fire suppression efforts for the 2012 Indian Fire east of Mono Lake and 2013 Spring Peak Fire east of Bodie, both in critical sage-grouse habitat, utilized Bryant Field and Lee Vining Airport.
- Law enforcement: aircraft is used to locate illegal activities that damage public lands and cause fire risk.
- National Defense: the Marine Corps Mountain Warfare Training Center regularly uses the airports for training exercises, and the Air Force periodically conducts exercises.
- Emergency landings.
- Provision of goods and services to rural areas: helicopters are sometimes staged at airports to deliver equipment, materials and workers to sensitive areas.
- Scientific research: a researcher studying glaciers recently utilized Bryant Field. Sage-grouse population data for remote areas like the White Mountain PMU is obtained using aerial surveys. Other wildlife species like Sierra Nevada Bighorn Sheep and wild horse populations are monitored with aerial surveys.
- Economic/Tourism/Recreation: a unique offering, tourists can experience a bird’s eye view of the Sierra.

Features requested for exclusion that are not covered by the critical habitat vegetation data include road rights of way, existing aggregate borrow pits operating under approved

reclamation plans, and existing landfill sites. As stated earlier, the existing road network has been in place for a very long time, and new roads are not anticipated within proposed critical habitat. The road network is minimal yet critical to general public safety, as only four paved roads in Mono County provide basic access into and out of the Eastern Sierra region. Caltrans and the County are charged with operating roads under their jurisdiction in a safe and efficient manner, which may include activities outside the road bench such as removal of a “hazard tree,” replacement of a culvert, road reconstruction after a major flood, snow removal, guard rail additions or repairs, and shoulder widening. In addition, County policies encourage the addition of bicycle lanes to existing roads to encourage non-motorized transportation, improve community mobility, and reduce greenhouse gas emissions and exhaust pollution. The public safety and pollution reduction aspects provide benefits that outweigh the exclusion of road rights of way as part of the critical habitat, and *therefore the County requests these roads and rights of way be excluded by text.*

Aggregate borrow pits operating under approved reclamation plans are individual points on the landscape and result in negligible habitat fragmentation. These areas have largely been denuded of vegetation, and do not contain the PCEs or vegetation characteristics necessary for sage-grouse habitat (see Mono County Pit & Landfill Photographs, 2014). The aggregate from these pits is used for essential public safety and construction purposes, including road construction and repair, residential and commercial construction, and de-icing and road traction, providing benefits that outweigh the exclusion of these localized areas. In addition, the reclamation plans provide for recovery and restoration of native vegetation as mining occurs and ultimately if use is discontinued. Therefore, *the County requests the following aggregate borrow pits be excluded by text:* Blackpoint, Goat Ranch, Granite/Desert Aggregates Rush Creek, Marzano & Sons Rush Creek, Mono County Sonora Pit, and Mono County Long Valley. In addition, the County owned/operated Auchoberry Pit near Coleville is requested for exclusion.

Like the aggregate borrow pits, the County’s landfill sites are largely denuded of vegetation and do not provide the PCEs or vegetation characteristics necessary for sage-grouse habitat. Walker and Pumice Valley are active construction and demolition landfills, and the Benton Crossing landfill is planned to close no later than 2023. (See correspondence from Tony Dublino, Jan. 29, 2014, *pers. comm.*). *The County requests these landfill sites be excluded by text.*

Conclusion

The County finds designation of critical habitat not to be prudent as it provides no benefit to the Bi-State DPS, per rule 50CFR 424.12(a)(1), yet could initiate impediments and increased legal exposure for parties committed to conservation and recovery. In addition, critical habitat must exclude “residential enclaves” and airports in Mono County. The County has provided, via separately transmitted GIS files, biological resource data supporting lack of available habitat for the Bi-State DPS in portions of the residential enclaves and County airports. Other exclusions by text include existing roads and the associated rights of way, existing aggregate borrow pits, and existing landfill sites. Benefits outweighing the exclusion of these areas have been described.

COMMENT SUMMARY

Mono County presents a unique conservation opportunity due to the existing high percentage of land in public ownership, compact communities, and large tracts of open lands. Mono County has a long history of leadership in environmental policy, advocacy and stewardship. Protection of iconic landscapes like the Mono Basin National Scenic Area is a clear example of the County's support for protecting its natural treasures. However, this stewardship must be balanced with the viability of local communities and the County itself.

The proposed critical habitat designation encompasses 82% of private lands in Mono County. These private lands constitute only 6% of the county's land base, yet generate 45% (\$16.2 million) of the General Fund budget through property taxes alone. A decision to list the Bi-State DPS as Threatened will be harmful to the overall health of Mono County and will result in significant social and economic damage. The County will need to re-focus its limited resources on a defensive position to protect against private property takings claims, other litigation resulting from new regulations and those campaigning for the elimination of certain activities, property tax loss, and devastation to the agricultural economy.

Mono County has provided evidence that the proposed listing is unwarranted, and the severity of threats to the Bi-State DPS should be modified. In addition, the County submits the designation of critical habitat is not prudent. If these claims are denied, the County requests exclusion from critical habitat by mapping or text of residential enclaves, airports, existing roads and road rights of ways, existing landfill sites, and aggregate borrow pits operating under approved reclamation plans due to lack of suitable habitat and associated benefits.

Thank you for taking the time to consider the additional information the County has presented and the position the data have led us to take. The County appreciates the challenging political, environmental and social position of the Service, and hopes that this analysis will assist the Service with supporting the continued effort and progress of the LAWG to conserve and recover the Bi-State DPS, or at least with identifying the true threats and modifying the critical habitat designation to reflect local habitats in Mono County best suited for successful preservation and recovery.

Respectfully,

Larry Johnston
Chair

CC: Congressman Paul Cook	Town of Mammoth Lakes
Senator Dianne Feinstein	Rural County Representatives of California (RCRC)
Senator Barbara Boxer	County of Alpine
State of California, Governor Brown	BLM, Bishop Field Office
State of Nevada, Governor Sandoval	USFS, Inyo National Forest
USFS, Humboldt-Toiyabe National Forest	County of Inyo
California State Association of Counties (CSAC)	

Personal Communications

Aaron Johnson, Eastern Sierra Land Trust, Bishop. Email dated January 15, 2013.

Alisa Ellsworth, California Department of Fish and Wildlife, Region 6 Office, Acting Senior Environmental Scientist, Bishop. Email dated January 23, 2014.

Benny Romero, long-time rancher and resident of Smith Valley and active in Bridgeport Valley civic life. Public statements at the December 10, 2013 Board of Supervisors workshop with the US Fish and Wildlife Service on the proposed Bi-State DPS listing and critical habitat designation.

Brent Calloway, Mono County Community Development Department, Associate Analyst, Mammoth Lakes. Email dated January 28, 2014 providing a basic analysis of 2010 Census data for Mono County.

Kevin Richardson, Southern California Edison Transmission Planner, Rosemead, CA. Email dated May 14, 2013 was received in connection to a Request for Proposal selection process for a Biomass Utilization Feasibility Study. The consultant's name has been redacted for privacy reasons.

Steven Nelson, Bureau of Land Management, Bishop Field Office, Field Manager, Bishop. Mono County Board of Supervisors Greater Sage-Grouse Workshop powerpoint slides, #17. Dated March 5, 2013.

Tony Dublino, Mono County, Solid Waste Superintendent, Bridgeport. Email dated January 29, 2014.

William A. Dunkelberger, US Forest Service, Humboldt-Toiyabe National Forest, Forest Supervisor, Sparks, NV. Email dated January 6, 2014.

References

Bi-State Technical Advisory Committee, 2012. Bi-State Action Plan: Past, Present and Future Actions for Conservation of the Greater Sage-Grouse Bi-State Distinct Population Segment. Bi-State Executive Oversight Committee for Conservation of Greater Sage-Grouse. Report date March 15, 2012.

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- Mono County Draft General Plan Update, Biological evaluation data file, transmitted to the US Fish and Wildlife Service separately. Available from the Mono County Community Development Department, Mammoth Lakes.
- Mono County General Plan Excerpts: Community Growth, Land Use Designations, Utilities, 2013. Excerpts were compiled and transmitted as cited; the complete General Plan can be found at <http://monocounty.ca.gov/planning/page/general-plan>.
- Mono County Pit & Landfill Photographs, 2014. Photos of each aggregate borrow pit in Mono County from aerial photographs on Google Earth. Compiled by Brent Calloway, Mono County Community Development, Associate Analyst, Mammoth Lakes.
- Mono County Resource Efficiency Plan Policies, proposed for the General Plan Update, 2014. Contact: Wendy Sugimura, Mono County, Community Development, Associate Analyst, Mammoth Lakes.
- Mono County Use Permit 11-002, 2012. Vista Towers LLC Telecommunications Facility Conditions of Approval.
- Paulus, Jim. "Readme" file, transmitted to the US Fish and Wildlife Service separately. Available from the Mono County Community Development Department, Mammoth Lakes.
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- US Fish and Wildlife Service, 2013. Species Status Assessment Bi-State Distinct Population Segment of Greater Sage-Grouse. Report date July 26, 2013.
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February 4, 2014

Regular Meeting

Item #13b

Finance

**Funding Support for
Non-County Agencies
and Organizations**

**Final Contribution
Budget/Misc. Supporting
Documents**

CONTRIBUTIONS TO OTHER ORGANIZATIONS

Organization	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Actual	FY 2012-13 Actual	FY 2013-14 Requested	Consensus
Mammoth AYSO		2,995	2,700	3,000	3,000	3,000
ML Swim Team		3,000	3,000	3,000	3,000	3,000
Mono County Little League		3,600	3,600	3,000	3,000	3,000
Ombudsman Advocacy Services	2,000	2,000	2,000	0		
UC 4H Science Camp		1,800	500	500		
June Lake Loop Historical Society		9,450		0		
Mono Basin Historical Society	5,000	5,000	5,000	5,000	5,000	4,000
Southern Mono Historical Society		5,000	5,000	5,000	5,000	4,000
Antelope Valley Historical Exhibit					7,500	3,500
Chamber Music Unbound	10,000	10,000	8,000	8,000	7,000	4,500
Mono Council for the Arts	20,000	20,000	13,000	11,000	7,500	5,000
Jazz Jubilee - Mammoth Jazz Camp					5,000	1,500
Mammoth Lakes Repertory Theatre					7,500	3,000
Jazz Jubilee Festival	15,000	20,000	13,350	10,000		
June Lake Loop Music Festival				5,000		
ML Sierra Summer Festival	10,000	10,000	6,350	5,000		
Antelope Valley CERT				0	3,790	2,000
Forest Service (E. S. Avalanche Center)				2,500		
Friends of the Inyo	10,000	10,000	5,000	5,000		
ML Trails and Public Access	15,000		5,000	5,000	7,424	2,500
Sierra Bounty Produce Collective				2,000		
Yosemite Gateway Partners		5,000	2,000	2,000	5,000	1,000
TOTAL	\$87,000	\$102,845	\$74,500	\$75,000	\$69,714	\$40,000

**MONO COUNTY TOURISM & FILM COMMISSION
COMMUNITY EVENT MARKETING FUND 2013-2014**

FOR

MONO COUNTY COMMUNITY NON-PROFIT ORGANIZATIONS

DEFINITION AND PURPOSE

Mono County, through its Tourism & Film Commission, is pleased to announce the availability of a Community Event Marketing Fund (CEMF) reimbursement program to support organized, non-profit groups that may require additional revenue to market and promote tourism-based community events. The purpose of this program is to further the Mono County Tourism & Film Commission's (MCTFC) goal to increase year-round visitation and overnight stays in Mono County which provide economic benefit to the region.

ELIGIBLE EVENT MARKETING PROGRAMS

Examples of marketing initiatives that promote tourism-based, community events might include: Temporary promotional signage, flyers, posters, brochures, direct mail, online and traditional advertising, etc. **Please note:**

- Promotional communication must be targeted and distributed to destination markets **outside** Mono County and California's Eastern Sierra.
- Promotional materials funded by the CEMF must be professionally designed and produced.
- New events will be given priority consideration, as will events that are scheduled during non-holidays after Labor Day through June 30th (and excluding high season for Mammoth Lakes events, Dec.20-March 30).
- Every community in the county is encouraged to submit applications for funding and MCTFC will strive to ensure that funding is dispersed as equitably as possible between communities and applicants. However, this will depend on relevant applications received and cannot be guaranteed.
- Both new and existing events are eligible for funding; however, MCTFC encourages organizations to develop self-sustaining events and programs, and will take this into consideration when reviewing applications for CEMF.

EVENT MARKETING CHARACTERISTICS

The MCTFC will review all applications, giving special attention to those requests that propose to market the following:

- Events that bring NEW overnight visitation to Mono County, particularly those that drive more than a single night stay
- Events that promote/advertise the community, not individual businesses
- Events which have otherwise limited funding sources
- Events which have heavy volunteer participation and community support
- New events and applicants that have not previously applied for funding
- Events which drive traffic during the shoulder seasons – non-holidays after Labor Day through the end of June, (and excluding high season for Mammoth Lakes events, Dec.20-March 30).

- Events which are marketed and promoted to destination markets outside Mono County and the Eastern Sierra.

AVAILABLE FUNDING

Up to \$4,000 in funding on a reimbursement basis is available per event, determined by the scope and needs of the event. Total funding available for CEMF is \$20,000; these monies are identified in the MCTFC 2013-14 operating budget. **The Mono County Tourism and Film Commission is under no obligation to expend any or all of the funds if applications do not meet funding requirements or MCTFC goals/objectives.** Organizations that have been granted funding from MCTFC in the past may apply for CEMF if the proposal is to expand the event in order to drive NEW overnight visitation, or if the event is moved to a non-holiday, shoulder-season time.

APPLICATION REQUIREMENTS

To apply for Community Event Marketing Fund reimbursement, organizations must submit:

- Community Event Marketing Fund application form (see attached)
- Detailed budget specific to the program or event
- Proof of 501(c) non-profit organization status

APPLICATION SUBMISSION & APPROVAL TIMELINE

All applications will be reviewed by Mono County staff and, if determined to meet funding criteria, will be submitted to the MCTFC for final evaluation.

APPLICATION SUBMISSION DEADLINE: January 13, 2014.

PRESENTATION TO COMMISSON*: January 28, 2014.

FUNDING APPROVAL NOTIFICATION: January 28, 2014.

**Applicants must be prepared, if requested,, to make a short 5-minute presentation at the regularly scheduled MCTFC meeting, January 28, 2014. Time and location TBA.*

APPLICATION SUBMISSION INSTRUCTIONS

All applications for 2013-14 must be submitted by **January 13, 2014** in person, by mail or electronically to:

Jeff Simpson
Economic Development Coordinator
Mono County
PO Box 603
Mammoth Lakes, CA 93546
P. 760-924-4634
F. 760-924-1697 FAX
E. jsimpson@mono.ca.gov

The Mono County Economic Development office is located in the Sierra Center Mall, 452 Old Mammoth Rd.- 3rd floor, in the County Administrative Office.

FUNDED EVENT REQUIREMENTS:

Events that are approved for CEMF reimbursement program must adhere to the following program requirements:

- 1) Recipients must adhere to the business/marketing plan (scope of work), as proposed, and sign a contract to do so with the county.
- 2) Recipients are required to provide progress reports by phone or email leading up to the event.
- 3) All promotional materials and online/website presence must include the following Mono County information; however the primary call-to-action for the event must clearly be the event's own contact info.
 - Mono County Tourism/Film Commission logo (artwork provided)
 - The 800 Tourism number: **800.845.7922**
 - Mono County Tourism website address: **www.MonoCounty.org**.
- 4) Design and content of all materials must be professionally created and reviewed by County staff before printing, publication or distribution.
- 5) All content and photos, information, logos, etc. must be properly licensed.
- 6) All original invoices and/or original paid receipts must be presented to Mono County staff for reimbursement to the requesting organization within 30 days after the event or the launch of the program.
- 7) Organizations must provide Mono County staff and the MCTFC with a written **Project Report** on the success of the program or event.

Mono County Tourism/Film Commission Community Event Marketing Fund Request Form

You are encouraged to provide any additional information you feel is pertinent and which would aid in evaluating your request. This request should only be completed for funding activities that will have a direct impact on the successful marketing and promotion of Mono County as a visitor destination.

1. Name of Organization: _____

2. Purpose of Organization _____

3. Name of event for which funding is being requested:

4. Date of event: _____

5. Amount of funding requested: \$ _____

6. Chairperson/Contact _____

7. Email Address _____

8. Telephone/Cell Phone _____

9. Mailing Address _____

10. Tax ID # _____

If you do not have a Tax ID number, has one been requested? Yes No

11. Has this particular event received funding through Mono County in the past?
Yes No If yes, what year and amount:

12. Marketing Plan

Please answer the questions below which describe **how you will use the funding** to market your event. You may also submit your detailed Marketing or Business Plan, if it addresses these questions.

a. Overview of the event:

b. **Advertising/Media Buy** – What advertising and promotional channels will be used (*names of magazines, newspapers, radio stations, online venues*)? How many ads/spots will run, and what are the size/duration, timeline, and costs?

c. **Printed Materials** – What and how many printed materials will be produced (*e.g. brochures, posters, rack cards, banners*) and what are the distribution plans, timeline, and costs?:

d. **Timeline** – Please provide a timeline for the marketing campaign:

13. **Number of local participants/volunteers.** _____

14. Budget

a. **Please attach a detailed event Budget** (including Revenue & Expenditures)

b. **What other sources have you pursued to obtain funding?** (e.g. fundraising events, increased fees, admission charges). Please attach any information that will assist in establishing the funding history of the organization:

c. **Are any County-funded resources (community centers, parks) used by the organization?** Yes _____ No _____

If yes, indicate the nature and extent. Estimate number of participant hours of use: _____

15. Goals

a. **Please quantify the visitation goals of your program?** (e.g. 100 room-nights, 500 attendees, etc.): _____

b. **How will the event drive NEW overnight visitation to your community?**

By signing below you agree to meet the Community Event Marketing Fund requirements, which, if not met, may result in lack of reimbursement of costs for your program or event.

Print Name

Telephone number/Email

Signature

Date

Conservation Assessment Program Survey recommendations for Mono Basin History Museum
X = done G = grant application A = Ahmanson Grant O = ourselves (priorities for 2014 season)

Voeks recommendations:

Short Term:

- G 1. Hire a part time professional curator.
- O 2. Move flammable supplies out of storage and off-site.
- O 3. Invite local Fire Department to tour the structures and collections.
- O 4. Thoroughly clean dermestid infested Trading Post exhibit case. Dispose of rabbit furs. Freeze organic objects.
- O 5. Move cleaning supplies and equipment to outdoor shed.
- O 6. Purchase fire extinguishers, ensure they are readily accessible and staff is trained to use them.
- O 7. Purchase a Nilfisk or similar HEPA filter vacuum with adjustable speed and fine attachments for cleaning objects and exhibit spaces.
- 8. Place Mylar and Ethafoam padding on storage shelves.
- O 9. Re-organize collections in storage to ease locating and prevent damage.
- O 10. Replace vinyl fabric with washed cotton fabric in exhibit cases.
- 11. Remove non-collection materials from outdoor objects.
- 12. Create facsimiles of deteriorating paper and photographs exposed to direct sunlight.
- O 13. Add signage to discourage climbing on outdoor objects.
- O 14. Purchase and install curtains for windows in the exhibit space.
- A 15. Install deadbolts and doorsweep on collections storage area.
- G 16. Monitor light and UV in exhibition spaces.
- O 17. Block light from rear panels of exhibit cases to reduce light levels in cases.
- O 18. Move James Hathaway ECV collection to a case with less light exposure.
- O 19. Visually monitor dust in exhibit space to determine frequency of cleaning for Housekeeping Plan.
- G 20. Purchase and install 3 HOBO or similar dataloggers.
- O 21. Insert brass and steel wool into rodent entry points.
- X 22. Complete cataloging and conduct annual inventories.
- X 23. Store an electronic copy of the museum catalog off-site. Back-up data monthly.
- X 24. Create position descriptions that adequately address the actual functions of staff and volunteers
- O 25. Consult with County Attorney to determine liability issues related to outdoor objects.
- X 26. Work with San Jose State University to scan and provide facsimiles of Hammond Ledger.
- 27. Involve San Jose State University students in creating text for anthropology exhibits.
- X 28. Seek training opportunities for staff and volunteers.
- O 29. Return historic furniture objects in shed to Tioga Lodge or move to exhibits.

Mid Term:

- O 1. Compile an emergency salvage kit.
- O 2. Install locks and gaskets on exhibit cases.
- O 3. Coat plywood and wood in exhibit cases with water-based polyurethane.
- A 4. Create dedicated museum storage space in rear storage room.
- O 5. Increase annual preservation budget to include staff training and supplies.
- X 6. Create a SOCS.
- 7. Write and implement the following plans:
 - a. IPM
 - O b. Housekeeping
 - c. Handling and Use of Collections
 - d. Security and Access
 - e. Records Management (for retention of preservation information)
 - f. Photography
 - g. Lighting
 - X h. Emergency/Disaster Operations
 - i. Vandalism

j. Exhibits

- G 8. Monitor the environment using dataloggers for two years before hiring a conservator to discuss mitigation methods and the need for environmental control.
- 9. Contract for CCS of Paper, Photographs and Books (include training component).
- 10. Continue creating facsimiles of sensitive paper and photograph objects. Place originals in storage.
- A 11. Raise cabinets and file drawers in storage at least 4" off floor.
- O 12. Replace UV film on Old Schoolhouse windows.
- 13. Label collections with more permanent, archival methods.
- O 14. Maintain records for all preservation actions.
- 15. Photograph all objects and all object treatments. Add to catalog.
- 16. Encourage local student involvement in museum projects.
- G 17. Repair and monitor alarm system.

Long Term:

- 1. Find or build dedicated museum storage space.
- 2. Contract for conservation of Model of Mono Lake
- G 3. Purchase museum quality exhibit cases and storage cabinets.
- A 4. Upgrade storage of all objects to professional museum standards.
- G 5. Contract for CCS (include training components):
 - a. Leather and Basketry (Organic objects)
 - b. Metal
 - c. Wood and Furniture
 - d. Outdoor Large Metal objects
- 6. Lift outdoor objects off ground.
- 7. Upgrade hanging systems for leather and baskets based on recommendations in CCS.
- G 8. Install fire suppression systems in all buildings exhibiting or storing collections.
- 9. Install HVAC if necessary.

Farneth Recommendations

OLD SCHOOLHOUSE MUSEUM RECOMMENDATIONS:

Short Term

- O - Conduct additional historical research documenting the history and significance of the Schoolhouse, and prepare nomination for listing on the National Register of Historical Places.
- O - Conduct routine ongoing exterior and interior maintenance including siding and trim repair, painting, and door repair, noted in the assessment.
 - Survey the collection, move any highly climate-sensitive or highly valuable artifacts and documents to a more controlled environment.
 - Develop an interpretive and exhibit plan for the interior, coordinate with accessibility requirements for the interior.
- A - Develop plans for remodeling the storage area for improved collections storage. At a minimum separating the storage area from the restroom area. If a larger storage area is needed, consideration should be given to adding a wall at the rear of the main room, creating a separate storage and workroom area.
 - Develop program and schematic plans for constructing a curatorial storage and workroom building, to be constructed to the west of the schoolhouse.

Mid-Term Recommendations

- G - Design and install new security system.
- G - Install new fire detection and alarm system.
- A - Remodel the storage room, separating it from the restroom area.
 - Remodel the interior to install improved exhibits and cases as developed in the interpretive

plan.

A Correct access code deficiencies at the ramp access.

Long-Term Recommendations

- Construct new storage and work room building.
- Install fire suppression system.

UPSIDE DOWN HOUSE RECOMMENDATIONS:

Short Term

- Repair and reroof the structure, add flashing at the rake edges and extend the corrugated roofing 2 inches beyond the wall trim.
- Using previously weathered wood if possible, replace selected deteriorated boards to match existing. (most notable on the east façade) Replace selected deteriorated battens and install new battens where missing
- Re-nail and repair roof rafter connections to wall structure.
- Evaluate and verify the structural capacity of the steel straps and hold-downs.
- Repair and improve the observation platforms and stairways.

Mid-and Long Term

- Establish a program of cyclical maintenance. This should involve annual inspection and maintenance of roof and wood siding and trim.

SITE, LANDSCAPE, AND EXTERIOR EXHIBITS RECOMMENDATIONS

SHORT-TERM

- Develop a conceptual site plan for the long-term development of the site, including proposed solutions to perimeter security, artifact location and placement, pathways locations, and areas for potential expansion for buildings or collections.
- Working with a mining historian, develop an interpretive plan for the interpretation and exhibition of the exterior artifacts.
- In parallel with the interpretive planning, develop a collections policy related to exterior artifacts, and other historical structures which might be moved onto the site.
- Develop a design for remodeling the edge of the site for security and control.
- Review the sprinkler locations for lawn irrigation, and where these are spraying the exterior exhibits, revise or relocate the sprinklers. Where necessary, cut back the lawn area around sensitive artifacts and install decomposed granite or similar lowmaintenance material around the exhibit.
- Work with the county staff in coordinating the concept plan with county responsibilities in providing access to the restroom building.

MID- TERM

- G
- Install perimeter edge security and control point to the site.
 - Create a visitor path through the exhibits, with interpretive information.
 - Install accessible pathways to public restrooms.

LONG-TERM

- Execute the recommendations of the conceptual site plan, possibly including, relocating selected exterior artifacts, and developing a roof-sheltered area for artifacts subject to weathering damage.
- Design and install a structure for collections storage, and possibly meeting or research use. This may be a new structure, or a modular structure moved to the site, or a historical structure also moved to the site.

YGP notes – MONO COUNTY GRANT REQUEST – FEBRUARY 4, 2014

WHO IS YOSEMITE GATEWAY PARTNERS?

- A 501(C)(3) INCORPORATED IN 2009.
- ORIGINALLY FORMED AT THE SUGGESTION OF YOSEMITE NATIONAL PARK IN 2003 TO ASSIST THE PARK WITH COMMUNICATIONS TO THE BUSINESSES, RESIDENTS, TRIBES, NON-PROFITS, AND GOVERNMENT AGENCIES LOCATED IN AND AROUND THE COMMUNITIES ADJACENT TO YOSEMITE NATIONAL PARK.
- START-UP OPERATIONAL FUNDING WAS PROVIDED BY THE PARK, AND THE FOUR COUNTIES LOCATED AT THE YOSEMITE GATEWAYS.
- YGP'S MISSION IS TO **FACILITATE REGIONAL COLLABORATION ON ISSUES OF IMPORTANCE TO THE CREATION OF SUSTAINABLE CULTURAL, NATURAL AND ECONOMIC PROSPERITY.**

WHAT DOES YGP DO?

- QUARTERLY, (JAN, APR, JUL, OCT), MEETINGS HELD IN THE PARK, ATTENDANCE 100-125.
- QUARTERLY E-NEWSLETTERS DISTRIBUTED TO OVER 15,000 INTERESTED PARTICIPANTS.
- E-BLASTS DISSEMINATING CURRENT TOPICAL INFORMATION PROVIDED BY YNP, THE NATIONAL FORESTS, CALTRANS, YARTS, AND OTHERS.
- FACILITATES A COLLABORATION OF THE TOURISM MARKETING INTERESTS OF THE FOUR GATEWAYS TO PRODUCE THE ANNUAL YOSEMITE INSERT FOR THE CALIFORNIA VISITORS GUIDE.
- ADVISE THE PARK ON THE OPENING OF THE TIOGA ROAD AND OTHER TRANSPORTATION ISSUES EFFECTING PARK TRAFFIC.

WHO IS YGP'S TARGET AUDIENCE?

- 12 FEDERAL AND 6 CALIFORNIA STATE AGENCIES
- 6 COUNTY GOVERNMENT AGENCIES
- 12 NGO'S
- TRIBES IN THE REGION
- BUSINESSES IN THE REGION
- INTERESTED CITIZENS IN THE REGION

HOW DOES YGP OPERATE?

- AN ELEVEN MEMBER UNPAID BOARD OF DIRECTORS.
- FIVE OFFICERS: PRESIDENT, TWO VICE-PRESIDENTS, TREASURER, AND SECRETARY, ALL UNPAID, ARE THE EXECUTIVE COMMITTEE.
- CONTRACTS FOR SOME OUTSIDE SERVICES.
- DOES NOT HAVE OFFICES OR OTHER ADMINISTRATIVE EXPENSES.
- OBTAINS GRANTS AND DONATIONS TO FINANCE CONTINUING OPERATIONS.

HOW TO FINANCE YGP FUTURE OPERATIONS AND GROWTH?

YOSEMITE SUSTAINABLE CONFERENCE

- A PARTNERSHIP BETWEEN YOSEMITE NATIONAL PARK AND YOSEMITE GATEWAY PARTNERS TO PRODUCE A TWO AND ONE-HALF DAY EVENT AT CURRY VILLAGE IN YOSEMITE VALLEY, DECEMBER 8-10, 2014.
- THE CONFERENCE CONTENT WILL BE FOCUSED ON:
 1. AIR
 2. ENERGY
 3. SOLID WASTE
 4. WATER
- LEADERS AND EXPERTS FROM BOTH PRIVATE BUSINESS AND PUBLIC AGENCIES WILL PRESENT AFFORDABLE SOLUTIONS CURRENTLY AVAILABLE TO SOLVE SUSTAINABILITY ISSUES.
- EMERGING INNOVATIVE TECHNOLOGICAL SOLUTIONS WILL ALSO BE PRESENTED.
- NET FUNDS RETAINED WILL BE USED TO FINANCE FUTURE YGP OPERATIONS AND THE GROWTH OF SERVICES PROVIDED.
- YGP INTENDS TO RETAIN A PAID STAFF BEGINNING IN 2015 TO MANAGE ITS OPERATIONS.

WHY MONO COUNTY GRANT?

- YGP SEEKS SPONSORS TO PROVIDE CASH AND/OR IN-KIND CONTRIBUTIONS IN ORDER FINANCE THE CONFERENCE.

- MONO COUNTY HAS BEEN A RELIABLE SOURCE OF FINACIAL SUPPORT FOR PAST YGP PROJECTS.
- THE SIERRA BUSINESS COUNCIL AND NATIONAL GEOGRAPHIC, (GEOTOURSIM), HAVE BOTH COMMITTED TO BE SPONSORS.
- YOSEMITE NATIONAL PARK IS PROVIDING TOURS TO VISIT ITS SUSTAINABLE OPERATIONS FOR CONFERENCE ATTENDEES. REAL SOLUTIONS IN OPERATION TODAY.
- MONO COUNTY, WITH THE EAST GATE AT TIOGA PASS SITUATED IN THE MIDDLE OF THE COUNTY, IS A DIRECT BENEFICIARY OF THE TOURIST TRAFFIC GENERATED BY THE 4+ MILLION VISITORS ENTERING AND LEAVING THE PARK EACH YEAR.

BOB PETERS
DIRECTOR/TREASURER, YOSEMITE GATEWAY PARTNERS

YOSEMITE SUSTAINABLE CONFERENCE

(Developed by Yosemite National Park and Yosemite Gateway Partners)

(Preliminary Budget)

20-Jan-14

Income:

Registrations	\$ 98,750	(Average per person \$395)
Sponsors	\$ 75,000	(Average per sponsor \$5,000)
Exhibitors	\$ 7,500	(Average per exhibitor (\$500))
Total	\$ 181,250	

Expense:

Hard costs	\$ 62,500	(Includes promotion, marketing, speakers fees and expenses, attendees meals, in-Park transportation, A/V services, and set-up/take-down labor)
Contingency	\$ 9,375	(15% of Direct Hard Costs)
Total	\$ 71,875	

Net

\$ 109,375

Early Costs:

Deposits	\$ 3,000	(Primarily to Delaware North Corp)
Website	\$ 4,950	(Add Conference to YGP site)
Blat Marketing	\$ 4,500	(Lists include YNP, YGP, SBC, and Others TBD)
Administration	\$ 2,500	
Total	\$ 14,950	

Mono County Grant Request Justification:

1. Counties located in all YNP gateways (including Mono County) have supported YGP projects and operating budgets during the past 10 years.
2. YGP is managed by an all-volunteer board of directors and does not have a paid staff.
3. YGP intends to employ staff and expand its services during 2015.
4. YGP has been instrumental in working with YNP to bring information and assistance to Mono County during area emergencies, and to cooperate with opening the Tioga Road as early as safety permits.
5. The YNP/YGP partnership is a tourism generating partnership for Mono County's tourism based economy.
6. The Conference will provide government agencies, non-profits, and businesses with affordable sustainability solutions that will contribute to the wealth and welfare of our region.
7. THE PURPOSE OF THIS GRANT IS TO HELP PAY FOR NEXT STEP IN YGP GROWTH: FINANCING THE LONG-TERM OPERATING BUDGET OF YGP BY SPONSORING THE YOSEMITE SUSTAINABLE CONFERENCE.

February 4, 2014

Regular Meeting

Item #13c

Misc. Departments

Mono County Energy

Policy Workshop

Mono County Energy Policy Workshop

February 4, 2014



- I. Background
- II. PACE Options
- III. Building permit waivers
- IV. County facilities and zero net energy
- V. Local climate initiative resolution – CSAC
- VI. Grant funds and Resource Energy Plan update
- VII. Requested Actions
- VIII. Thank you to Taskforce



I. Background



1. Background

- ✓ Board has hosted other discussions seeking to unify energy and cost savings efforts
- ✓ Mutli department team assembled from:
 - ✓ Community Development
 - ✓ Public Works
 - ✓ Finance
 - ✓ County Administrator's Office
 - ✓ Building Department



1. Background

- ✓ Looking for options for County and community to:
 - ✓ Achieve meaningful cost and energy savings in County operations
 - ✓ Provide all residents of Mono County access to programs to allow their participation in energy/cost savings efforts
 - ✓ Comply with growing state mandates such as AB 32 (2006)



II. Property Assessed Clean



Energy (PACE)



What is PACE?

- PACE is Property Assessed Clean Energy, an innovative way for residential and commercial property owners to pay for energy efficiency and renewable energy upgrades.
- Funding is secured by the property and collected as an assessment on the property tax bill.
- Repayment terms may vary from 5 to 20 years.
- Provides 100% funding for eligible projects, no up front cash investment.



History of PACE?

- PACE Program authorized in 2008 by AB811.
- Cities, counties, and other special districts could establish **voluntary** tax assessment programs to finance energy efficiency and renewable energy projects fixed to residential, commercial, or other real property.
- One of the first operational PACE programs under AB 811 was Sonoma County's Energy Independence Program. This program became a benchmark for other Pace programs through out the nation.



History of PACE?

- PACE is in 31 states and the District of Columbia.
- Private sector (residential and commercial) accessing funding
- In late 2013, the Hilton Los Angeles/Universal Studios used PACE to fund \$7 million worth of sustainable upgrades, making it the largest commercial Pace project to date.



PACE benefits



- Access to private capital for investments
- Reduction of utility costs for consumers
- Reductions in energy usage
- Reduced emissions by energy producers due to reduced demand,
- Increased property values
 - Investments in residential and commercial properties
- Jobs -- Support for local construction jobs as private contractors are hired to complete energy efficiency and alternative energy generation projects.

PACE Implementation Options

1. **Self administered and financed.**
 - A. County bears all costs of program administration, marketing
2. **Self administered and third party financed.**
 - A. Places the burden of operating and monitoring the program on Mono County.
 - B. Funding from outside (non-county source)
3. **Third Party administered and financed.**
 - A. Turn Key outside Program
 - B. Marketing, administration
 - C. County oversight.

Prudent Path – 3rd Party

➤ Residential and Commercial Programs:

➤ Hero Program

- JPA - Western Riverside Council of Governments

➤ Ygrene Program

- Private Corporation

➤ Commercial Programs:

➤ CaliforniaFIRST

- JPA - California Statewide Communities Development Authority (CSCDA)

➤ Figtree Financing

- Private Corporation



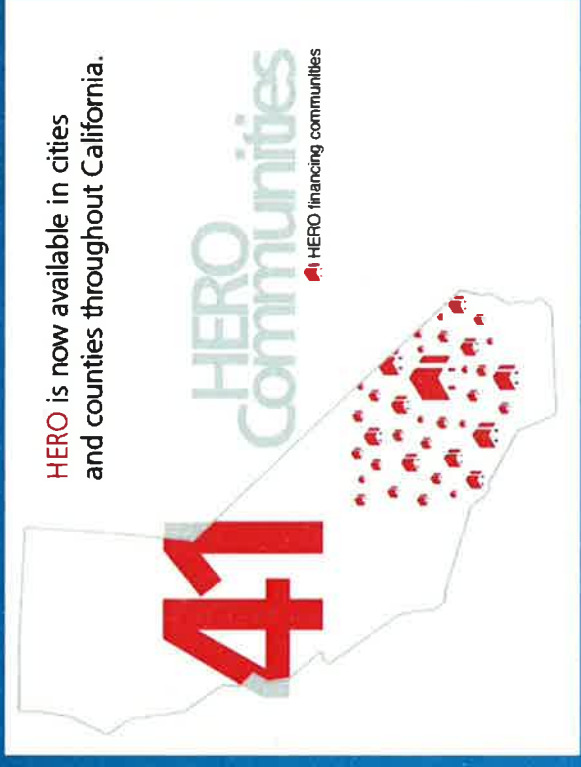
CaliforniaFIRST



3rd Party Administrator Recommendation for Further Review

Hero Program

- ✓ 114 Participating Cities and Counties in California
- ✓ 7,863 Funded Projects Totaling \$144,263,037
- ✓ Largest PACE Program in the Nation
- ✓ No Cost to County, City or Contractor
- ✓ Provides Local Marketing
- ✓ Contractor Training and Registration
- ✓ On-Line & Phone Support



III. Building Permit Fee Waiver



PROPOSED FEES WAIVER PROGRAM

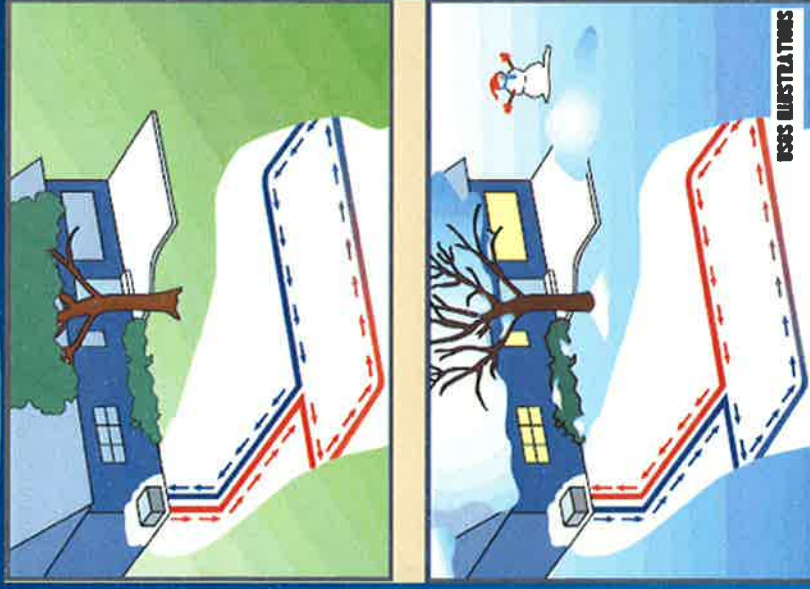
Intents of fees waiver program:

- To encourage renewable energy projects of appropriate scale in Mono County.
- To stimulate construction activity in Mono County specific to renewable energy projects.
- To provide an incentive for Mono County citizens to engage in Renewable energy projects in order to realize utility cost savings.



PROPOSED FEES WAIVER PROGRAM

- Fee waivers to be a one year pilot program effective from March 1, 2014 to February 28, 2015.
- Qualifying projects are residential and commercial solar and geothermal projects with a maximum valuation of \$75,000.
- Fees waived will be the \$229 permit fee, applicant will pay a fee of \$18 which includes state fees and a minor administrative fee.
- Outreach and monitoring -- County staff will advertise the waiver and report stimulative effectiveness .

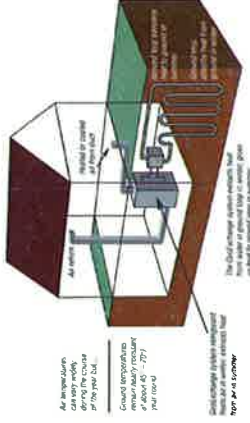


How GeoExchange systems save so much energy

GeoExchange systems rely on the renewable energy of the earth just below the surface for their high efficiency. A water solution flowing through piping buried in the ground absorbs heat from the ground in winter and transfers it to the GeoExchange system inside the building.

Then, the heat is concentrated and transferred to air circulating through the space to provide warmth on the coldest winter days.

In summer, the process is reversed. The system extracts heat from the interior air and transfers it to the ground by way of the ground loop piping.



IV. County Facilities and Zero Net Energy (ZNE)



County Facilities Energy Efficiency and Cost Savings

The Facilities Division has been focused on energy efficiency projects highlighted in Facilities Energy Efficiency Upgrades (Attachment 2)

These projects were identified as “Low Hanging Fruit” as they provide the greatest energy savings for the least expense.



County Facilities Energy Efficiency and Cost Savings

Examples of some of these projects include:

- New Boilers installed in 2012 at the old Bridgeport Hospital which reduced propane use by 56%
- The reconfiguration of the of the Old hospital boilers in 2013 which reduced the heated area from 16,000 square feet to 2000 square feet
- Photovoltaic & Solar hot water systems at CLCC & LVCC



County Facilities Energy Efficiency and Cost Savings

The combined savings in propane and electricity from the aforementioned projects could save the county in excess of \$40,000 in FY 2014-2015.

These projects have been focused on energy efficiency as their primary objective and are compatible with a longer term goal of “Zero Net Energy” (ZNE)

ZNE: Using no more energy over the course of the year than is generated by one’s own renewable resources.



County Facilities Energy Efficiency and Cost Savings

- ✓ As a conceptual example of Zero Net Energy (ZNE) in the County, 1 Megawatt (MW) of generation has the potential to offset all electrical use in County facilities based on 2010 consumption.
- ✓ Theoretical costs based on typical industry assumptions suggest the following: Total electrical usage of 1.66 GWH could be offset by 1 Megawatt of generation.
- ✓ At \$4 per watt of generation = \$4,000,000



County Facilities Energy Efficiency and Cost Savings

- ✓ The recommended action is for the Board to confirm an overarching goal of ZNE for the County facilities and direct staff to develop a program for further review; direct staff to continue building on previous work through projects such as:
- ✓ In-house energy audits of the top 5 energy using facilities and develop projects.
- ✓ Continue feasibility analysis of solar project at Bridgeport Landfill.

V. Local Climate Initiative



California State Association of Counties Efforts to capture funds for local governments.

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RESOLUTION NO. R14-_____

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS SUPPORTING THE ACTIVITIES OF THE LOCAL CLIMATE INITIATIVE, ENDORSING EFFORTS OF THE INITIATIVE TO SECURE FUNDING FOR LOCAL ENERGY EFFICIENCY AND CLIMATE PROTECTION PROJECTS, AND DESIGNATING THE COUNTY ADMINISTRATIVE OFFICER OR DESIGNEE AS THE OFFICIAL LIAISON FOR THE COUNTY TO THE LOCAL CLIMATE INITIATIVE.

WHEREAS, the Local Climate Initiative supports investment of future cap-and-trade revenue in local programs that provide local public benefits such as improved environmental quality, improved public health, and greater economic vitality, while achieving reduced greenhouse gas emissions including projects that:

- Reduce energy use and carbon emissions from public facilities,
- Reduce local energy demand below levels achieved by utility programs,
- Generate local, clean renewable power or renewable power storage,
- Support infrastructure for zero emission vehicles,
- Expand local Green Building and Green Business programs,
- Increase carbon capture by plants, trees or soils,
- Facilitate non-motorized modes of transportation,
- Increase recycling and composting efforts to reduce the landfilling of solid waste,
- Prevent conversion of agricultural and forest lands to uses that increase greenhouse gases.

VI. Grant Funds and the Resource Efficiency Plan Update



Grant Funding Opportunities

CA Strategic Growth Council Sustainable Communities Grant
Round 3. (Max ask \$500,000)



CA Energy Commission
Energy Innovations Small Grant
Program

Energy Partnership Program
(\$20,000 to offset Consulting
costs with a max loan amount of
3 million)

Financing Opportunities

Sustainable Energy Bond Program

Joint program between California Statewide Communities Development Authority (CSCDA) and the Foundation for Energy and Environment.

Provide public agencies with access to tax exempt financing for critical sustainable energy investments.

Projects include street lighting, building lighting, boilers, ducting, windows, roofing & toilets.



How to pay?

Resource Efficiency Plan execution = Grants, Financing and Rebates!

Goal is to reduce our carbon footprint and reduce fiscal impact on General Fund

Rebates offered through public utility companies

SCE Self Generation Incentive Program (SCI)
Rebates are capped at 3MW

Local examples of rebates in action:

- ✓ Mammoth Lakes Community Water built a 1 MW system for a cost of \$5.6 million, 3.5 million in rebates over 5 years
- ✓ Inyo County built a 430.5kW for cost of \$2 million, \$1.63 million in rebates
- ✓ Mono County Crowley Community Center 3.5 kW PV & solar, \$2,501 expected in rebates
- ✓ Mono County Lee Vining Community Center 7.5 kW PV & solar, \$4,999 expected in rebates



Resource Efficiency Plan Update

- ✓ Draft policies developed for Planning Commission review
- ✓ Policies include these programs, plus Board direction
- ✓ Consultants quantifying GHG reductions
- ✓ Tentatively expect draft plan to be available in March



Next Steps

- ✓ Schedule PACE program presentation by HERO, and invite Town to participate
- ✓ Building fee waivers enacted, track permits
- ✓ Pursue building energy audits
- ✓ Continue assessing feasibility of solar on Bridgeport landfill
- ✓ Send adopted Local Climate Initiative Resolution to CSAC
- ✓ Apply for Sustainable Communities Grant funding
- ✓ Review Resource Efficiency Plan in March



VII. Requested Actions



1. Review and confirm the energy goals.
2. Direct staff to agendize a Property Assessed Clean Energy (PACE) Program Workshop, which includes a third party administrator presentation, and direct staff to discuss potential participation with Town of Mammoth Lakes staff.
3. Adopt Resolution R14- temporarily waiving building permit fees for certain energy efficiency and alternative energy projects from March 1, 2014 to February 28, 2015 as a pilot stimulus program.
4. Confirm a general goal of Zero Net Energy (ZNE) for County facilities and direct staff to develop a program for further review; and, in the shorter term, direct staff to continue building on previous work through projects such as:
 1. Whole-Building energy audits to develop projects with high rates of return in order to realize cost savings in existing facilities.
 2. Continue feasibility analysis of a solar project on the Bridgeport landfill.
5. Adopt Resolution R14- (Local Climate Initiative Resolution) as requested by the California State Association of Counties.

VIII. Thank You!

Mono County Energy Taskforce members:

Tom Perry	Vianey White	Gerald Frank
Joe Blanchard	Megan Mahaffey	Tony Dublino
Scott Burns	Wendy Sugimura	Leslie Chapman
Jim Leddy	Jeff Walters	





Handout -
Resolution
NOT Passed

RESOLUTION NO. R14-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
TEMPORARILY WAIVING CERTAIN BUILDING PERMIT FEES FOR
ENERGY EFFICIENCY AND ALTERNATIVE ENERGY PROJECTS**

WHEREAS, the County's economy has been adversely affected by a nationwide and statewide slowdown in construction, and

WHEREAS, energy efficiency and alternative energy generation projects are an innovative and economical trend that can provide the citizens of Mono County substantial utility cost savings, and

WHEREAS, the Board of Supervisors finds and determines that a temporary waiver of certain County fees applicable to construction of solar and/or ground-source space and water conditioning systems may stimulate construction activity and thereby improve the health of that segment of the county's economy.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors that in order to promote energy efficiency and alternative energy generation projects of appropriate scale and to stimulate construction activity in Mono County, the County shall temporarily waive or reduce certain building permit fees as follows:

1. Effective Period. The waiver/reductions in fees specified by this Resolution shall be in effect from March 1, 2014 to February 28, 2015 as a pilot stimulus program. Notwithstanding the foregoing, the Board of Supervisors reserves the right to terminate or modify this Resolution and any fee waiver/reduction at any time, in its sole discretion.

2. Qualifying Projects. The waiver/reduction in fees specified in this Resolution shall only apply to construction projects meeting the following criteria:

- Projects consisting of a residential or commercial solar and/or ground-source space and water conditioning system are eligible. Solar projects and ground-source space and water conditioning systems not exceeding \$75,000 in project valuation shall be considered Qualifying Projects.
- Projects for which a completed application and supporting documents for a building permit have been submitted to the County's Building Division during the Effective Period and any required fees not waived or reduced by this

1 Resolution have been paid. All fees paid prior to the initiation of the Effective
2 Period are not refundable.

- 3 • The applicant agrees to commence construction activity promptly after
4 issuance of the permit such that the project will be ready for its first
5 inspection by the building division within three months after issuance of the
6 building permit. The applicant shall further agree that if such progress is not
7 made and no inspection is duly requested by the applicant in the first three
8 months, then the applicant shall forfeit the permit and the permit shall be of
9 no further force and effect unless and until the applicant pays the County the
10 full amount of any fees that were waived or reduced for the project and
11 meets any other permit renewal requirements of the Building Division. The
12 Community Development Department, in consultation with County Counsel,
13 may develop and utilize written agreement forms to effectuate any
14 agreements required by this Resolution.
- 15 • The applicant agrees to complete a questionnaire or survey, to be
16 developed by the Community Development Department, which will assist
17 the County in evaluating the effectiveness of the construction stimulus. Such
18 a questionnaire or survey shall be completed at the time the applicant
19 submits the permit application as part of a complete permit application
20 submittal.
- 21 • Notwithstanding the foregoing, a project shall not be considered a Qualifying
22 Project for purposes of this Resolution and shall not receive a waiver or
23 reduction of any fee if the building permit has been applied for as a means
24 of remedying an active code enforcement action.

25 3. Waiver/reduction in Building Permit Fees. During the Effective Period, and
26 notwithstanding any contrary provision of any County Resolution, fee schedule, or
27 other regulation, the County's Community Development Department shall not charge
28 the standard \$229 building permit fee for the Qualifying Project. In addition, the
County's Environmental Health Department shall not charge the standard \$324 heat
exchange well project permit fee for the Qualifying Project.

4. Fees Not Waived or Reduced; Time of Collection. Fees associated with any
portion of the project beyond the scope of work of the Qualifying Project shall be
assessed. Such fees would include all Community Development fees beyond the
scope of work for the Qualifying Project. Certain state fees such as the Strong Motion
Instrumentation Program (SMIP) fee and the Building Standards Commission (BSC)
fee shall be assessed. Applicable plan check fees shall be collected at submittal, and
all other applicable fees shall be collected at permit issuance per standard County
procedures.

5. Interpretation/application. Any issues regarding proper interpretation or
application of this Resolution shall be determined by the Building Official, and such a
determination shall be final and binding; provided, however, that the Building Official

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may in his or her sole discretion refer any such issue to the Board of Supervisors and, in that event, the Board's determination shall be final and binding.

PASSED AND ADOPTED this 4th day of February, 2014, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

Larry Johnston, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL
