



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

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

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

### Regular Meeting February 12, 2019

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#### TELECONFERENCE LOCATIONS:

1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517.

Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

**NOTE:** In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact Shannon Kendall, Clerk of the Board, at (760) 932-5533. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

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

9:00 AM Call meeting to Order

Pledge of Allegiance

#### 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

and number of persons wishing to address the Board.)

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**4. DEPARTMENT/COMMISSION REPORTS**

**5. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

**A. Board Minutes**

Departments: Clerk of the Board

Approval of the Board Minutes for the regular meeting on January 22, 2019.

**Recommended Action:** Approve the Board Minutes for the regular meeting on January 22, 2019.

**Fiscal Impact:** None.

**B. Public Health Department Staff Allocation**

Departments: Public Health

Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health.

**Recommended Action:** Approve the proposed resolution R19-\_\_\_\_, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to remove one WIC Nutrition Assistant Health Program Coordinator (WNA HPC), remove one FTS IV, and add two FTS IV WIC Nutrition Assistant (FTS IV WNA) positions.

**Fiscal Impact:** There is no fiscal impact to the County General Fund. Funding for these changes comes from WIC and Public Health 1991 Realignment.

**C. Inmate Welfare Fund Annual Report, Fiscal Year 2017-2018**

Departments: Sheriff/Coroner

California Penal Code Section 4025 (e) states: The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. An itemized report of these expenditures shall be submitted annually to the Board of Supervisors.

**Recommended Action:** Receive the Inmate Welfare Fund Annual Report for Fiscal Year 2017-2018.

**Fiscal Impact:** None.

**6. CORRESPONDENCE RECEIVED**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**A. California Board of Forestry and Fire Protection Notice of Preparation**

This Notice of Preparation of an Environmental Impact Report (EIR) is from the California Board of Forestry and Fire Protection for the California Vegetation Treatment Program Draft Environmental Impact Report. The public comment period is January 30, 2019 to March 1, 2019.

**B. Mono Lake Committee (MLC) Response to the Los Angeles Department of Water and Power Temporary Urgency Change Petition**

A letter from MLC in response to the January 22 Temporary Urgency Change Petition from the Los Angeles Department of Water and Power.

**7. REGULAR AGENDA - MORNING**

**A. PUBLIC HEARING: General Plan Amendment 19-01**

Departments: Wendy Sugimura

9:30 AM (1.5 hours)

(Wendy Sugimura, Bentley Regehr) - General Plan Amendment 19-01 A & B: A) Multi-Family Land Use Designation: modifications to reduce minimum lot sizes for certain types of developments (e.g., condominium uses) and add language permitting historically allowed transient rental uses with no new construction, and B) Short-term rental regulations: eliminate Type II (non-owner occupied rentals) and modify area plan policies to reflect community-specific permitting which would result in Type III (non-owner occupied rentals, with valid use and activity permits - except in Antelope Valley) being allowed in certain areas of the County. Non-owner occupied rentals would not be allowed in Mono City, parts of June Lake, Crowley Lake, Tom's Place/Sunny Slopes, Paradise, Swall Meadows, and the Tri-Valley.

**Recommended Action:** 1. Conduct public hearing on GPA 19-01 A & B. 2. Following the public hearing and deliberations, make the following findings: a. That the General Plan Amendment, including all text changes to the Land Use Element of the Mono County General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, is consistent with the General Plan and all applicable area plans; and b. That the proposed area plan text amendments are consistent with the countywide General Plan. 3. Adopt the

Addendum for GPA 19-01 A & B. 4. Introduce, read title, and waive further reading of proposed ordinance ORD19-\_\_ adopting GPA 19-01 A & B, with any desired changes.

**Fiscal Impact:** No impact due to MFR amendment, although additional units would result in increased property taxes. Increased staff time for enforcement and permitting could result in increased costs; increased compliance and new rentals could result in additional transient occupancy tax revenue for the County.

**B. Elimination of Septic Tank Destruction Permit Fee**

Departments: Health Department

30 minutes

(Louis Molina) - Elimination of permit fee for the destruction or removal of septic tanks. A permit would still be required for the destruction of a septic tank, and an inspection conducted, but the permit fee would no longer be charged.

**Recommended Action:** Adopt proposed resolution R19-\_\_\_\_, Resolution to Eliminate Septic Tank Destruction Permit Fee. Provide any desired direction to staff.

**Fiscal Impact:** No General Fund impact. A potential loss of revenue to the Health Department of less than \$81 per year, on average.

**C. Resolution Approving Caltrans Agreements for Federal-Aid Projects (including Airport Rd Rehab Project)**

Departments: Public Works

10 minutes (5 minute presentation, 5 minute discussion)

(Garrett Higerd) - Resolution approving and directing the Mono County Public Works Director to execute and process agreements with the California Department of Transportation necessary for the County receiving federal-aid funding for transportation projects, including the Airport Road Rehab Project.

**Recommended Action:** Adopt attached resolution "A Resolution of the Mono County Board of Supervisors Authorizing the Execution of Agreements with the California Department of Transportation for Federal and State Aid Funding for the Airport Road Rehabilitation Project"; provide any desired direction to staff.

**Fiscal Impact:** Total project cost is \$1,566,000 to be paid by the State and Federal Projects budget and reimbursed by federal-aid received from the California Department of Transportation. (Environmental and Permits \$31,000; Plans, Specs and Estimate \$135,000; and, Construction \$1,400,000).

**D. Schedule for the Inyo National Forest Plan Revision Objection Resolution Process**

Departments: Community Development

5 minutes

(Wendy Sugimura) - The Inyo National Forest transmitted the schedule for the Forest Plan revision objection resolution process on Feb. 1, 2019. The topics the County objected to are scheduled for Wed., Feb. 20.

**Recommended Action:** Provide direction to staff regarding participation in the process.

**Fiscal Impact:** No impacts other than staff time.

**E. Mono County Law Library Board of Trustees**

Departments: County Counsel

10 minutes (5 minute presentation, 5 minute discussion)

(Stacey Simon) - Presentation regarding Mono County Law Library and appointments to the Law Library Board of Trustees.

**Recommended Action:** Re-appoint Tim Kendall and Stacey Simon, and appoint Sophie Bidet, to the Mono County Law Library Board of Trustees for a one-year term expiring in January 2020. Provide any desired direction to staff.

**Fiscal Impact:** The Mono County Law Library has an approved budget of \$13,150 for FY2018-19. Of that amount approximately \$4,000 is funded by fees charged to litigants in the Superior Court and approximately \$9,150 is funded by operating transfers from the County General Fund. All funds are used for the acquisition of materials or for library staff costs. Trustees are not compensated.

**8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

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

**9. CLOSED SESSION**

**A. Closed Session - Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**B. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph

(1) of subdivision (d) of Government Code section 54956.9. Name of case: Mineral County, et al. v. Lyon County (NV), Centennial Livestock, et al.

**C. Closed Session - Performance Evaluation, County Counsel**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

**THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.**

**10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

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

**11. REGULAR AGENDA - AFTERNOON**

**A. Legislative Platform Update**

Departments: CAO

1 hour

(Leslie Chapman) - Mono County Legislative Platform annual update.

**Recommended Action:** 1) Review draft 2019 Mono County Legislative platform; and 2) Propose amendments and adopt 2019 Mono County Legislative Platform with amendments, or 3) Direct staff to present the amended document at the February 19th Board meeting for adoption.

**Fiscal Impact:** Minimal publishing costs are included in the CAO budget.

**12. BOARD MEMBER REPORTS**

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

**ADJOURN**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** February 12, 2019

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Approval of the Board Minutes for the regular meeting on January 22, 2019.

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### RECOMMENDED ACTION:

Approve the Board Minutes for the regular meeting on January 22, 2019.

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### FISCAL IMPACT:

None.

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**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** x5538 / [sdedman@mono.ca.gov](mailto:sdedman@mono.ca.gov)

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

Click to download

[1-22-19 Minutes](#)

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### History

Time	Who	Approval
2/7/2019 3:54 PM	County Administrative Office	Yes
2/7/2019 4:55 PM	County Counsel	Yes
2/7/2019 2:14 PM	Finance	Yes



**DRAFT MEETING MINUTES  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA**

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

MEETING LOCATION Mammoth Lakes Suite Z, 437 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting  
January 22, 2019**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M19-22 Not Used</b>
<b>Resolutions</b>	<b>R19-02 Not Used</b>
<b>Ordinance</b>	<b>ORD19-01 Not Used</b>

9:05 AM Meeting called to order by Chair Peters.

*Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.  
Supervisors Absent: None.*

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Halferty.

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

- CAO Chapman was sick last week, so did not have a report.

**Note:**

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



#### 4. DEPARTMENT/COMMISSION REPORTS

**Nate Greenberg, IT Director:**

- New phone system going live January 30.

#### 5. CONSENT AGENDA - NONE

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

#### 6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

##### A. California Fish and Game Commission Notices

(1) Copy of notice of proposed regulatory action relative to amending the California Code of Regulations sections 362, 364, 364.1 and 708.6, relating to mammal hunting regulations for the 2019-2020 season. (2) Copy of notice of proposed regulatory action relative to amending the California Code of Regulations section 354, relating to archery equipment and crossbow regulations.

**Supervisor Stump:**

- He requested that the letter be placed on the Correspondence agenda since it involves State regulations for the hunting of Big Horn Sheep (not the species found in Mono County) and he thinks everyone needs to be aware that the State still sometimes engages in activities that seem counterintuitive if they are trying to protect animals. He hopes the regulations don't extend into Mono County.
- **Supervisor Corless:** Director of Fish and Wildlife confirmed that he received the message from Mono County.

#### 7. REGULAR AGENDA - MORNING

##### A. Strategic Priority List by Category

Departments: CAO

(Leslie Chapman) - Present current strategic priority list that will guide the County work product for the remainder of fiscal year 2018-19.

**Action:** Adopt the list and priorities as presented or amended.

**Leslie Chapman, CAO:**

- Introduced item.
- The hope is that when the Board is confronted with multiple priorities at one time, it will help in choosing priorities.
- Each department has mandates and daily work that continuously happens in the background. This strategic priorities list doesn't expect department heads to abandon

**Note:**

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those.

- Some of these will have to carry over into next year.
- Update workshop for Housing with Community Development.
- Corrections to the Strategic Priorities by Category List:
- Add the date range to the title. Today to June 30, 2019.
- The Recreation position will be moved to Section B.
- Adding Evaluations to Ongoing Contract Negotiations.
- Adding road improvements and maintenance to Capital project planning and execution.
- LADWP dewatering and litigation – renamed to water, add the OVGAs from Category C.
- Census planning moves from Category C to B.

*Break: 10:10 AM*

*Reconvene: 10:21 AM*

## **B. State of the County – Progress Towards 2019 Strategic Priorities**

Departments: CAO, All Departments

(All departments) - State of the County – Department reports on progress towards 2019 Strategic Priorities.

**Action:** Hear departmental presentations, offer feedback and provide direction.

**Leslie Chapman:**

- Introduced item.

Presentations provided by Departments in the following order:

Probation

Animal Control

Emergency Medical Services

Clerk – Recorder

Assessor

County Counsel

Risk Management

*Break: 11:39 AM*

*Reconvene: 11:45 AM*

Human Resources

Agricultural Commissioner (handout available in additional documents)

Information Technology

Continued to after lunch.

*Break: 12:32 PM*

*Reconvene: 1:00 PM*

Economic Development (handouts available in Clerk – Recorder's office)

Behavioral Health

Public Health

Social Services

*Break: 2:12 PM*

*Reconvene: 2:22 PM*

Community Development

Public Works

### **Note:**

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

*Moved to item 11a at 3:23 PM  
Returned: 3:38 PM*

Finance  
District Attorney (information available in additional documents)  
Sheriff (information available in additional documents)

## **8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

## **9. CLOSED SESSION - NONE**

**ITEMS FROM THE MORNING AGENDA MAY CONTINUE TO THE AFTERNOON SESSION WHICH WILL RECONVENE NO EARLIER THAN 12:30 P.M.**

## **10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

## **11. REGULAR AGENDA - AFTERNOON**

### **A. Federal Government Shutdown**

Departments: Board of Supervisors

(Supervisor Peters; Staff) - An opportunity for the Board, staff, and public to discuss the current Federal Government shutdown, and its effects on the County.

**Action:** None, informational only.

#### **Francis Avitia, Social Services:**

- Cal Fresh February benefits have been given to active recipients.
- Social Services is trying to coordinate with local commodities and food banks to see what is locally available.
- Invited Coordinator from IMACA, Chad Mitchell to come speak.

#### **Chad Mitchell, IMACA:**

- Is looking forward to working with the County to help with supplemental food.
- Would like to go off current schedule so that people can come to distribution center.
- Donate: Go to IMACA website to know what to donate: <https://www.imaca.net/food-assistance>.

#### **Amber Hise, WIC Coordinator:**

- WIC is available for some of those who have been furloughed.
- Pregnant women, breast feeding moms, breast-feeding moms up to 6 months after birth (including miscarriage), children up to the age of 5.

## **12. BOARD MEMBER REPORTS**

#### **Note:**

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

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

**Supervisor Corless:**

- RCRC board meeting (see highlights document – available in additional documents): support for SRS trust bill; discussion of legislation that could have very significant impacts on Mono, will work to include in leg platform revision.
- Visited Economic Development team at the International Sportsmen’s Expo.
- Went to Oakland for demurrer hearing—county counsel excelled.
- This week—screening of “Paya: the water story of the Paiute” 1/23, 7pm, Edison Theatre in Mammoth.

**Supervisor Gardner:**

- Last week I prepared an email to the NACO Tourism/Resorts/Gateway Working Group which Supervisor Corless and I started in 2017. The email noted the NACO Legislative Conference in early March and encouraged attendance and participation at the Public Lands Policy Committee meetings. I also mentioned our continued frustration with the federal government shutdown and requested any initiatives that counties had taken in response.
- The First 5 Strategic Planning Retreat set for last Thursday was postponed due to the weather that day. It will be held in February or April.
- Yesterday I participated in an interview with the consultant working on the Mammoth Hospital and County Public Health Needs Assessment. I look forward to the report from this work.

**Supervisor Halferty:**

- Wednesday, January 16th I attended the Town’s Resilient Community workshop - topics covered included safety, housing and climate change.
- On Friday, January 18th I attended several meetings with Planning Staff and the Building Official, covering topics of LTC and housing - specifically the model of Santa Cruz’s ADU multi-faceted program.

**Supervisor Peters:**

- 18h DWP/County Hearing in Oakland
- Cal Rossi Govt Affairs SCE
- Power Outage in Bridgeport Thursday 17th Cancelled
- CSAC IHSS Working Group Co Chair
- CSAC/CBHDA Joint OIG (Officer Inspector General) Audit Allocation Working Group
- in the proposed methodology: using a county’s amount of claims in 2013 to determine their portion of the federal recoupments
- Upcoming:
- Grand Opening Grocery Outlet

**Supervisor Stump:**

- Thanked County road crews. Thursday, Crowley yard put in 14 hours.
- Thanked staff and colleagues that trekked through the weather to co to Alameda County to go to the court hearing.
- Spoke with Janet Barth about Tangle Free Waters. Requested she email all Board members. I made no promises about support. I support the concept of what she is doing.
- Had a follow up meeting with Sue Burak. She told me that since she has been monitoring avalanche conditions there have been many slides between Swall Meadows and McGee but none near Twin Lakes in Bridgeport.

**Note:**

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

**ADJOURNED at 4:38 PM**

**ATTEST**

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**JOHN PETERS  
CHAIR OF THE BOARD**

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**SCHEEREN DEDMAN  
SR. DEPUTY CLERK**



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

## **REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: Public Health**

**TIME REQUIRED**

**SUBJECT** Public Health Department Staff  
Allocation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### **AGENDA DESCRIPTION:**

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

Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health.

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### **RECOMMENDED ACTION:**

Approve the proposed resolution R19-\_\_\_, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to remove one WIC Nutrition Assistant Health Program Coordinator (WNA HPC), remove one FTS IV, and add two FTS IV WIC Nutrition Assistant (FTS IV WNA) positions.

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### **FISCAL IMPACT:**

There is no fiscal impact to the County General Fund. Funding for these changes comes from WIC and Public Health 1991 Realignment.

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**CONTACT NAME:** Sandra Pearce

**PHONE/EMAIL:** 760.924.1818 / spearce@mono.ca.gov

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### **SEND COPIES TO:**

Sandra Pearce

Kim Bunn

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### **MINUTE ORDER REQUESTED:**

YES  NO

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### **ATTACHMENTS:**

Click to download
<a href="#">BOS Staff Report</a>
<a href="#">Resolution</a>
<a href="#">Public Health Org Chart</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
2/6/2019 5:20 AM	County Administrative Office	Yes
2/6/2019 9:52 AM	County Counsel	Yes
2/5/2019 6:11 PM	Finance	Yes



# MONO COUNTY HEALTH DEPARTMENT

## Public Health

P.O. BOX 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 932-5284  
P.O. BOX 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

DATE: February 12, 2019  
TO: Honorable Board of Supervisors  
FROM: Sandra Pearce, Public Health Director  
SUBJECT: Public Health Department Staff Allocation

### **Recommendation:**

Approve the proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to remove one WIC Nutrition Assistant Health Program Coordinator (WNA HPC), remove one FTS IV, and add two FTS IV WIC Nutrition Assistant (FTS IV WNA) positions.

### **Fiscal Impact:**

There is no fiscal impact to the County General Fund. Funding for these changes comes from WIC and Public Health 1991 Realignment.

### **Discussion:**

The role of the WIC Nutrition Assistant (WNA) is unique to the Women, Infants, and Children (WIC) program, federally funded by the United States Department of Agriculture (USDA). The Mono County WIC allocation for the FFY 2018-19, which begins on October 1, 2018, is no longer able to fund two (2) positions of 1.0 FTE WIC Program Director/Registered Dietician and 1.0 FTE WNA HPC. As such, the WNA role will be reduced to 0.6 FTE, with 0.4 FTE of the full-time position being filled with other duties reflective of an FTS IV classification. It has also become apparent, the importance of having two staff members trained in the WNA role, so that there is program coverage during vacation and other leaves of absence. Leah Roman currently fills the WNA HPC position, and the resolution would change her position to an FTS IV WNA. Nancy Cruz-Garcia currently fills the position of FTS IV, and has maintained her WIC WNA training. With this resolution, her position will change from an FTS IV to an FTS IV WNA.

In the following chart, the peach section shows the current approved allocation list, including FTE and salary for each staff member in Public Health. The yellow section shows the salary impact of the proposed changes to the current allocation list given the current approved budget. At this time we do not feel that a budget adjustment request is justified, as the mid-year budget adjustments reflect the costs associated with the allocation list changes.



**FY 2018-19 Budget Allocations**

Employee	FY 2018-19 Approved Allocations		FY 2018-19 Proposed Allocation Changes	
	FTE	Budgeted Salary	FTE	Budgeted Salary
Public Health Director	1.00	\$ 121,194	1.00	\$ 121,194
Director of Public Health Nursing	1.00	\$ -	1.00	\$ -
Health Officer	0.50	\$ 114,660	0.50	\$ 114,660
Health Program Manager/PHN	1.00	\$ 101,447	1.00	\$ 30,170
Health Program Manager/PHN	1.00	\$ 84,611	1.00	\$ 84,611
Health Program Manager/PHN	1.00	\$ 87,938	1.00	\$ 87,938
Health Program Manager/PHN	1.00	\$ 86,847	1.00	\$ 69,007
Public Health Nursing Professional	0.125	\$ 12,012	0.125	\$ 12,012
Public Health Nursing Professional	0.125	\$ 12,012	0.125	\$ 12,012
Public Health Nursing Professional	0.125	\$ 12,012	0.125	\$ 12,012
Public Health Nursing Professional	0.125	\$ 12,012	0.125	\$ 12,012
Community Health Outreach Specialist	0.80	\$ 55,976	0.80	\$ 55,976
WIC Program Director/Registered Dietician	1.00	\$ 68,222	1.00	\$ 68,222
WIC Nutrition Assistant (WNA)-HP Coordinator	1.00	\$ 53,760	0.00	\$ -
FTS IV/WIC Nutrition Assistant (WNA)	0.00	\$ -	1.00	\$ 54,096
FTS IV/WIC Nutrition Assistant (WNA)	0.00	\$ -	1.00	\$ 56,247
FTS IV	1.00	\$ 56,247	0.00	\$ -
FTS IV	1.00	\$ 63,399	1.00	\$ 63,399
FTS IV	1.00	\$ 56,158	1.00	\$ 32,472
Fiscal & Administrative Services Officer	1.00	\$ 82,424	1.00	\$ 82,424
Emergency Preparedness Manager	1.00	\$ 70,904	1.00	\$ 70,904
Tobacco Control Program Coordinator	1.00	\$ 65,786	1.00	\$ 65,789
Environmental Health Manager	1.00	\$ 108,570	1.00	\$ 108,570
Environmental Health Specialist III	1.00	\$ 82,519	1.00	\$ 82,519
Environmental Health Specialist III	1.00	\$ 71,728	1.00	\$ 71,728
Environmental Health Specialist III	1.00	\$ 71,728	1.00	\$ 71,728
Environmental Health Specialist III	1.00	\$ 71,281	0.00	\$ -
Contract Environmental Health Specialist	0.10	\$ 9,610	0.10	\$ 9,610
Environmental Health Technician	0.50	\$ 21,840	0.50	\$ 21,840
<b>Total Personnel Allocations</b>	<b>21.40</b>	<b>\$ 1,654,896</b>	<b>20.40</b>	<b>\$ 1,471,152</b>

For questions regarding this item, please call Sandra Pearce at (760) 924-1818.

Submitted by:



Sandra Pearce, Public Health Director



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**RESOLUTION NO. R19-**

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS**

**AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY  
OF MONO LIST OF ALLOCATED POSITIONS TO REFLECT THE REMOVAL OF ONE  
WIC NUTRITION ASSISTANT/HEALTH PROGRAM COORDINATOR (WNA/HPC) AND  
ONE FTS IV AND THE ADDITION OF TWO FTS IV/WNA POSITIONS IN THE  
DEPARTMENT OF PUBLIC HEALTH**

**WHEREAS**, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

**WHEREAS**, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources; determines and recognizes implementation of collective bargaining agreements related to job classifications and pay rates; and

**WHEREAS**, the County seeks to provide public services in the most efficient and economical manner reasonably possible, which at times requires the modification of job classifications on the Allocation List; and

**WHEREAS**, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services; and

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

1. The County Administrative Officer is authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Remove the allocation of one (1) full-time permanent WIC Nutrition Assistant/Health Program Coordinator (salary range of \$3,777-\$4,591/month)

Remove the allocation of one (1) full-time permanent FTS IV (salary range of \$4,068-\$4,944/month)

Add the allocation of two (2) full-time permanent FTS IV/WNA (salary range of \$4,068-\$4,944/month) in the Department of Public Health.

//

1 **PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of February, 2019, by the following  
vote, to wit:

2 **AYES:**

3 **NOES:**

4 **ABSENT:**

5 **ABSTAIN:**

6  
7  
8 \_\_\_\_\_  
9 John Peters, Chair  
Mono County Board of Supervisors

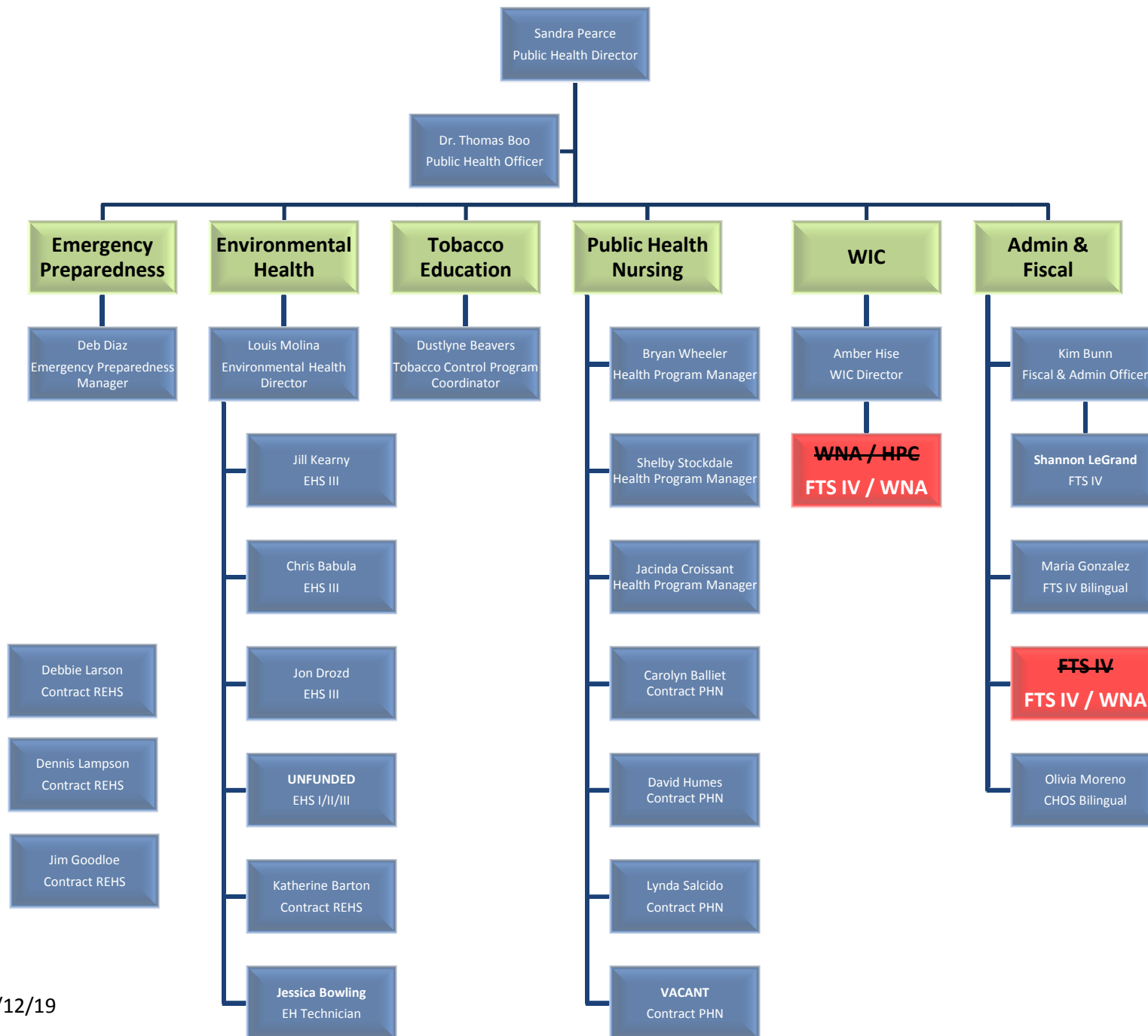
10 ATTEST:

APPROVED AS TO FORM:

11  
12  
13 \_\_\_\_\_  
14 Clerk of the Board

\_\_\_\_\_

# Mono County Health Department Organizational Chart



Effective 2/12/19

**Fiscal & Technical Specialist IV (FTS IV)/ WIC Nutrition Assistant (WNA)  
Bilingual**

**DEFINITION**

This position works in a variety of positions within the Health Department: Women, Infant, and Children (WIC) Program, Emergency Preparedness, Environmental Health, Immunizations, Local Oral Health, Tobacco, Maternal Child and Adolescent Health (MCAH) and/or other public health programs. Performs a variety of office FTS (at level I – IV as allocated) assistance and receptionist assignments, accounting, statistical, and specialized technical work. Performs a variety of clerical and general office duties. In the WIC Program and under direction, screens applications, assists with eligibility determinations, performs nutrition assessments and client evaluations, and provides counseling for new applicants to the WIC Program. Assists with certification and nutrition education of current program participants, provides breastfeeding counseling and support, assists with outreach programs, performs administrative support and record keeping, and related work as required.

**DISTINGUISHING CHARACTERISTICS**

**FTS IV:** This is the highest in the Fiscal and Technical Specialist class series. Incumbents perform a variety of the most complex, specialized financial, statistical, and document processing work requiring substantial knowledge of the policies, procedures, and special requirements of the department or work area to which they are assigned. Incumbents are normally assigned primary program or may be assigned lead work and work coordination responsibilities. Incumbents are expected to have the knowledge and capability to perform assignments and provide assistance outside of their specialized work area. This class is distinguished from Fiscal and Technical Specialist III by the level and degree of special program support work and the possible assignment of lead worker and work coordination responsibilities.

**WIC Nutrition Assistant (WNA):** Performs a variety of nutrition assessments, education and screening duties in support of the WIC Program and has received certification as a WNA through the California WIC Program.

**REPORTS TO**

Public Health Director or designee

**CLASSIFICATIONS SUPERVISED**

May have supervisory duties or provide lead training under direction

**EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES *(The following is used as a partial description and is not restrictive as to duties required.)***

**FTS IV:** Has responsibility for providing primary support for a specialized County program or service area and performs a variety of the most complex fiscal and technical support and record keeping work:

- Developing and maintaining financial and specialized program records
- Provides the more in-depth specialized public and/or assistance to other County staff regarding an assigned specialty area
- May provide lead work and work coordination for assigned Fiscal and Technical Specialists and other support staff

- Updates and maintains records and information in computerized systems and databases
- Maintains a variety of statistical or other specialized records, posting and updating information to keep records current and accurate
- May verify purchase orders and purchasing information
- May maintain work and time records
- May balance cash received, verify receipts, and prepare deposits
- Provides requisite data to other government agencies, as delegated
- May review referrals to department programs and processes per State requirements
- Maintains computerized personnel support work reports
- Uses spreadsheets and other special computer software
- Operates office equipment

### **WIC Program & Office Management**

- With direction, complies with State and Federal regulations related to the delivery of WIC program.
- Coordinates and assists with outreach activities.
- Ensures adequate educational materials and supplies are available for staff utilization.
- Data entry and updates, Local Agency Integrated System (LAIS) through State database.
- Orders Food Instruments (FI's) from the State.
- Secures files and FI's daily.
- Works with outside providers, such as, Sierra Park Pediatrics, Sierra Park Women's Clinic, First 5 Mono County, IMACA and other Health Department programs as needed.
- Responsible for WIC electric breast pump loaning, tracking, receiving, cleaning and repair.
- Assistance with pressure gauge testing on each breast pump annually.
- Participation on the local Breast Feeding Task Force.
- Refer and provide resources to breastfeeding services locally.

### **WIC Participant Services**

- Ability to determine program eligibility during initial enrollment and recertification appointments.
- Assess, counsel, and educate WIC participants on relevant nutrition topics.
- Ability to measure and assess height, weight, and hemoglobin.
- Refer participants to other services as needed.
- Provide breastfeeding education, support, and counseling.
- Ability to determine when and if a breast pump is needed by participant.
- Knowledge of WIC program to answer participant questions.
- Ability to travel throughout County for service delivery and deliver services in participants native language.
- Provide reliable nutrition advice that addresses the individual nutritional needs of the participant.
- Tailor education to the participant's knowledge, skills and motivation to change.
- Engage participants to encourage questions and create opportunities for feedback.
- Triage level of nutritional need and refer high risk participants to the Registered Dietician.

### **Local Vendor Liaison (LVL)**

- Conduct onsite preauthorization visits of vendors applying to become WIC authorized.
- Serve as a resource to WIC authorized vendors as assigned by the State WIC Program.
- Conduct shelf price and food surveys.
- Report suspected fraud and abuse.
- Answer questions about the WIC allowed foods.
- Promote a positive shopping experience for WIC families including handling participant and vendor complaints.

- Conduct and report quarterly technical assistance visits of existing WIC authorized vendors to the State tracking system.
- Coordinate and conduct required annual trainings for WIC local agency staff, as well as attend required LVL trainings.
- Maintain all records for three (3) years.
- Provide the State WIC Program with written notice when there is a change of the LVL.

### **National Voter Registration Act (NVRA) Coordinator**

- Ensure that all WIC staff are trained annually on the current NVRA laws and WIC NVRA program protocol;
- Ensure that local WIC agency is registered with County Recorder Office and Registration Voter Forms are readily available at each WIC clinic;
- Ensure NVRA declination forms are readily available for participants to sign at each WIC clinic.

### **TYPICAL PHYSICAL REQUIREMENTS**

Sit for extended periods; frequently stand and walk; stool, kneel and crouch to pick up or move objects; normal manual dexterity and eye-hand coordination; physical ability to lift, push, carry, and move objects weighing up to 25 lbs.; corrected hearing and vision to normal range; verbal communication; use of office equipment, including telephone, calculator, copiers, and FAX and clinical medical equipment and supplies; operate a County vehicle in remote areas of the County.

### **TYPICAL WORKING CONDITIONS**

Work is performed in an office, outdoor, and clinical environments; some work performed in a variety of weather conditions; possible exposure to communicable disease and potentially infectious fluids; continuous contact with other staff and the public. An incumbent is required to travel to outlying clinic sites.

### **Training and Experience:**

**FTS IV:** Any combination of training and experience, which would likely provide the required knowledge and abilities, is qualifying. A typical way to obtain the required knowledge and abilities would be:

- Two years (2) years of work experience in performing financial and statistical assignments at a level comparable to Fiscal and Technical Specialist III with Mono County.

**WNA:** A typical way to obtain the required knowledge and abilities would be:

- Two (2) years of experience in working with an American Dietetic Association approved nutrition program.
- Completion of college level nutrition courses is desirable.
- Completion of State Certified WIC Nutrition Aide program is desirable.
- Completion of certification as lactation educator or counselor is desirable
- Must be able to pass an oral bilingual proficiency test selected by the County to qualify.

### **Special Requirements:**

- Possession of a valid California Driver's License
- WIC Nutrition Assistant (WNA) certification
- Lactation Educator Counselor (LEC) certificate or Certificate of Lactation Education Counselor (CLEC)



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: Sheriff/Coroner**

**TIME REQUIRED**

**SUBJECT** Inmate Welfare Fund Annual Report,  
Fiscal Year 2017-2018

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

California Penal Code Section 4025 (e) states: The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. An itemized report of these expenditures shall be submitted annually to the Board of Supervisors.

**RECOMMENDED ACTION:**

Receive the Inmate Welfare Fund Annual Report for Fiscal Year 2017-2018.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Sarah Roberts

**PHONE/EMAIL:** 760-932-5279 / sroberts@monosheriff.org

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Inmate Welfare Annual Report</a>

**History**

Time	Who	Approval
2/6/2019 5:28 AM	County Administrative Office	Yes
2/6/2019 9:37 AM	County Counsel	Yes



2/7/2019 2:14 PM

Finance

Yes

**MONO COUNTY**  
**SHERIFF**  
*A Commitment to Community Safety and Service*



**Ingrid Braun**  
Sheriff-Coroner

DATE: January 23, 2019  
TO: The Honorable Board of Supervisors

**Phillip West**  
Undersheriff

FROM: Ingrid Braun, Sheriff-Coroner

SUBJECT: Inmate Welfare Fund Annual Report, Fiscal Year 2017-2018

**BACKGROUND**

California Penal Code Section 4025 (e) states:

The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. ... An itemized report of these expenditures shall be submitted annually to the board of supervisors.

**DISCUSSION:**

Attached is an accounting of the Inmate Welfare Fund for Fiscal Year 2017-2018.

**FINANCIAL IMPACT:**

The Inmate Welfare Fund is not part of the General Fund. Therefore, there is no financial impact.

**RECOMMENDATION:**

Receive the Inmate Welfare Fund Annual Report for Fiscal Year 2017-2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "IB", written over a horizontal line.

Ingrid Braun  
Sheriff-Coroner

**INMATE WELFARE FUND**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCE**  
**JULY 1, 2017 - JUNE 30, 2018**

<b>BALANCE AS OF 7/1/17</b>	\$	132,402.70
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**REVENUE**

Interest Income	\$	1,991.06
Commissary Income	\$	29,669.91
Phone Card Commission	\$	8,580.91
AWP Fees	\$	1,496.00
<b>TOTAL REVENUE</b>	<b>\$</b>	<b><u>41,737.88</u></b>

**EXPENDITURES**

Commissary Supplies	\$	12,220.04
Commissary Sales Tax	\$	392.00
Phone Cards	\$	2,852.25
Communications	\$	2,674.75
Equip Maint & Repair	\$	4.71
Building /Land Maint & Repair	\$	9.42
Professional Services	\$	3,389.00
Small Tools	\$	126.30
Special/Misc Expenses	\$	13,134.84
<b>TOTAL EXPENSES</b>	<b>\$</b>	<b><u>34,803.31</u></b>

<b>BALANCE AS OF 6/30/18</b>	\$	139,337.27
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**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**TIME REQUIRED**

**SUBJECT** California Board of Forestry and Fire  
Protection Notice of Preparation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

This Notice of Preparation of an Environmental Impact Report (EIR) is from the California Board of Forestry and Fire Protection for the California Vegetation Treatment Program Draft Environmental Impact Report. The public comment period is January 30, 2019 to March 1, 2019.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Notice</a></p>
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**History**

Time	Who	Approval
2/6/2019 6:02 AM	County Administrative Office	Yes
2/6/2019 9:32 AM	County Counsel	Yes
2/5/2019 6:14 PM	Finance	Yes

## BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
Website: [www.bof.fire.ca.gov](http://www.bof.fire.ca.gov)  
(916) 653-8007



January 30, 2019

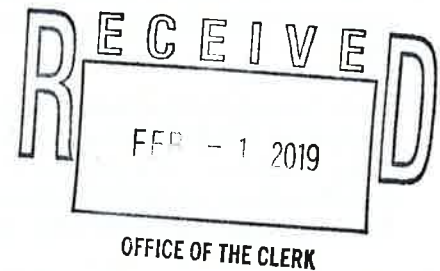
You are receiving this **Notice of Preparation** from the California Board of Forestry and Fire Protection (Board) for the California Vegetation Treatment Program Program Environmental Impact because you have commented on similar past projects initiated by the Board.

The public comment period for the Notice of Preparation of the Draft Environmental Impact Report is set from January 30, 2019 to March 1, 2019.

If you have questions or need more information please contact Edith Hannigan at (916) 862-0120 or [CalVTP@bof.ca.gov](mailto:CalVTP@bof.ca.gov).

Sincerely,

Matt Dias  
Executive Officer  
California Board of Forestry and Fire Protection



## Notice of Preparation

To: Distribution List  
From: Edith Hannigan, Land Use Planning Program Manager  
California Board of Forestry and Fire Protection  
[CalVTP@bof.ca.gov](mailto:CalVTP@bof.ca.gov)  
Tel: (916) 653-8007  
<http://www.bof.fire.ca.gov/calvtp/>

**Subject: Notice of Preparation of a Program Environmental Impact Report for the California Vegetation Treatment Program**

### Introduction:

The California Board of Forestry and Fire Protection (Board) is preparing a Program Environmental Impact Report (PEIR) for the proposed California Vegetation Treatment Program (CalVTP), described below. Under the CalVTP, the California Department of Forestry and Fire Protection (CAL FIRE) would implement vegetation treatments to reduce wildfire risks and avoid or diminish the harmful effects of wildfire on the people, property, and natural resources in the State of California. To counteract decades of fire suppression, vegetation treatment activities would be designed to reduce fire fuels, improve protection from wildfire through strategically located fuel breaks, and mimic a natural fire regime using prescribed burning. In addition, ecosystem restoration activities would be designed to approximate natural habitat conditions, processes, and values to those occurring prior to the period of fire suppression. The PEIR will analyze the potential environmental effects of the proposed CalVTP.

In response to these changing environmental conditions and the increased risk to California's citizens, Governor Brown issued Executive Order (EO) B-52-18, which mandates an increase in the pace and scale of fire fuel treatment programs to reduce wildfire risk. The proposed CalVTP is one tool intended to address Governor Brown's mandate to increase the pace and scale of fire fuel reduction efforts across the state.

Under Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, a PEIR may be prepared on a series of actions that can be characterized as one large project and are related to, among other things, the issuance of general criteria to govern the conduct of a continuing program or individual activities carried out under the same authorizing statutory or regulatory authority, and having generally similar environmental effects that can be mitigated in similar ways.

An initial study was not prepared, because the Board determined that an EIR is required for the project. (CEQA Guidelines, Section 15063.) All applicable environmental topics will be addressed in the PEIR.

The Board is the lead agency and will prepare the PEIR for the proposed CalVTP. The Board is circulating this Notice of Preparation (NOP) for the PEIR to seek input from responsible and trustee agencies and other interested parties regarding the scope and content of the environmental information to be included in the PEIR.

Since a previous draft PEIR for the Vegetation Treatment Program (VTP) was released in 2017, substantial increases in wildfire size, intensity, and destructiveness to California's residents have occurred and are projected to continue to occur. As a result, the description and magnitude of treatment activities in the 2017 VTP have been modified and expanded to meet the worsening wildfire conditions being experienced. The Board is preparing a new draft PEIR for CalVTP that will supersede and replace the 2017 VTP draft PEIR. After the scoping process initiated by this NOP, the CalVTP Draft PEIR will evaluate potential environmental impacts, considering recent changes in wildfire conditions and the substantial expansion of proposed vegetation treatments in the CalVTP. As explained under Program Necessity below, there is an urgent need, supported by a mandate from the Governor per Executive Order (EO) B-52-18, to increase the pace and scale of vegetation treatments across California to reduce wildfire

risk. This NOP is issued to solicit comments on the scope and content of a new PEIR that will analyze the impacts of the proposed CalVTP. Additional information regarding the necessity, scope, and design of the proposed CalVTP is included below.

### **Discretionary Action and Proposed Implementation Activities:**

The Board is mandated to regulate forestry activities throughout the state and to develop policies and regulations that contribute to fire prevention and recovery efforts (Public Resources Code [PRC] Section 740). The Board is also charged with identifying State Responsibility Area (SRA) land and developing rules and regulations that enable CAL FIRE to prevent, respond to, and control fire events in those regions (PRC Sections 4130 and 4137). The Board's proposed discretionary action is approval of the CalVTP. After approval, implementation of the CalVTP will involve a proposed array of vegetation treatment activities carried out by CAL FIRE.

The CalVTP Draft PEIR, for which this NOP is being issued, will address the following:

- Expansion and modification of CAL FIRE's activities to implement the CalVTP, as described below. The proposed total treatment acreage target is 250,000 acres of nonfederal land per year to contribute to the achievement of EO B-52-18, which is a substantial increase compared to the 2017 VTP Draft PEIR.
- Development and use of a project-specific approach for a streamlined CEQA review of site-specific, later vegetation treatment projects. The streamlined CEQA review approach will document how a project's environmental effects are covered and which feasible mitigation measures from the CalVTP PEIR are incorporated. This will include evaluation of whether later activities and impacts of site-specific vegetation treatment projects are within the scope of the CalVTP and the PEIR. A "within the scope" finding for later activities would facilitate an increase in the pace and scale of project approvals in a manner that includes environmental protections. Where later activities do not qualify for a "within the scope" finding, site-specific mitigated negative declarations or EIRs will be prepared.

### **Program Necessity:**

Wildfires are a significant threat in California, particularly in recent years as the landscape responds to climate change and decades of fire suppression. Over 75 percent of forested areas and other woody vegetation types are burning less frequently than historic averages, and fire sizes have increased significantly over the last 17 years.<sup>1</sup> Drought conditions, low snow pack accumulation, and extreme temperature highs have also been prevalent in the last decade and are expected to worsen as climate change continues to alter landscapes and local climates.<sup>2,3</sup>

These conditions have resulted in the largest, most destructive, and deadliest wildfires on record in California history, all occurring in 2018. Fifteen of the state's 20 largest wildfires have occurred since 2002. The 2018 Mendocino Complex, the state's largest wildfire, burned 1.5 times as many acres as the next largest fire.<sup>4</sup> Fourteen of the state's 20 most destructive wildfires have occurred since 2003; the 2018 Camp Fire destroyed more than three times as many structures as the next most destructive fire.<sup>5</sup> Ten of

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<sup>1</sup> California's Forests and Rangelands: 2017 Assessment. Report. Fire Resource and Assessment Program (FRAP), California Department of Forestry and Fire Protection. <http://frap.fire.ca.gov/assessment2017/FinalAssessment2017/Assessment2017.pdf>.

<sup>2</sup> NOAA National Centers for Environmental Information, State of the Climate: National Climate Report for June 2018, published online July 2018, retrieved on December 6, 2018 from <https://www.ncdc.noaa.gov/sotc/national/201806>.

<sup>3</sup> Special Report: Global Warming of 1.5 Degrees Celcius. Report no. 2018. Intergovernmental Panel on Climate Change. [https://report.ipcc.ch/sr15/pdf/sr15\\_spm\\_final.pdf](https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf).

<sup>4</sup> "Top 20 Largest California Wildfires." Chart. California Department of Forestry and Fire Protection Incident Information. [http://www.fire.ca.gov/communications/downloads/fact\\_sheets/Top20\\_Acres.pdf](http://www.fire.ca.gov/communications/downloads/fact_sheets/Top20_Acres.pdf).

<sup>5</sup> "Top 20 Most Destructive California Wildfires." Chart. California Department of Forestry and Fire Protection

the state's 20 deadliest wildfires have occurred since 2003, and the 2018 Camp Fire resulted in more than twice as many deaths as the next deadliest fire.<sup>6</sup> Historically, California's wildfires were less severe, burning fewer acres and destroying fewer structures by factors of two and three, respectively, when compared with modern fire statistics.<sup>7</sup> Additionally, fire seasons have been extending further into the winter months since 2000. The fire sieges in October and December of 2017 serve as prime examples of the expanding fire season.<sup>8</sup> As environmental conditions become more conducive to larger and more severe wildfires, development in the wildland-urban interface (WUI) is also on the rise. A 2018 study indicates that the number of houses in the WUI increased nationwide by 41 percent between 1990 and 2010.<sup>9</sup> In response to these changing environmental conditions and the increased risk to California's citizens, Governor Brown issued EO B-52-18, which mandates an increase in the pace and scale of fire fuel treatment programs to reduce wildfire risk. The proposed CalVTP is one tool intended to address Governor Brown's mandate to increase the pace and scale of fire fuel reduction efforts across the state.

### **Program Description:**

Various vegetation types serve as fuel for wildfires and can result in hotter and larger fires if left unmanaged.<sup>10</sup> The Board recognizes the link between fuels management and fire protection across the SRA, and has the statutory responsibility to establish policy for wildland resources in the SRA. CAL FIRE has the responsibility for implementation of Board policy, and would implement the CalVTP, as evaluated in the upcoming PEIR. Responsible and trustee agencies will need to use the PEIR when considering permit issuance or other approvals for individual vegetation treatment projects conducted under the CalVTP PEIR.

Certain types of vegetation treatments can alter fire behavior and mitigate the risks of larger, more severe wildfires throughout California. The CalVTP includes three general types of treatments:

- (1) Wildland-Urban Interface (WUI) fuel reduction, which is focused in WUI-designated areas and generally consist of treatments to reduce fuel loads and slow or prevent the spread of fire between wildlands and structures, and vice versa;
- (2) Fuel breaks, which are strategically placed vegetation treatment areas that actively support fire-control activities; and
- (3) Ecological restoration projects, which would generally occur outside the WUI in areas that have departed from the natural fire regime as a result of fire exclusion, and would focus on restoring ecosystem processes, conditions, and resiliency by moderating uncharacteristic wildland fuel conditions to reflect historic vegetative composition, structure, and habitat values.

Within these three general treatment types, treatment activities may include: prescribed fire, manual activities, mechanical activities, prescribed herbivory (beneficial grazing or browsing), and targeted ground application of herbicides. These activities are proposed to be used singularly or in combination, depending upon the treatment type and environmental considerations. The upcoming PEIR will study the potential environmental effects of the proposed CalVTP's strategic treatment of wildland vegetation with the overarching goal of wildland fire risk reduction.

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[http://www.fire.ca.gov/communications/downloads/fact\\_sheets/Top20\\_Destruction.pdf](http://www.fire.ca.gov/communications/downloads/fact_sheets/Top20_Destruction.pdf).

<sup>6</sup> "Top 20 Deadliest California Wildfires." Chart. California Department of Forestry and Fire Protection [http://calfire.ca.gov/communications/downloads/fact\\_sheets/Top20\\_Deadliest.pdf](http://calfire.ca.gov/communications/downloads/fact_sheets/Top20_Deadliest.pdf).

<sup>7</sup> "CAL FIRE Jurisdiction Fires, Acres, Dollar Damage, and Structures Destroyed." California Department of Forestry and Fire Protection Incident Information.

[http://cdfdata.fire.ca.gov/pub/cdf/images/incidentstatevents\\_270.pdf](http://cdfdata.fire.ca.gov/pub/cdf/images/incidentstatevents_270.pdf).

<sup>8</sup> "Fire Seasons by Year." California Department of Forestry and Fire Protection Incident Information. [http://cdfdata.fire.ca.gov/incidents/incidents\\_seasondeclarations?year=2018](http://cdfdata.fire.ca.gov/incidents/incidents_seasondeclarations?year=2018).

<sup>9</sup> Radeloff, Volker C. et al. 2018. Rapid growth of the US wildland-urban interface raises wildfire risk. *Proceedings of the National Academy of Sciences*. 115(13): 3314-3319.

<https://doi.org/10.1073/pnas.1718850115>.

<sup>10</sup> Husari, Sue, H. Thomas Nichols, Neil G. Sugihara, and Scott L. Stephens. "Fire and Fuel Management." *Fire in California's Ecosystems*, 2006, 444-65. doi:10.1525/california/9780520246058.003.0019.



### **Program Area:**

CAL FIRE has financial responsibility for fire protection and prevention in the SRA and would implement the CalVTP. The CalVTP would comprehensively direct the treatment of fire fuel to prevent wildfire in the SRA, which consists of more than 31 million acres of private and public land throughout the state. However, not all areas within the SRA are suitable for treatments. The portion of the SRA considered suitable for vegetation treatments under the CalVTP consists of 20.3 million acres referred to as the "treatable landscape." The treatable landscape is illustrated in Figure 1. WUI protection is a high priority for CAL FIRE, particularly following events such as the Tubbs Fire (2017), which began in wildlands and grew to burn much of suburban Santa Rosa, ultimately destroying 5,636 structures; the Carr Fire (2018), which traveled from wildlands into the developed neighborhoods of Redding; and the Camp Fire (2018), which destroyed most of the Town of Paradise. All three of these recent fires, and several others, have reinforced the importance of fuels management and fire prevention to reduce wildfire risk in and adjacent to the WUI. Much of the land surrounding the WUI falls in SRA, demonstrating the urgent need for the proposed CalVTP.

### **Probable Environmental Effects:**

The PEIR for the CalVTP will present an analysis of the potential environmental impacts of the proposed CalVTP, including direct, indirect, and cumulative effects. The PEIR will identify potentially feasible alternatives to the proposed CalVTP and provide a comparative analysis of their potential impacts. The PEIR will also identify mitigation measures to reduce potentially significant impacts to the extent feasible. The EIR will address all the environmental topic areas identified in Appendix G of the State CEQA Guidelines. These topic areas will include, but may not be limited to:

- Aesthetics and Visual resources
- Agriculture and Forestry Resources
- Air Quality
- Archeological, Historic, and Tribal Cultural Resources
- Biological Resources
- Geology, Soils, and Mineral Resources
- Greenhouse Gas Emissions
- Energy Resources
- Hazardous Materials, Public Health and Safety
- Hydrology and Water Quality
- Land Use and Planning, Population and Housing
- Noise
- Recreation
- Transportation
- Public Services, Utilities and Service Systems
- Wildfire

Potential environmental effects may be probable in any of these topic areas. The PEIR will address all the topics. The Board is not yet able to determine with specificity the individualized effects within these environmental topic areas, or whether such effects will be less than significant, less than significant with mitigation, or significant and unavoidable.

### **CEQA Scoping:**

**Public and Agency Scoping Meetings:** Because the proposed CalVTP is a project of statewide, regional, or areawide significance, the Board will hold scoping meetings, in accordance with PRC Section 21083.9(b)(2) and CEQA Guidelines Section 15206. Invitees include the following: responsible agencies; "public agencies with jurisdiction by law with respect to the project" (including trustee agencies); any "public agency, organization or individual who has filed a written request for the notice;" and potentially affected cities and counties.

Because of the statewide scale of the proposed CalVTP, the Board is conducting three scoping meetings, with one in Northern California, one in Sacramento, and one in the Los Angeles region. The scoping meetings will be web-broadcast over the internet. The meetings will occur as follows:

Monday, February 11, 2019, 1-3pm  
Natural Resources Building Auditorium  
1416 9<sup>th</sup> Street  
Sacramento, California

Webinar information: <https://attendee.gotowebinar.com/register/1182936368317342977>

Wednesday, February 13, 2019, 10am-12pm  
Shasta County Board of Supervisors  
1450 Court Street  
Redding, California

Webinar information: <https://attendee.gotowebinar.com/register/1891381396907387905>

Tuesday, February 19, 2019, 12-2pm  
California Fire Safe Council Ontario Office Meeting Room  
3200 Inland Empire Boulevard  
Ontario, California

Webinar Information: <https://attendee.gotowebinar.com/register/5611350291531610626>

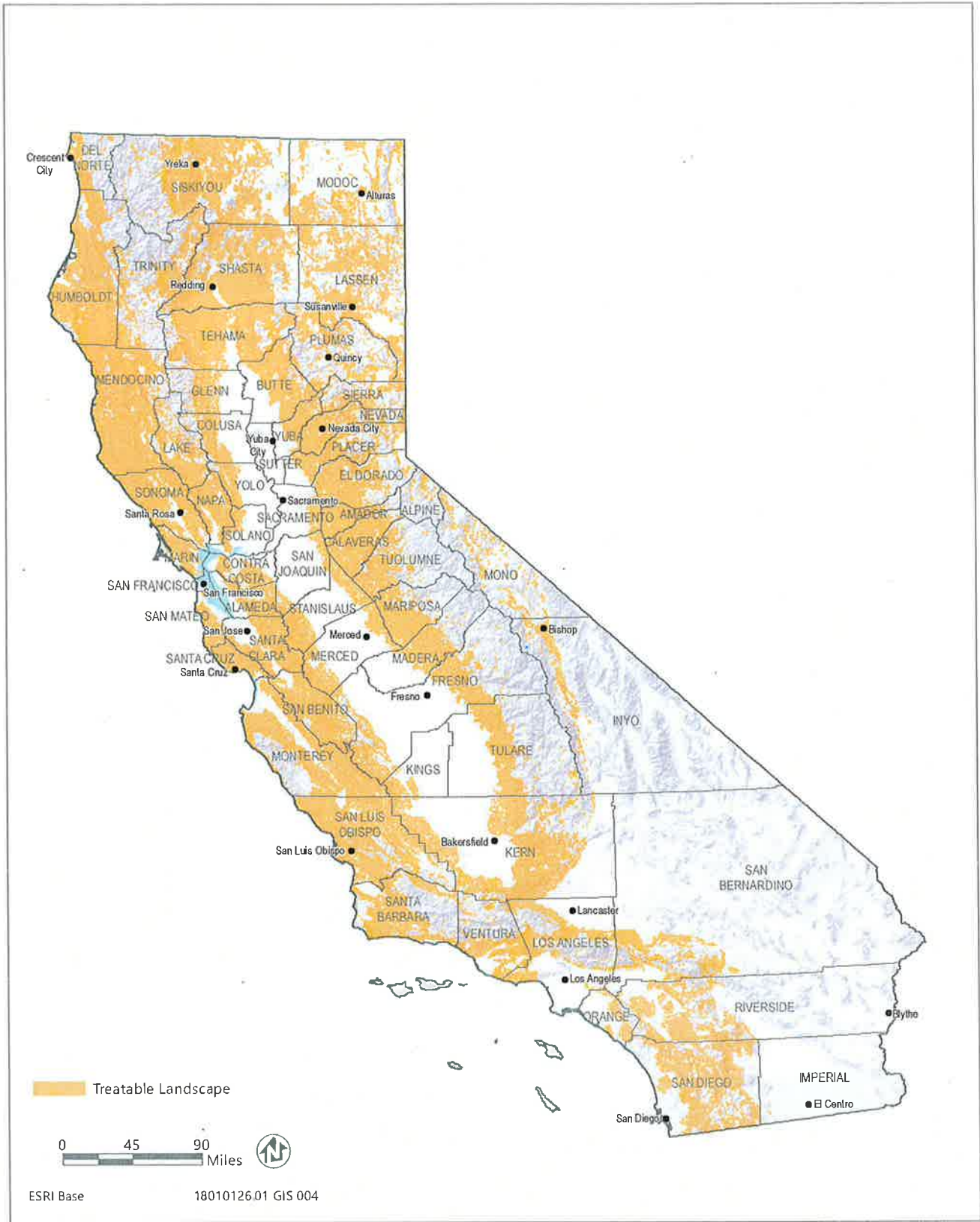
**Special Agency Scoping Meetings:** Pursuant to PRC Section 21080.4(b), responsible and trustee agencies have the right to request a meeting to determine the scope and content of the environmental information required. Please contact the Board at the addresses below to request such a meeting. Responsible and trustee agencies are also invited to attend the Public and Agency Scoping Meetings required by PRC Section 21083.9.

**Submittal of Comments:**

Due to the time limits mandated by State law, any comments on this NOP must be submitted no later than 30 days from the date of this notice. To be considered in development of the CalVTP PEIR, comments must be received by March 1, 2019. Comments may be submitted by mail or email at the addresses below. Please include the name of a designated contact person for your agency or organization.

California Board of Forestry and Fire Protection  
Attn: Edith Hannigan, Land Use Planning Program Manager  
Email: [CalVTP@bof.ca.gov](mailto:CalVTP@bof.ca.gov)  
Mail: PO Box 944246  
Sacramento, CA 94244-2460

The Board will also accept verbal comments from those physically attending the scoping meetings, but the Board will not accept comments submitted over the webinar during the meetings. The Board will also collect written comments at the scoping meetings. Because this is a new Program Environmental Impact Report, the Board will not be considering comments on other Draft PEIRs.



Source: Data received from the Department of Forestry and Fire Protection in 2019

1/14/2019

Treatable Landscape

Figure 1



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**TIME REQUIRED**

**SUBJECT**

Mono Lake Committee (MLC)  
Response to the Los Angeles  
Department of Water and Power  
Temporary Urgency Change Petition

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

A letter from MLC in response to the January 22 Temporary Urgency Change Petition from the Los Angeles Department of Water and Power.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">MLC Response</a>
<a href="#">LADWP TUCP</a>

**History**

Time	Who	Approval
2/7/2019 3:55 PM	County Administrative Office	Yes
2/7/2019 4:43 PM	County Counsel	Yes
2/7/2019 2:15 PM	Finance	Yes



# MONO LAKE COMMITTEE

P.O. Box 29  
Hwy 395 and Third Street  
Lee Vining, CA 93541

Phone (760) 647-6595  
Fax (760) 647-6377

## Board of Directors

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1718 Wellesley Ave  
Los Angeles, CA  
90025-3634

## On the Internet

[monolake.org](http://monolake.org)  
[monobasinresearch.org](http://monobasinresearch.org)

February 1, 2019

Erik Ekdahl  
State Water Resources Control Board  
Division of Water Rights  
1001 I Street, 14th Floor  
Sacramento, CA 95814

RE: LADWP request for Mono Basin TUCP

Dear Mr. Ekdahl,

The Mono Lake Committee (MLC) is writing in response to the January 22 letter and Temporary Urgency Change Petition submitted by the Los Angeles Department of Water & Power (LADWP).

### Background

The State Water Board Stream Scientists have developed a suite of Stream Ecosystem Flows (SEFs) for the Mono Basin's Rush, Lee Vining, Parker and Walker creeks, and these flow specifications are part of the 2013 Stream Restoration Agreement. These flows have not yet been implemented as license requirements. At the December 2018 meeting of the settlement parties with you and your staff we discussed interim implementation of the SEFs in 2019 while license amendment is completed.

Existing Los Angeles Aqueduct infrastructure cannot deliver the SEF high flows in 40% of year types, notably due to the lack of an outlet at Grant Lake Reservoir. Full implementation of the settlement includes construction of a new outlet facility to give LADWP modern facilities with the ability to better manage aqueduct operations and control and reliably deliver SEFs.

In the interim, however, delivery of SEFs within the constraints of existing infrastructure would offer meaningful restoration benefits including fish population benefits in the winter and vegetation and geomorphological benefits in the spring and summer.

### Comments on petition

The petition only proposes interim SEF implementation through March 31, 2019. The Committee recommends that the State Water Board implement interim SEFs for 180 days with the option for renewal. The SEFs deliver habitat, fish, and geomorphic benefits, as well as operation and storage benefits, throughout the year and are crafted as a full runoff year package. These benefits will be lost if interim implementation stops on March 31.

Our letter of January 25, 2019, laid out the elements MLC expects would be part of a full year interim SEF implementation. They are:

- A. All elements of draft License component 11 ("Stream Ecosystem Flows"), including use of the provided flow tables. However infrastructure limitations

would mean that releases to Rush Creek would not be required to exceed the capacity of the Mono Gate One Return Ditch, which is 380 cfs.

- B. All elements of draft License components 12 and 15 (“Grant Lake Operations and Management Plan” and “Annual Operations Plan”) including the collaborative planning, Stream Scientists input, and monthly reporting elements. The annual operation plan would be consistent with GLOMP and the TUCP, since the Mono Basin Operation Plan specified in component 15 has not yet been developed.

In addition, LADWP’s cover letter states that collection of data and testing of flows is the purpose of the petition. MLC has not been made aware of any special data collection plans and requests that the State Water Board clarify that any data gathering and analysis would be directed by the appointed Stream Scientists and shared with all parties.

**Process**

Although the idea of interim implementation of SEFs came from a group meeting, LADWP independently developed the current request without consultation with the settlement parties. This is an inefficient method of managing license matters in the Mono Basin. As we explained at some length in a letter of May 24, 2018, regarding a similar lack of consultation, it is unusual for technical elements of Mono Basin operations planning to necessitate formal back-and-forth correspondence with the State Water Board. Advance discussion could have produced a consensus petition that was ready upon submission for State Water Board action.

Also, a Mono Basin distribution list has long been used to share correspondence. MLC notes that LADWP used a substantially outdated mail distribution list and did not include regular email distribution of its letter. With this letter MLC is using an up-to-date version of the long established distribution list.

**Conclusion**

Interim implementation of the SEFs in 2019 will benefit the restoration of Rush, Lee Vining, Walker, and Parker creeks and help with Grant Lake Reservoir management as well. MLC’s January 25 letter discusses a second valuable element of interim settlement implementation: returning Dr. John Melack to his role directing and conducting the Mono Lake limnology monitoring program, as provided in the settlement agreement. This does not need approval via the TUCP process and instead can be quickly implemented through LADWP’s regular contracting procedures.

MLC looks forward to the completion of the amended license and, in the meantime, supports both of these interim measures being implemented for the benefit of Mono Lake and its tributary streams.

Sincerely,



Geoffrey McQuilkin  
Executive Director

**Mono Basin Distribution List**  
**State Water Board and Interested Parties**  
**February 2019**

<p>Mr. Erik Ekdahl  Division of Water Rights  State Water Resources Control Board  1001 I Street, 14th Floor  Sacramento, CA 95814  erik.ekdahl@waterboards.ca.gov</p>	<p>Ms. Jule Rizzardo  Division of Water Rights  State Water Resources Control Board  1001 I Street, 14th Floor  Sacramento, CA 95814  jule.rizzardo@waterboards.ca.gov</p>
<p>Mr. Scott McFarland  Division of Water Rights  State Water Resources Control Board  1001 I Street, 14th Floor  Sacramento, CA 95814  scott.mcfarland@waterboards.ca.gov</p>	<p>Mr. Greg Brown  Division of Water Rights  State Water Resources Control Board  1001 I Street, 14th Floor  Sacramento, CA 95814  greg.brown@waterboards.ca.gov</p>
<p>Dr. William Trush  Humboldt State University River Institute  c/o Dept of Environmental Science &amp; Mgmt  1 Harpst Street  Arcata, CA 95521-8299  bill.trush@gmail.com</p>	<p>Mr. Ross Taylor  Ross Taylor and Associates  1254 Quail Run Court  McKinleyville, CA 95519  rossntaylor@sbcglobal.net</p>
<p>Mr. Clarence Martin  Los Angeles Department of Water &amp; Power  300 Mandich Street  Bishop, CA 93514  clarence.martin@ladwp.com</p>	<p>Mr. Martin Adams  Los Angeles Department of Water and Power  111 North Hope Street  Los Angeles, CA 90012  martin.adams@ladwp.com</p>
<p>Mr. Anselmo Collins  Los Angeles Department of Water and Power  111 North Hope Street  Los Angeles, CA 90012  anselmo.collins@ladwp.com</p>	<p>Mr. Eric Tillemans  Los Angeles Department of Water and Power  300 Mandich Street  Bishop, CA 93514  eric.tillemans@ladwp.com</p>
<p>Mr. Saeed Jorat  Los Angeles Department of Water and Power  111 North Hope Street  Los Angeles, CA 90012  saeed.jorat@ladwp.com</p>	<p>Mr. Paul Pau  Los Angeles Department of Water and Power  111 North Hope Street  Los Angeles, CA 90012  paul.pau@ladwp.com</p>
<p>Mr. Steve Parmenter  Department of Fish and Wildlife  787 North Main St, Suite 220  Bishop, CA 93514  steve.parmenter@wildlife.ca.gov</p>	<p>Ms. Patricia Moyer  Department of Fish and Wildlife  787 North Main St, Suite 220  Bishop, CA 93514  patricia.moyer@wildlife.ca.gov</p>
<p>Mr. Geoffrey McQuilkin  Mono Lake Committee  P.O. Box 29  Lee Vining, CA 93541  geoff@monolake.org</p>	<p>Mr. Bartshe Miller  Mono Lake Committee  P.O. Box 29  Lee Vining, CA 93541  bartshe@monolake.org</p>

<p>Ms. Lisa Cutting  Mono Lake Committee  P.O. Box 29  Lee Vining, CA 93541  lisa@monolake.org</p>	
<p>Mr. Redgie Collins  California Trout Inc.  701 South Mount Shasta Boulevard  Mount Shasta, CA 96067  rcollins@caltrout.org</p>	<p>Mr. Eric Huber  California Trout Inc.  P.O. Box 3442  Mammoth Lakes, CA 93546  ehuber@caltrout.org</p>
<p>Mr. Matt Green  California State Parks  P.O. Box 266  Tahoma, CA 96142  matt.green@parks.ca.gov</p>	<p>Mr. Dan Shaw  California State Parks  P.O. Box 266  Tahoma, CA 96142  daniel.shaw@parks.ca.gov</p>
<p>Mr. Gordon Martin  Inyo National Forest  Mammoth-Mono District Ranger  PO Box 148  Mammoth Lakes, CA 93546  gmartin@fs.fed.us</p>	<p>Ms. Sheila Irons  Inyo National Forest  Mammoth-Mono District  PO Box 148  Mammoth Lakes, CA 93546  siron@fs.fed.us</p>
<p>Mono County Board of Supervisors  c/o Clerk of the Board  P.O. Box 715  Bridgeport, CA 93517  skendall@mono.ca.gov</p>	<p>Ms. Stacey Simon  Mono County Counsel  P.O. Box 2415  Mammoth Lakes, CA 93546  ssimon@mono.ca.gov</p>
<p>Mr. Doug Smith  Grant Lake Marina  P.O. Box 21  June Lake, CA 93529  doug.smith@rossignol.com</p>	



**Mono Basin Distribution List  
State Water Board and Parties  
Attorneys**

<p>Mr. David Rose Office of Chief Counsel State Water Resources Control Board 1001 I Street, 14th Floor Sacramento, CA 95814 drose@waterboards.ca.gov</p>	
<p>Mr. David Edwards Deputy City Attorney Los Angeles Department of Water and Power 111 North Hope Street Rm 341 Los Angeles, CA 90012 david.edwards@ladwp.com</p>	<p>Ms. Nancee Murray Office of General Counsel California Department of Fish and Wildlife 1416 Ninth Street Sacramento, CA 95814 nancee.murray@wildlife.ca.gov</p>
<p>Mr. Richard Roos-Collins Attorneys for California Trout Water and Power Law Group PC 2140 Shattuck Avenue, Ste. 801 Berkeley, CA 94704 rrcollins@waterpowerlaw.com</p>	<p>Ms. Winter King Attorneys for Mono Lake Committee Shute, Mihaly &amp; Weinberger LLP 396 Hayes Street San Francisco, CA 94102 king@smwlaw.com</p>



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January 22, 2019

Mr. Erik Ekdahl  
Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street, 14th Floor  
Sacramento, California 95814

Dear Mr. Ekdahl:

Subject: Temporary Urgency Change Petition to Deviate From the Stream Restoration Flow Requirements

The Los Angeles Department of Water and Power (LADWP) requests that the State Water Resources Control Board (SWRCB) approve this Temporary Urgency Change Petition (TUCP), pursuant to Water Code Section 1435, to temporarily deviate from the Stream Restoration Flow requirements as outlined in SWRCB Order 98-05.

Upon approval of the TUCP, flows will be scheduled in Rush, Lee Vining, Parker, and Walker Creeks as follows:

Rush Creek

- Set base flows at 27 cfs through March 31, 2019.

Lee Vining Creek

- Set base flows at 18 cfs, or match inflow to Lee Vining Creek through March 31, 2019. Divert flows in excess of base flows to the Lee Vining Conduit.

Parker Creek

- Flow-through conditions.

Walker Creek

- Flow-through conditions.

Mr. Erik Ekdahl  
Page 2  
January 22, 2019

The above flows are to collect data, and to test and evaluate the effects on resources from the implementation of the Rush Creek Stream Ecosystem Flows as recommended by the SWRCB-appointed stream scientist in the 2010 Synthesis of Instream Flow Recommendations to the State Water Resources Control Board and the Los Angeles Department of Water and Power. The above requested action is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 15306.

LADWP appreciates your attention to this request. If you have any questions or concerns, please contact Dr. Paul C. Pau, Environmental Engineering Associate, at (213) 367-1187.

Sincerely,



Clarence E. Martin  
Manager of Aqueduct

PCP:jm  
Enclosures  
c: Distribution List  
Dr. Paul C. Pau, w/enc.

---

### Mono Basin Distribution List

<p>Mr. Erik Ekdahl          Division of Water Rights          State Water Resources Control Board          1001 I Street, 14th Floor          Sacramento, CA 95814</p>	<p>Ms. Lisa Cutting          Mono Lake Committee          P.O. Box 29          Lee Vining, CA 93541</p>
<p>Ms. Amanda Montgomery          Division of Water Rights          State Water Resources Control Board          1001 I Street, 14th Floor          Sacramento, CA 95814</p>	<p>Board of Supervisors          Mono County          P.O. Box 715          Bridgeport, CA 93517</p>
<p>Mr. Scott McFarland          Division of Water Rights          State Water Resources Control Board          1001 I Street, 14th Floor          Sacramento, CA 95814</p>	<p>Ms. Janet Hatfield          California Trout Inc.          P.O. Box 3442          Mammoth Lakes, CA 93546</p>
<p>Dr. William Trush          Humboldt State University River Institute          c/o Department of Environmental Science          and Management          1 Harpst Street          Arcata, CA 95521-8299</p>	<p>Mr. Richard Roos-Collins          Water and Power Law Group          2140 Shattuck Avenue, Suite 801          Berkeley, CA 94704-1229</p>
<p>Mr. Ross Taylor          1254 Quail Run Court          McKinleyville, CA 95519</p>	<p>Mr. Marshall S. Rudolph          Mono County Counsel          P.O. Box 2415          Mammoth Lakes, CA 93546</p>
<p>Mr. Jon C. Regelbrugge          USDA Forest Service          P.O. Box 148          Mammoth Lakes, CA 93546</p>	<p>Mr. Steve Parmenter          Department of Fish and Wildlife          787 North Main Street, Suite 220          Bishop, CA 93514</p>
<p>Ms. Tamara Sasaki          California Department of Parks and          Recreation          P.O. Box 266          Tahoma, CA 96142</p>	<p>Mr. Doug Smith          Grant Lake Reservoir Marina          P.O. Box 21          June Lake, CA 93529</p>
<p>Mr. Matthew Green          State Parks          3415 Hot Springs Road          Markleeville, CA 96120</p>	



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** February 12, 2019

**Departments:** Wendy Sugimura

**TIME REQUIRED** 9:30 AM (1.5 hours)

**PERSONS** Wendy Sugimura, Bentley Regehr

**SUBJECT** PUBLIC HEARING: General Plan  
Amendment 19-01

**APPEARING  
BEFORE THE  
BOARD**

---

### AGENDA DESCRIPTION:

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

General Plan Amendment 19-01 A & B: A) Multi-Family Land Use Designation: modifications to reduce minimum lot sizes for certain types of developments (e.g., condominium uses) and add language permitting historically allowed transient rental uses with no new construction, and B) Short-term rental regulations: eliminate Type II (non-owner occupied rentals) and modify area plan policies to reflect community-specific permitting which would result in Type III (non-owner occupied rentals, with valid use and activity permits - except in Antelope Valley) being allowed in certain areas of the County. Non-owner occupied rentals would not be allowed in Mono City, parts of June Lake, Crowley Lake, Tom's Place/Sunny Slopes, Paradise, Swall Meadows, and the Tri-Valley.

---

### RECOMMENDED ACTION:

1. Conduct public hearing on GPA 19-01 A & B. 2. Following the public hearing and deliberations, make the following findings: a. That the General Plan Amendment, including all text changes to the Land Use Element of the Mono County General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, is consistent with the General Plan and all applicable area plans; and b. That the proposed area plan text amendments are consistent with the countywide General Plan. 3. Adopt the Addendum for GPA 19-01 A & B. 4. Introduce, read title, and waive further reading of proposed ordinance ORD19-\_\_ adopting GPA 19-01 A & B, with any desired changes.

---

### FISCAL IMPACT:

No impact due to MFR amendment, although additional units would result in increased property taxes. Increased staff time for enforcement and permitting could result in increased costs; increased compliance and new rentals could result in additional transient occupancy tax revenue for the County.

---

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 7609241814 / wsugimura@mono.ca.gov

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

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Click to download
<a href="#">GPA 19-01 staff report</a>
<a href="#">A - GPA 19-01 Planning Commission Resolution</a>
<a href="#">B - Public Hearing Notice</a>
<a href="#">C - GPA 19-01 Addendum</a>
<a href="#">D - GPA 19-01A MFR LUD Modification</a>
<a href="#">E - GPA 19-01B STR redline</a>
<a href="#">F - GPA 19-01B STR clean</a>
<a href="#">G - GPA 19-01 Proposed Ordinance</a>

### History

Time	Who	Approval
2/6/2019 5:26 AM	County Administrative Office	Yes
2/7/2019 4:54 PM	County Counsel	Yes
2/7/2019 4:13 PM	Finance	Yes

# Mono County Community Development Department

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PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
commdev@mono.ca.gov

## Planning Division

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

February 12, 2019

**To: The Mono County Planning Commission**

**From:** Bentley Regehr, Planning Analyst  
Wendy Sugimura, Director

**Re:** General Plan Amendment 19-01A: Multi-Family Residential Land Use Designation and 19-01B: Short-Term Rentals.

### RECOMMENDATION

1. Conduct a public hearing on GPA 19-01 A & B and the associated Addendum to the General Plan Environmental Impact Report, receive any additional public comments, deliberate the project, and make any desired modifications.
2. Following the public hearing and project deliberations, make the following findings:
  - a. That the General Plan Amendment, including all text changes to the Land Use Element of the Mono County General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, which are attached and incorporated herein by reference, is consistent with the General Plan as well as all applicable area plans; and
  - b. That the proposed area plan text amendments of GPA 19-01 are consistent with the countywide General Plan.
3. Certify the Addendum for GPA 19-01 A & B.
4. Introduce, read title, and waive further reading of proposed ordinance ORD19-\_\_, with any desired changes, adopting GPA 19-01 A & B.

### FISCAL IMPACT

No impact due to MFR amendment, although additional units would result in increased property taxes. Increased staff time for enforcement and permitting could result in increased costs; increased compliance and new rentals could result in additional transient occupancy tax revenue for the County.

### PLANNING COMMISSION RECOMMENDATION

At their January 17, 2019, meeting, the Planning Commission held a public hearing on General Plan Amendment 19-01 A & B, modified the project as described below, made the required findings, and adopted Resolution R19-01 recommending the Board of Supervisors adopt the General Plan Amendment.

### ATTACHMENTS

- A. Planning Commission recommendation R19-01
- B. Notice of Public Hearing – Board of Supervisors
- C. GPA 19-01 A & B Addendum

## **GPA 19-01A: MULTI-FAMILY RESIDENTIAL LAND USE DESIGNATION**

### **BACKGROUND**

The existing General Plan contains inconsistencies between minimum lot size and allowed density for multi-family residential land use designations. The County currently has 95 Multi-Family Residential (MFR) parcels divided between the communities of Bridgeport, June Lake, and Crowley Lake, many of which do not meet the current minimum lot size for condominium or townhome development but can satisfy the density requirement. The land use designations in question consist of Multi-Family – High (MFR – High), Multi-Family – Medium (MFR – M), and Multi-Family – Low (MFR-L).

The proposed amendment was presented to the Regional Planning Advisory Committees in communities with MFR land designations, including Bridgeport, June Lake, and Crowley Lake/Long Valley. No opposition was expressed.

### **DISCUSSION**

The amendment proposes to adjust the minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance and eliminate the current minimum lot size of 2 acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land.

The amendment results in the addition of 21 units to the buildout potential of MFR parcels county-wide. Buildout projections were calculated using the following methodology:

#### **Step 1:**

In order to create a “baseline,” current buildout potential was calculated for vacant/underdeveloped MFR parcels under existing standards using buildout assumptions from the 2015 General Plan EIR. These assumptions included reducing maximum buildout potential based on conditional development zones (flood zones and avalanche hazard), limited availability of sewer and water, and physical constraints (streams, steep slopes, etc.). None of the parcels affected by this amendment are located in zones where buildout potential was reduced. The potential for future lot mergers of adjacent parcels was not considered.

#### **Step 2:**

Buildout potential was calculated for vacant/undeveloped MFR parcels using the standards proposed by GPA 19-01A and the same set of reduction assumptions.

Buildout potential was affected on the following parcels:

- a. MFR-L parcels between 15,000 and 87,120 square feet. For example, under current regulations, a 30,000 square-foot MFR-L parcel would have a maximum development potential of three units since the two-acre minimum cannot be met. The proposed regulations allow for one unit per 3,750 square feet, regardless of parcel size, and would result in a maximum development potential of eight units for the parcel.
- b. MFR-M and MFR-H parcels between 11,616 and 20,000 square feet. As an example, a 15,000 square foot parcel would have a maximum development potential of three units under current regulations (the parcel does not meet the 20,000 square foot lot size minimum for developments of four or more units), but a maximum potential of five units after the proposed amendment.



**Step 3:**

The difference between "step 1" and "step 2" above was then calculated. The proposed amendment results in an increase in buildout potential of 11 units in June Lake, 10 units in Bridgeport, and no increase in Crowley Lake.

<b>Table 1: Summary of buildout potential on MFR parcels</b>			
<b>Community</b>	<b>Buildout Potential on MFR Prior to Amendment</b>	<b>Buildout Potential on MFR After Amendment</b>	<b>Difference</b>
Bridgeport	198	208	10
June Lake	76	87	11
Crowley Lake	50	50	0

GPA 19-01A also includes language for permitting historically-allowed transient rental use in MFR units. Transient rentals (fewer than 30 consecutive days) in multi-family units are allowed in the following MFR-L and MFR-M complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment. The amendment allows the County to document the existing multi-family complexes where transient rentals will continue to be allowed. The units in question are existing and no new construction is proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element.

The Planning Commission recommended retaining the multi-family unit list above, but eliminating language prohibiting transient rentals in other existing and future complexes. The Planning Commission discussed there may be an inherent assumption that transient rentals are allowed in MFR-M condominiums and that outreach to MFR-M parcel owners should be completed prior to an amendment that explicitly restricts use. Complexes unable to prove historical use will be subject to interpretation of the General Plan by the Planning Commission.

This staff report was reviewed by the Community Development Director.

**ATTACHMENT**

- D. General Plan Amendment 19-01A: Proposed MFR designation changes



**GPA 19-01B: SHORT-TERM RENTALS**

**BACKGROUND**

In March 2017, the Board adopted amendments to Chapter 25 as recommended by the Planning Commission which regulates short-term rentals, defined as rentals for less than 30 days, in certain residential land use designations. Subsequently, the Board enacted a 45-day, then a 10.5-month, and then a one-year moratorium on Type II (non-owner occupied) short-term rentals, and directed staff to 1) first complete a public process to revise the June Lake area plan to address specific short-term rental issues in this community; and 2) revisit area

plan policy discussions with other communities on where Type II rentals should be allowed/not allowed. The current moratorium expires on February 26, 2018.

In April 2018, the Board adopted a General Plan Amendment revising the June Lake area plan and short-term rental regulations to address issues specific to June Lake. These regulations established a two-part permitting process: 1) a use permit approval by the Planning Commission under Chapter 25 of the General Plan, and 2) a Short-Term Rental Activity Permit approval by the Board of Supervisors under Mono County Code Chapter 5.65. Both are required to operate a short-term rental, and the Activity Permit is specific to the owner and does not transfer if the property is sold.

Since then, staff has been intermittently conducting outreach and workshops with the Regional Planning Advisory Committees (RPACs) to finalize policies and regulations throughout the rest of the county prior to the moratorium expiring.

## **DISCUSSION**

The current Chapter 25 regulations stipulate that short-term rental approvals must comply with area plan policies, providing for regulations on an area-by-area basis. The following is a summary of the proposed modifications to the regulations and area plan policies (Attachments C and D), which completes a comprehensive set of regulations for short-term rentals across the entire county:

### Chapter 25 Modifications:

- The application of the chapter and general requirements for all short-term rental types were consolidated into a new chapter section (25.015) rather than being repeated in multiple sections.
- Exemptions were added (25.018), which exempts the Antelope Valley (see area plan discussion below) and previously approved Transient Rental Overlay Districts (TRODs) and Type I Use Permits.
- Type II rentals (not owner-occupied rentals with approval that runs with the land) are proposed to be eliminated. None of the RPACs specifically requested the retention of this rental type, and the elimination reduces confusion for staff and applicants.
- The remaining Type I and Type III rentals were therefore renamed "Owner-Occupied Short-Term Rentals" (previously Type I) and "Not Owner-Occupied Short-Term Rentals" (previously Type III).
- The Planning Commission modified the definition of "Not Owner-Occupied Short-Term Rentals" as follows: 25.030. Establishment of Not Owner-Occupied Short-Term Rental: Not owner-occupied short-term rentals include rental of an entire dwelling unit or any part thereof that is not concurrently occupied by the owner or on the same parcel or on a physically contiguous parcel as a principal residence concurrently occupied by the owner.
- Noticing requirements were modified to have consistent timeframes. Any person can request notice of a short-term rental project 10-days in advance of the public hearing, and staff would provide that notice at least 10-days in advance.

### Policy Modifications – Countywide:

- Minor wordsmithing is proposed to ensure consistency with the Antelope Valley exemption and to rename the rental types (eliminating the Type I and III terminology).

### Policy Modifications – Antelope Valley:

- The Antelope Valley RPAC requested minimizing regulations and cost to the applicant while encouraging compliance with health and safety standards. The rationale is that the Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like other parts of the county.

- Therefore, the proposed language exempts short-term rentals in the Antelope Valley from the permitting process but requires a business license and transient occupancy tax certificate. As part of the business license process, health and safety requirements and responsibilities as defined in Chapter 26, Vacation Home Rental Permits, will be transmitted to the homeowner. To be clear, however, no planning permits will be issued for the short-term rental use.

#### Bridgeport Valley:

The Bridgeport Valley RPAC deliberated the merits of the different types of short-term rentals, and ultimately were split 2-2 on whether to recommend all rental types be permitted, or only Owner-Occupied Short-Term Rentals. The rationale for allowing all rental types was that property owner should have the right to conduct this use, market pressure is low, and the impacts are not problematic. The concern raised by those in favor of only Owner-Occupied Short-Term Rentals was the potential reduction of housing stock for long-term rentals and workforce housing. Because the Bridgeport RPAC did not make a recommendation, no policy changes are proposed and Chapter 25, including both rental types, would apply in its entirety to the Bridgeport Planning Area.

#### Policy Modifications – Mono Basin:

- Lee Vining is almost entirely designated Commercial (C), and therefore Chapter 25 does not apply.
- Mono City is the only other residential community that expressed interest in discussing short-term rentals. A special meeting was held in Mono City and the input was conveyed to the Mono Basin RPAC. At its July 2018 meeting, the Mono Basin RPAC made a formal recommendation, consistent with the results of the Mono City meeting, to prohibit all types of short-term rentals in Mono City. Planning Commissioner Chris Lizza, who also sits on the Mono Basin RPAC, abstained from the vote. The policy modification provides for the prohibition.

#### Policy Modifications – June Lake:

- Minor wordsmithing is proposed to ensure consistency with the elimination of Type II rentals and to rename the rental types (eliminating the Type I and III terminology). No changes to the type and location of short-term rentals are proposed.

#### Policy Modifications – Crowley Lake/Long Valley, Wheeler Crest, Paradise, Swall Meadow, Tri-Valley:

- Per RPAC discussions, anecdotal comments from individuals to the district Supervisor (Fred Stump), and concern over loss of workforce housing stock, Not Owner-Occupied Short-Term Rentals are prohibited.
- Owner-Occupied Short-Term Rentals continue to be eligible for permitting.
- In Crowley Lake, prior to the current regulations, several Type I short-term rental use permits were approved (and one was denied), and no complaints have been filed to date.

#### Land Use Designation Modifications:

- The reference to June Lake policies is proposed for deletion from Estate Residential (ER), Rural Mobile Home (RMH) and Rural Residential (RR) since multiple area plans now contain relevant policies.
- The proposed modification to the Multi-Family Residential designation clarifies that short-term rentals are not permitted in this designation in June Lake, and eliminates the reference to June Lake policies.
- The reference to June Lake policies is retained for Single-Family Residential, since this is the only applicable Land Use Designation for short-term rentals in June Lake.

## **ATTACHMENTS**

- E. Proposed General Plan Amendment 19-01B: Short-Term Rentals – redline version
- F. Proposed General Plan Amendment 19-01B: Short-Term Rentals – clean version

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**ATTACHMENT FOR GPA 19-01 A & B**

G. ORD19-\_\_ making the required findings and adopting General Plan Amendment 19-01 A & B



1  
2  
3  
4  
5                   **RESOLUTION R19-01**  
6                   **A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION**  
7                   **INITIATING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS**  
8                   **ADOPT GENERAL PLAN AMENDMENT (GPA) 19-01 CONSISTING OF TWO PARTS – A)**  
9                   **MULTI-FAMILY RESIDENTIAL (MFR) LAND USE DESIGNATION AND B) SHORT-TERM**  
10                   **RENTALS, IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
11                   **(CEQA)**

12                   **WHEREAS**, addressing the housing crisis through policy is identified as one of Mono County’s  
13 2018 strategic priorities; and

14                   **WHEREAS**, in a priority setting exercise on housing programs, the Board of Supervisors  
15 expressed strong support for regulatory changes that improve housing production potential; and

16                   **WHEREAS**, minimum lot sizes in the current MFR development regulations create potential  
17 barriers for certain types of multi-family projects that can meet density standards; and

18                   **WHEREAS**, outreach was conducted to the Regional Planning Advisory Committees (RPACs)  
19 with MFR designations in their communities including Bridgeport, June Lake, and Long Valley/Crowley  
20 Lake; and

21                   **WHEREAS**, not owner-occupied short-term rentals that run with the land have been under  
22 moratorium since March 2017 while policies and regulations have been under development; and

23                   **WHEREAS**, a General Plan Amendment was adopted in April 2018 revising the June Lake area  
24 plan and short-term rental regulations; and

25                   **WHEREAS**, outreach was intermittently conducted to the Antelope Valley RPAC, Bridgeport  
26 Valley RPAC, Mono Basin RPAC with a special meeting in Mono City, and Long Valley/Paradise/Swall  
27 Meadows RPAC and community meeting since April 2018 to refine short-term rental policies and  
28 regulations for those communities; and

29                   **WHEREAS**, the RPACs deliberated and, when possible, made recommendations or provided  
30 direction for policy and regulation refinements which were incorporated into the proposed amendment; and

**WHEREAS**, an Addendum to the 2015 RTP/General Plan Update (GPU) Environmental Impact  
Report (EIR), as modified by the GPA 18-01B Addendum, was prepared; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it,  
including public testimony, staff reports and presentations, the Planning Commission recommends that the

1 Board of Supervisors make required findings and adopt GPA 19-01 A & B amending language in the  
2 General Plan Land Use Element.

3 **NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY**  
4 **FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

5 **SECTION ONE:** The Planning Commission initiates General Plan Amendment 19-01.

6 **SECTION TWO:** The Planning Commission certifies the Addendum for GPA 19-01 A) Multi-  
7 Family Residential Land Use Designation and B) Short-Term Rentals.

8 **SECTION THREE:** The Planning Commission finds that the General Plan Amendment, including  
9 all text changes to the Land Use Element and Circulation Element of the Mono County General Plan  
10 pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, which  
11 are attached hereto as Exhibit A and incorporated herein by reference, is consistent with the General  
12 Plan as well as all applicable area plans.

13 **SECTION FOUR:** The Planning Commission further finds that the proposed area plan text  
14 amendments of GPA 19-01 are consistent with the countywide General Plan.

15 **SECTION FOUR:** The Planning Commission recommends that the Board of Supervisors adopt  
16 GPA 19-01 A & B.

17 **PASSED AND ADOPTED** this 17<sup>th</sup> day of January 2019, by the following vote: <sup>roll-call</sup>

18 **AYES:** Scott Bush, Chris Lizza, Mary Pipersky, Robert Lagomarsini, Dan Roberts

19 **NOES:**

20 **ABSENT:**

21 **ABSTAIN:**

22   
23 Scott Bush, Chair

24 **Attest:**

25   
26 CD Ritter, Commission Secretary

27 **Approved as to form:**

28   
29 Christian Milovich, Assistant County Counsel

30 **Note:** To reduce redundancy, Exhibit A has not been included as these documents  
are posted separately within the Feb. 12, 2019, staff report (Attachments D - GPA  
MFR and E - GPA STR Text Amendment redline). Exhibit A as adopted by the  
Planning Commission is on file at the Mono County Community Development  
Department.

## MONO COUNTY PLANNING COMMISSION

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PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

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January 22, 2019

To: The Sheet

From: CD Ritter

Re: Legal Notice for **January 26** edition

Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

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### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing **Feb. 12, 2019, at 9:30 am** in the Mono County Courthouse, 278 Main Street, Bridgeport, CA, to consider **GENERAL PLAN AMENDMENT 19-01** consisting of two parts: **A) Multi-Family Residential (MFR) Land Use Designation:** The amendment proposes to adjust minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance instead of the current minimum lot size of two acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land. The amendment also includes language for permitting historically allowed transient rental use in existing MFR units with no new construction proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element. **B) Non-Owner-Occupied Short-Term Rentals:** The amendment refines Chapter 25 policies and regulations related to short-term rentals, defined as rentals for 30 days or less, in residential land use designations by eliminating Type II rentals (non-owner-occupied rentals with approvals that run with the land) throughout Mono County. Approvals of short-term rentals specific to the owner, whether owner-occupied (Type I) or non-owner occupied (Type III), may be permitted subject to Area Plan policies and permit approvals. The Planning Commission amended the definition of Not Owner-Occupied Short-Term Rentals and removed the prohibition of transient rentals in condominiums in MFR-L and MFR-M parcels, directing staff to bring applications for Commission interpretation and to bring the issue back at a future date. The Planning Commission adopted Resolution R19-01 making the findings as proposed and recommending that the Board of Supervisors certify the Addendum and adopt GPA 19-01 A & B as amended. In accordance with State law, an addendum to the existing General Plan EIR is being utilized for this project pursuant to the California Environmental Quality Act. Project materials will be available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes; for more information call 760.924.1800. INTERESTED PERSONS may appear before the Board of Supervisors to present testimony or, prior to or at the hearing, file written correspondence with: Board Clerk, PO Box 715, Bridgeport, CA 93517. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Board Clerk at, or prior to, the public hearing.

###



## **ADDENDUM TO THE GENERAL PLAN EIR FOR GPA 19-01 A) MULTI-FAMILY RESIDENTIAL LAND USE MODIFICATIONS, AND B) SHORT-TERM RENTAL POLICIES AND REGULATION MODIFICATIONS**

### **LEAD AGENCY:**

Mono County Community Development Department, Planning Division  
PO Box 347  
437 Old Mammoth Road, STE P  
Mammoth Lakes, CA 93546

**January 2019**

### **INTRODUCTION**

This addendum to the Mono County General Plan EIR applies to General Plan Amendment 19-01 which consists of two parts: A) Modifications to the Multi-Family Residential (MFR) land use designation and B) Modifications to policies and regulations pertaining to short-term rentals. The General Plan EIR was certified by the Mono County Board of Supervisors on December 8, 2015. CEQA Guidelines Section 15164 states that the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. This document outlines the elements of the amendment, the relevant CEQA provisions, and the potential environmental impacts.

### **PROJECT DESCRIPTION**

#### GPA 19-01A: Multi-Family Land Use Designation

The existing General Plan contains inconsistencies between minimum lot size and allowed density for multi-family residential land use designations. The County currently has 95 Multi-Family Residential (MFR) parcels divided between the communities of Bridgeport, June Lake, and Crowley Lake, many of which do not meet the current minimum lot size for condominium or townhome development but can satisfy the density requirement. The land use designations in question consist of Multi-Family – High (MFR – High), Multi-Family - Medium (MFR – M), and Multi-Family – Low (MFR-L). The amendment proposes to adjust the minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance and eliminate the current minimum lot size of 2 acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land.



The amendment results in the addition of 21 units to the buildout potential of MFR parcels county-wide.

Buildout projections were calculated using the following methodology:

1. Current buildout potential was calculated for vacant/underdeveloped parcels prior to an amendment for MFR parcels using buildout assumptions from the 2015 General Plan EIR. These assumptions included reducing maximum buildout potential based on conditional development zones (flood zones and avalanche hazard), limited availability of sewer and water, and physical constraints (streams, steep slopes, etc.). None of the parcels affected by the amendment are located in zones where buildout potential was reduced. The potential for future lot mergers of adjacent parcels was not considered.
2. Buildout potential was calculated for vacant/undeveloped MFR parcels using the standards proposed by GPA 19-01A and the same set of reduction assumptions.

Buildout potential was affected on the following parcels:

- a. MFR-L parcels between 15,000 and 87,120 square feet. For example, under current regulations, a 30,000 square-foot MFR-L parcel would have a maximum development potential of three units since the two-acre minimum cannot be met. The proposed regulations allow for one unit per 3,750 square feet, regardless of parcel size, and would result in a maximum development potential of eight units for the parcel.
  - b. MFR-M and MFR-H parcels between 11,616 and 20,000 square feet. As an example, a 15,000 square foot parcel would have a maximum development potential of three units under current regulations (the parcel does not meet the 20,000 square foot lot size minimum for developments of four or more units), but a maximum potential of five units after the proposed amendment.
3. The difference between “step 1” and “step 2” was then calculated. The proposed amendment results in an increase in buildout potential of 11 units in June Lake, 10 units in Bridgeport, and no increase in Crowley Lake.

**Table 1: Summary of buildout potential on MFR parcels**

<b>Community</b>	<b>Buildout Potential on MFR Prior to Amendment</b>	<b>Buildout Potential on MFR After Amendment</b>	<b>Difference</b>
Bridgeport	198	208	10
June Lake	76	87	11
Crowley Lake	50	50	0

GPA 19-01A also includes language for permitting historically-allowed transient rental use in MFR units. Transient rentals (fewer than 30 consecutive days) in multi-family units are prohibited in MFR-L and MFR-M, except in areas of historical use. The amendment allows the County to document the existing multi-family complexes where transient rentals will continue to be allowed. The units in question are existing and no new construction is proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element.

GPA 19-01B: Short-Term Rentals

In March 2017, the Board adopted amendments to Chapter 25 as recommended by the Planning Commission which regulates short-term rentals, defined as rentals for less than 30 days, in certain residential land use designations. Subsequently, the Board enacted a 45-day, then a 10.5-month, and then a one-year moratorium on Type II (non-owner occupied) short-term rentals, and directed staff to 1) first complete a public process to revise the June Lake area plan to address specific short-term rental issues in this community; and 2) revisit area plan policy discussions with other communities on where Type II rentals should be allowed/not allowed. The current moratorium expires on February 26, 2018, unless extended.

In April 2018, the Board adopted a General Plan Amendment revising the June Lake area plan and short-term rental regulations, again at the recommendation of the Planning Commission, to address issues specific to June Lake. These regulations established a two-part permitting process: 1) a use permit approval by the Planning Commission under Chapter 25 of the General Plan, and 2) a Short-Term Rental Activity Permit approval by the Board of Supervisors under Mono County Code Chapter 5.65. Both are required to operate a short-term rental, and the Activity Permit is specific to the owner and does not transfer if the property is sold.

Since then, staff has been intermittently conducting outreach and workshops with the Regional Planning Advisory Committees (RPACs) to finalize policies and regulations throughout the rest of the county prior to the moratorium expiring.

The current Chapter 25 regulations stipulate that short-term rental approvals must comply with area plan policies, providing for regulations on an area-by-area basis. The following is a summary of the proposed modifications to the regulations and area plan policies (Attachments C and D), which completes a comprehensive set of regulations for short-term rentals across the entire county:

Chapter 25 Modifications:

- The application of the chapter and general requirements for all short-term rental types were consolidated into a new chapter section (25.015) rather than being repeated in multiple sections.
- Exemptions were added (25.018), which exempts the Antelope Valley (see area plan discussion below) and previously approved Transient Rental Overlay Districts (TRODs) and Type I Use Permits.
- Type II rentals (not owner-occupied rentals with approval that run with the land) are proposed to be eliminated. None of the RPACs specifically requested the retention of this rental type, and the elimination reduces confusion for staff and applicants.
- The remaining Type I and Type III rentals were therefore renamed "Owner-Occupied Short-Term Rentals" (previously Type I) and "Not Owner-Occupied Short-Term Rentals" (previously Type III).
- Noticing requirements were modified to have consistent timeframes. Any person can request notice of a short-term rental project 10-days in advance of the public hearing, and staff would provide that notice at least 10-days in advance.

Policy Modifications – Countywide:

- Minor wordsmithing is proposed to ensure consistency with the Antelope Valley exemption and to rename the rental types (eliminating the Type I and III terminology).

Policy Modifications – Antelope Valley:

- The Antelope Valley RPAC requested minimizing regulations and cost to the applicant while encouraging compliance with health and safety standards. The rationale is that the Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the county.
- Therefore, the proposed language exempts short-term rentals in the Antelope Valley from the permitting process but requires a business license and transient occupancy tax certificate. As part of the business license process, the applicant will sign an acknowledgement of health and safety requirements and responsibilities as defined in Chapter 26, Vacation Home Rental Permits. To be clear, however, no planning permits will be issued for the short-term rental use.

Policy Modifications – Mono Basin:

- Lee Vining is almost entirely designated Commercial (C), and therefore Chapter 25 does not apply.
- Mono City is the only other residential community that expressed interest in discussing short-term rentals. A special meeting was held in Mono City and the input was conveyed to the Mono Basin RPAC. At their July 2018 meeting, the Mono Basin RPAC made a formal recommendation, consistent with the results of the Mono City meeting, to prohibit all types of short-term rentals in Mono City. The policy modification provides for the prohibition.

Policy Modifications – June Lake

- Minor wordsmithing is proposed to ensure consistency with the elimination of Type II rentals and rename the rental types (eliminating the Type I and III terminology). No changes to the type and location of short-term rentals are proposed.

Policy Modifications – Crowley Lake/Long Valley, Wheeler Crest, Paradise, Swall Meadow, Tri-Valley

- Per RPAC discussions, anecdotal comments from individuals to the district Supervisor (Fred Stump), and concern over loss of workforce housing stock, Not Owner-Occupied Short-Term Rentals are prohibited.
- Owner-Occupied Short-Term Rentals continue to be eligible for permitting.
- In Crowley Lake prior to the current regulations, several Type I short-term rental use permits were approved (and one was denied), and no complaints have been filed to date.

Land Use Designation Modifications:

- The reference to June Lake policies is proposed for deletion from Estate Residential (ER), Rural Mobile Home (RMH) and Rural Residential (RR) since multiple area plans now contain relevant policies.
- The proposed modification to the Multi-Family Residential designation clarifies that short-term rentals are not permitted in this designation in June Lake, and eliminates the reference to June Lake policies.
- The reference to June Lake policies is retained for Single-Family Residential, since this is the only applicable Land Use Designation for short-term rentals in June Lake.

**CEQA PROVISIONS FOR PREPARING AN ADDENDUM TO AN EIR**

The California Environmental Quality Act (CEQA §15164[b]) states:

*“(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”*

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

*“(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

*(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.”*

**ANALYSIS OF POTENTIALLY SIGNIFICANT IMPACTS**

The following table summarizes the existing impacts of the General Plan and any potential additional impacts from GPA 19-01:

<b>Table 2: Summary of General Plan Impacts and Mitigation Measures</b>				
<b>ENVIRONMENTAL IMPACT</b>	<b>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</b>	<b>MITIGATION MEASURES</b>	<b>RESULTING LEVEL OF SIGNIFICANCE</b>	<b>ADDITIONAL IMPACTS FROM GPA 19-01</b>
<b>§4.1 LAND USE AND PLANNING</b>				
4.1(a) Physically divide an established community	Less than Significant	Mitigated to the greatest feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	None. No lot lines, boundaries, or land uses are affected.
4.1(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant	Mitigated to the greatest feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	None. No conflict with local area plans and policies.
<b>§4.2 REGIONAL TRANSPORTATION PLAN AND CIRCULATION</b>				
4.2(a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation and all relevant components of the circulation system.	Less than Significant	Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	Less than significant. Minor additional traffic caused by potential units under the MFR change not expected to affect circulation patterns. The short-term rental policies do not result in any new units, and existing units continue to be residential uses.
4.2(b) Conflict with an applicable congestion management	Less than	Mitigated to the feasible extent through		Less than significant.

Attachment C – GPA 19-01 Addendum

<p>program, including but not limited to level of service standards and travel demand measures.</p>	<p>Significant</p>	<p>2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.</p>	<p>Less than Significant</p>	<p>Minor additional traffic caused by potential units under the MFR change not expected to affect circulation patterns. The short-term rental policies do not result in any new units, and existing units continue to be residential uses.</p>
<p>4.2(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.</p>	<p>No Impact</p>	<p>Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.</p>	<p>No Impact</p>	<p>None. Changes do not impact air travel.</p>
<p>4.2(d) Result in inadequate emergency access or design hazards.</p>	<p>Less than Significant</p>	<p>Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.</p>	<p>Less than Significant</p>	<p>None. All projects on MFR parcels must receive will-serve letter from emergency services. The short-term rental policies only apply to existing units.</p>
<p>4.2(e) Conflict with adopted policies, plans, or programs for public transit, bicycle, parking/pedestrian facilities, or decrease safety or performance of such facilities.</p>	<p>No Impact</p>	<p>Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.</p>	<p>No Impact</p>	<p>Less than significant. Higher density on MFR parcels is consistent with the General Plan’s goal to promote multi-modal transportation.</p>
<p><b>§4.3 AIR QUALITY, CLIMATE CHANGE, GHG EMISSIONS</b></p>				
<p>4.3(a) Conflicts with or obstructs implementation of the air quality plan or results in a cumulatively considerable net increase of a criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard.</p>	<p>Less than Significant</p>	<p>Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.</p>	<p>Less than Significant</p>	<p>Less than significant. Additional vehicle miles traveled from small increase in potential units is insignificant</p>

Attachment C – GPA 19-01 Addendum

				when analyzed as a whole. No new units are generated by the short-term rental policies.
4.3(b) Violates an air quality standard or contributes substantially to an existing or projected air quality violation.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. Minor increase in unit density does not contribute substantially to an existing or projected air quality violation. No new units are generated by the short-term rental policies.
4.3(c) Exposes sensitive receptors to substantial pollutant concentrations.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. Additional vehicle miles traveled is insignificant and exposure to sensitive receptors remains unchanged. No new units are generated by the short-term rental policies.
4.3(d) Creates objectionable odors affecting a substantial number of people.	Less than Significant	Impacts reduced through 2015 RTP/General Plan Policies and Actions.	Less than Significant	None. No additional odors generated by the potential higher density. Land use unchanged.
4.3(e) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. Additional vehicle miles traveled from small increase in potential units or increased occupancy of existing units is insignificant in comparison to overall

Attachment C – GPA 19-01 Addendum

				GHG emissions.
<b>§4.4 BIOLOGICAL RESOURCES</b>				
4.4(a) Have a substantial adverse effect, directly or through habitat modifications, on a candidate, sensitive, or special status species as identified in local or regional plans, policies, regulations, or by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. Larger developments on MFR parcels that may result from this amendment are subject to a use permit and CEQA. Mitigation of impacts would be addressed at the project level, or a statement of overriding considerations would be drafted.  No new units are generated by the short-term rental policies.
4.4(b) Have a substantial adverse effect on a riparian habitat or sensitive natural plant community identified in local/ regional policies, regulations, by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(c) Have a substantial adverse effect on federally protected wetlands as per Clean Water Act §404 (marsh, vernal pool, coastal, etc.) through removal, filling, hydrological interruption, other means?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(d) Interfere substantially with the movement of a native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede use of native wildlife nurseries?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(e) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	
<b>§4.5. GEOLOGY, SOILS, MINERALS</b>				
4.5(a) Expose people or structures to potential substantial adverse effects involving: i) Rupture of a known Alquist-Priolo earthquake fault as delineated by the State Geologist or based on other substantial evidence? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR parcels are not located on a known Alquist-Priolo fault or in areas of significant landslide hazard. No new units are generated by the short-term rental policies.
4.5(b) Result in substantial soil erosion or the loss of topsoil?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations	Significant and Unavoidable	Less than significant. Increased density may



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		recommended.		result in slightly greater soil disturbance. All development must meet Mono County grading regulations. No new units are generated by the short-term rental policies.
4.5(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, or be located on expansive soil creating substantial risks to life or property?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR parcels are not located on steep slopes or areas of geologic instability. No new units are generated by the short-term rental policies.
4.5(d) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. The identified MFR parcels are supported by Public Utility Districts, which includes the disposal of waste water. No new units are generated by the short-term rental policies.
4.5(e) Result in the loss of availability of a known mineral resource or an identified locally important mineral resource that would be of value to the region and to residents of the state of California?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. No significant source of a locally important mineral resource is affected by either MFR development or short-term rentals.
<b>§4.5. PUBLIC HEALTH &amp; SAFETY, HAZARDS, HAZARDOUS MATERIALS</b>				
4.6(a) Create a hazard to the public or environment through routine transport, use or disposal of hazardous materials, or release of hazardous materials into the	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR land uses and short-term rentals do not include the

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environment, including within 1/4 mile of a school?				transport or disposal of hazardous materials.
4.6(b) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to CGC §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. The parcels affected by the amendment are not in identified hazard zones.  No new units are generated by the short-term rental policies. Existing units in avalanche areas are restricted to summer-only rentals.
4.6(c) Create a safety hazard for people residing or working in an area located in an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport or private airstrip?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.6(d) Impair implementation of or physically interfere with an adopted emergency response or evacuation plan?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.6(e) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.6(f) Expose people or structures to significant risk of avalanche, landslides, destructive storms or winds, rockfall or volcanic activity?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
<b>§4.7. CULTURAL RESOURCES</b>				
4.7(a) Cause a substantial adverse change in the significance of a prehistorical or historical resource?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. In the event that remains are uncovered, work shall be stopped, via California Health and Safety Code § 7050.5. Larger developments on MFR parcels that may result from this amendment are subject to a use permit and
4.7(b) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.7(c) Disturb any human remains or sacred lands, including those interred outside of formal cemeteries?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	

				CEQA. Mitigation of impacts would be addressed at the project level, or a statement of overriding considerations would be drafted. No new units are generated by the short-term rental policies.
<b>§4.8. HYDROLOGY, FLOODING, WATER QUALITY, WATER SUPPLY</b>				
4.8(a) Violate any water quality standards?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All development must be reviewed by the Mono County Building Division and Environmental Health to ensure water quality and drainage are acceptable. None of the MFR parcels are located within an identified flood plain. No new units are generated by the short-term rental policies.
4.8(b) Violate wastewater treatment or discharge requirements or require new wastewater treatment facilities?	Potentially Significant	Impacts reduced through 2015 RTP/General Plan Policies and Actions. Supplemental recommended mitigation includes:  <i>1. It is recommended that the County formalize policies consistent with LRWQCB recommendations for controlling the problems associated with septic systems including (a) reevaluate and update the adequacy of existing local regulations for installation and maintenance of septic systems, including applicable criteria from Basin Plan Appendix C; (b) continue to limit the use of septic systems on small-lot, higher density developments; (c) encourage alternative waste treatment systems; (d) encourage &amp; support funding for wastewater treatment plants in outlying areas where water quality</i>	Significant and Unavoidable	Less than significant. All development must be reviewed by the Mono County Building Division and Environmental Health to ensure water quality and drainage are acceptable. None of the MFR parcels are located within an identified flood plain. No new units are generated by the short-term rental policies.

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		<i>problems and/or population density require wastewater collection and treatment.</i>		
4.8(c) Have insufficient groundwater or surface water supplies to sustainably serve General Plan land uses from existing entitlements, facilities and resources?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.8(d) Alter existing drainage patterns causing substantial erosion, siltation, flooding, polluted runoff?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.8(e) Place housing or structures in a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.8(f) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.8(g) Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
<b>§4.9. RECREATION</b>				
4.9(a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. The associated population increase from a potential minor increase in density should not have significant effects on recreational facilities. No new units are generated by the short-term rental policies.
4.9(b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
<b>§4.10. AESTHETICS, LIGHT &amp; GLARE, SCENIC RESOURCES</b>				

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4.10(a) Have a substantial adverse effect on a scenic vista or scenic including trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All development must meet area plan policies and are encouraged to meet design standards to gain approval. Short-term rentals must be retrofitted with compliant light fixtures.
4.10(b) Substantially degrade the existing visual character or quality of the site and its surroundings?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.10(c) Create a new source of substantial light or glare that would adversely affect day or nighttime views?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
<b>§4.11. AGRICULTURE, FORESTS, CONSERVATION</b>				
4.11(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. None of the parcels included in the amendment are associated with agriculture or forest lands.
4.11(b) Conflict with existing zoning for, or cause rezoning of, forest land or result in the loss of forest land or conversion of forest land to non-forest use?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
<b>§4.12. POPULATION AND HOUSING</b>				
4.12(a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	Less than significant. The projected population increase for the additional unit potential is estimated at 25 persons in Bridgeport and 26 persons in June Lake (assuming approximately 2.5 residents per dwelling unit), which is not a significant increase when compared to overall buildout. MFR

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				development is often targeted at housing the workforce. No new units are generated by the short-term rental policies, and the units continue to be a residential use.
4.12(b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	None. The amendment examines vacant and underdeveloped parcels, and is not expected to cause the demolition of units or displacement of current residents. The short-term rental approval process considers displacement and could be denied for this purpose.
<b>§4.13. PUBLIC SERVICES AND UTILITIES</b>				
4.13(a) Create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection, Schools, Other public facilities, services and utilities?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All MFR parcels affected by the amendment are serviced by a Public Utility District with the ability to handle the increased load at buildout. No new units are generated by the short-term rental policies.
4.13(b) Result in a wasteful, inefficient, and/or unnecessary consumption of energy?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.13(c) Be served by a landfill with insufficient permitted capacity to accommodate the project’s solid waste disposal needs and comply with federal, state, and local statutes and regulations related to solid waste?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	

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<b>§4.14. NOISE</b>				
4.14)a) Expose persons to or cause a permanent or temporary significant increase in ambient noise levels or result in noise levels exceeding standards set by the general plan or noise ordinance or other applicable standards.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. The increase in density on the identified MFR parcels may cause a slight increase in noise, but not in a manner that exceeds the expected disturbance from MFR development. No noise beyond residential uses is associated with short-term rentals.
4.14(b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.14(c) Expose people residing or working in the project area to excessive noise levels for a project located in an airport land use plan or (where such a plan has not been adopted) within two miles of a public airport or public use airport or a private airstrip.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
<b>OTHER CEQA TOPICS</b>				
Cumulative Impacts on Agriculture associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Aesthetic and Scenic Values associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Biological Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Cultural Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future	None. Affected parcels not in area.

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		Proposal.	EIR	
Cumulative Impacts on Hydrology and Water Quality associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Land Use and Planning Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Recreation Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts associated with Water Reclamation	Potentially Significant and Adverse	No Water Reclamation projects at this time.	To be determined through CEQA analysis when and if proposed.	None. No water reclamation projects on MFR parcels or associated with short-term rentals.
Cumulative Impacts associated with Landfill Closure	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in EIR for Benton Regional Landfill Closure and Replacement Project.	To be determined through CEQA analysis when replacement site is proposed.	None. The MFR and short-term rental amendments do not affect landfill closure plans.

**CONCLUSION**



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The modification to the Multi-Family Land Use designation results in a minor increase in the maximum development potential (324 units to 345 units, or a 6% increase) on MFR properties that does not create new significant impacts or exacerbate unavoidable significant impacts. The percent increase in units is even smaller if evaluated against the full buildout (increase from 16,567 to 16,588 units, or a 0.13% increase) across the county.

The short-term rental amendments do not change the underlying property use or result in the construction of new units or increased density. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full time residents or long-term renters. In addition, short-term rentals will continue to be subject to compliance with regulations governing the management of these units stipulated in Mono County Code Chapter 5.65 and Chapter 26, except for Antelope Valley where there is little market pressure. These existing regulations remain substantially the same as the currently adopted 2015 RTP/GPU (Chapter 26) and as analyzed in the EIR and the Addendum for GPA 18-01B (incorporated by reference), and address aesthetics, noise, parking, utilities, or other similar issues. If anything, increased regulatory requirements and some prohibitions in certain areas reduce impacts and further mitigate parking issues, light trespass, and noise issues. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the 2015 RTP/GPU EIR and the Addendum for GPA 18-01B.

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 2015 Mono County General Plan EIR is the appropriate CEQA document for the proposed general plan amendment for multi-family land use designations.

*CEQA §15164(c-e) states that "an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence."*

**Multi-Family Residential, Low (MFR-L),  
Moderate (MFR-M), High (MFR-H)**

**Legend:**

**Blue: New addition; Red: Previous**

**INTENT: The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.**

**The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.**

**The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.**

**PERMITTED USES**

- Single-family dwelling
- Manufactured home used as a single-family dwelling<sup>1</sup> – MFR-L only <sup>c</sup>
- Duplexes and triplexes
- Accessory buildings and uses<sup>2</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Transitional and Supportive Housing<sup>6</sup>
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

**USES PERMITTED SUBJECT TO DIRECTOR REVIEW** (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M and MFR-H

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

**MFR-L, MFR-M and MFR-H**

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

**MFR-H only**

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed-and-breakfast establishments and dorms
- Transient rentals (fewer than 30 consecutive days) of four or more dwelling units only

- Manufactured housing subdivision (see Ch. 18)

**Transient rentals (fewer than 30 consecutive days) are allowed in MFR-L and MFR-M complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment.**

## **DEVELOPMENT STANDARDS**

### **Minimum Lot Area:**

#### **MFR-L**

Minimum lot size – 7,500 sf

**Developments of three or more units – (number of units) x 3,750 sf**

~~Multiple family – 11,250 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 2 acres~~

Schools – 5 acres

#### **MFR-M**

**Minimum lot size – 7,500 sf**

**Developments of three or more units – (number of units) x 2,904 sf**

~~Minimum lot size – 10,000 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

#### **MFR-H**

Minimum lot size – 7,500 sf

**Developments of three or more units – (number of units) x 2,904 sf**

Hotels, resort hotels, and motels – 20,000 sf

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

~~MFR-M Lots measuring less than 10,000 sq. ft. shall be limited to single-family & duplex uses.~~

*Minimum lot size of 7,500 square feet for single-family residences and duplexes is based on subdivision requirements. Minimum lot size for developments of three or more units is based on density maximums – 11.6 du/acre for MFR-L and 15 du/acre for MFR-M and MFR-H.*

<b>Minimum District Area:</b>	<b>MFR-M</b>	3 acres
	<b>MFR-H</b>	5 acres

<b>Minimum Lot Dimensions:</b>	Width – 60'
	Depth – 100'

MFR-L width for:

- Condominiums, cooperatives, townhomes, cluster developments – 150'
- Schools – 200'

<b>Maximum Lot Coverage:</b>	<b>MFR-L</b>	40%	<b>MFR-M and MFR-H</b>	60%
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### **Minimum Setbacks:**

<b>Front:</b>	20'	<b>Rear:</b>	10'	<b>Side:</b>	10'
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See Section 04.120 for other provisions.

**Building Density:**

**MFR-L**

1 du/3,750 sq. ft. or 11.6 du/acre

**MFR-M & -H**

Condominiums, multifamily residences and similar uses – 15 du/acre

In no case shall projects containing density bonuses exceed 26 units/acre. Units designated as manager/employee housing unit shall not be counted in density calculations.

**MFR-H**

Hotels, motels, bed-and-breakfast establishments, etc. – 40 units/acre

**Population Density:** Maximum population density is 37.6 persons per acre for multifamily dwellings.

**Maximum Building Height:** 35' See Table 04.010 for other provisions.

**Landscaping:** Projects subject to use permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

**NOTES**

1. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or after the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

**SEE ALSO**

**Land Development Regulations –**

- Ch. 03 Uses Permitted
- Ch. 04 Development Standards – General
- Ch. 06 Development Standards – Parking
- Ch. 07 Development Standards – Signs
- Table 04.010 Building Heights



# Proposed General Plan Amendment 19-01B

## Short-Term Rentals

### DEVELOPMENT STANDARDS

#### CHAPTER 25 – SHORT-TERM RENTALS

##### Sections:

- 25.010 Intent.**
- 25.015 General Requirements and Applicability.**
- 25.018 Exemptions**
- 25.020 Establishment of Owner-Occupied Short-Term Rentals.**
- 25.035 Establishment of Not Owner-Occupied Short-Term Rentals.**
- 25.040 Notice requirements.**
- 25.050 Uses permitted.**
- 25.060 Uses permitted subject to director review**
- 25.070 Uses permitted subject to use permit**
- 25.080 Additional requirements**

##### **25.010 Intent.**

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

##### **25.015 General Requirements and Applicability.**

- A. This Chapter applies to short-term rentals in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. Short-term rentals covered by this Chapter are subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. Unless explicitly stated otherwise in this Chapter, short-term rentals covered by this Chapter shall operate in compliance with this Chapter, Chapter 5.60 of the Mono County Code, and all applicable Area Plan policies,<sup>1</sup> and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, short term rentals covered by this Chapter shall be specific to the owner and shall terminate upon a change of ownership.

##### **25.018 Exemptions**

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<sup>1</sup> See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and an Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements shall apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
  - i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035, 015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).
  - ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

**25.020 Establishment of Owner-Occupied Short-Term Rental**

Owner-occupied short-term rentals require the owner to live on site, or the unit must be associated with an owner-occupied principal residence on the same parcel or a physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum, a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental.

**25.030 Establishment of Not Owner-Occupied Short-Term Rental**

Not owner-occupied short-term rentals include rental of an entire dwelling unit or any part thereof that is not concurrently occupied by the owner or on the same parcel or on a physically contiguous parcel as a principal residence concurrently occupied by the owner.

**25.040 Notice requirements.**

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 10 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

**25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

**25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

**25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

**25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.



**GPA 19-01: Proposed Area Plan Policy Edits**

**Antelope Valley Area Plan Policies**

**Objective 4.D.**

Maintain and enhance the local economy.

**Policy 4.D.1.** Incubate home businesses:

Definition: A home business is any enterprise conducted by the resident of a parcel on which the enterprise is conducted.

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor’s Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.



- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.<sup>2</sup>
- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

**Policy 4.D.2.** Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the County, and therefore the economic benefits of short-term rentals should be supported.

- A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.
- B. County health and safety ordinances apply.

**Mono Basin Area Plan Policies:**

**Objective 10.B.**

Manage buildout of the Mono City subdivision to retain its rural character.

**Policy 10.B.1.** Limit the buildable area of Mono City to the existing subdivision footprint.

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<sup>2</sup> Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee’s property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee’s parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee’s parcel.

The director of Community Development shall establish reasonable noise and traffic volume standards under which non-compliant business licenses may be revoked. Optionally, noise, dust, odors, vibration, smoke or other substantial nuisance standards may be developed as well. Standards applicable to agricultural uses are separate from these standards.

**Action 10.B.1.a.** Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

**Policy 10.B.2.** Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

### **Crowley Lake Area Plan Policies**

#### **Objective 23.B.**

Maintain, protect and enhance the quality and livability of community areas.

**Policy 23.B.1.** Preserve and enhance existing single-family residential uses.

**Action 23.B.1.a.** Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

**Action 23.B.1.b.** Provide adequate private open space in all residential areas and developments.

**Action 23.B.1.c.** Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

**Action 23.B.1.d.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Long Valley Planning Area.

### **Wheeler Crest Planning Area**

**Policy 24.A.3.** Retain the rural residential character of the entire study area.

**Action 24.A.3.a.** Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

**Action 24.A.3.b.** General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

**Action 24.A.3.c.** Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

**Action 24.A.3.d.** Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

**Action 24.A.3.e.** Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

**Action 24.A.3.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

### **Paradise Planning Area Policies**

#### **Objective 25.B.**

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

**Policy 25.B.1.** Abate noise issues consistent with the Noise Element and County Code.

**Policy 25.B.2.** Prevent incompatible and/or conflicting uses within the community from non-residential uses.

**Policy 25.B.3.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Paradise Planning Area.

### **Tri-Valley Planning Area Policies**

#### **Objective 26.A.**

Integrate compatible residential development into the existing community character in Benton.

**Policy 26.A.1.** Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

**Action 26.A.1.a.** Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

**Action 26.A.1.b.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.A.1.c.** Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

**Action 26.A.1.d.** Subdivisions of more than four parcels shall include paved streets.

**Action 26.A.1.e.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 26.A.1.f.** Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.A.1.g.** Permit agricultural uses, including the keeping of animals, in all land use designations.

**Action 26.A.1.h.** Encourage access and equestrian trails through developments to public lands.

**Action 26.A.1.i.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Benton.

**Objective 26.B.**

Preserve the agricultural character of the Hammil Valley.

**Policy 26.B.1.** Protect agricultural uses from the encroachment of incompatible land uses.

**Action 26.B.1.a.** Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

**Action 26.B.1.b.** Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

**Action 26.B.1.c.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.B.1.d.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 16.B.1.e.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Hammil Valley.

**Objective 26.C.**

Integrate additional compatible development into the existing community of Chalfant.

**Policy 26.C.1.** Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

**Action 26.C.1.a.** Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

**Action 26.C.1.b.** Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

**Action 26.C.1.c.** Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

**Action 26.C.1.d.** Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.C.1.e.** Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

**Action 26.C.1.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Chalfant Valley.

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## **GPA 19-01: Proposed Land Use Designation Modifications**

### **1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies.

### **2. Multi-Family Residential – Low (MFR-L)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR..

### **3. No change is proposed for the Single Family Residential designation.**

## **Proposed General Plan Amendment 19-01B Short-Term Rentals**

### **DEVELOPMENT STANDARDS**

#### **CHAPTER 25 – SHORT-TERM RENTALS**

**Sections:**

- 25.010 Intent.**
- 25.015 General Requirements and Applicability.**
- 25.018 Exemptions**
- 25.020 Establishment of Owner-Occupied Short-Term Rentals.**
- 25.035 Establishment of Not Owner-Occupied Short-Term Rentals.**
- 25.040 Notice requirements.**
- 25.050 Uses permitted.**
- 25.060 Uses permitted subject to director review**
- 25.070 Uses permitted subject to use permit**
- 25.080 Additional requirements**

**25.010 Intent.**

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

**25.015 General Requirements and Applicability.**

- A. This Chapter applies to short-term rentals in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. Short-term rentals covered by this Chapter are subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. Unless explicitly stated otherwise in this Chapter, short-term rentals covered by this Chapter shall operate in compliance with this Chapter, Chapter 5.60 of the Mono County Code, and all applicable Area Plan policies,<sup>1</sup> and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, short term rentals covered by this Chapter shall be specific to the owner and shall terminate upon a change of ownership.

**25.018 Exemptions**

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<sup>1</sup> See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

## Attachment F – GPA 19-01B STR Text Amendment Clean

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and an Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements shall apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
  - i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035, 015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).
  - ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

### **25.020 Establishment of Owner-Occupied Short-Term Rental**

Owner-occupied short-term rentals require the owner to live on site, or the unit must be associated with an owner-occupied principal residence on the same parcel or a physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum, a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental.

### **25.030 Establishment of Not Owner-Occupied Short-Term Rental**

Not owner-occupied short-term rentals include rental of an entire dwelling unit or any part thereof that is not concurrently occupied by the owner or on the same parcel or on a physically contiguous parcel as a principal residence concurrently occupied by the owner.

### **25.040 Notice requirements.**

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 10 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

### **25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

**25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

**25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

**25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.



**GPA 19-01: Proposed Area Plan Policy Edits**

**Antelope Valley Area Plan Policies**

**Objective 4.D.**

Maintain and enhance the local economy.

**Policy 4.D.1.** Incubate home businesses:

Definition: A home business is any enterprise conducted by the resident of a parcel on which the enterprise is conducted.

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor’s Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.



- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.<sup>2</sup>
- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

**Policy 4.D.2.** Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the County, and therefore the economic benefits of short-term rentals should be supported.

- A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.
- B. County health and safety ordinances apply.

**Mono Basin Area Plan Policies:**

**Objective 10.B.**

Manage buildout of the Mono City subdivision to retain its rural character.

**Policy 10.B.1.** Limit the buildable area of Mono City to the existing subdivision footprint.

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<sup>2</sup> Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

The director of Community Development shall establish reasonable noise and traffic volume standards under which non-compliant business licenses may be revoked. Optionally, noise, dust, odors, vibration, smoke or other substantial nuisance standards may be developed as well. Standards applicable to agricultural uses are separate from these standards.

**Action 10.B.1.a.** Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

**Policy 10.B.2.** Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

### **Crowley Lake Area Plan Policies**

#### **Objective 23.B.**

Maintain, protect and enhance the quality and livability of community areas.

**Policy 23.B.1.** Preserve and enhance existing single-family residential uses.

**Action 23.B.1.a.** Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

**Action 23.B.1.b.** Provide adequate private open space in all residential areas and developments.

**Action 23.B.1.c.** Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

**Action 23.B.1.d.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Long Valley Planning Area.

### **Wheeler Crest Planning Area**

**Policy 24.A.3.** Retain the rural residential character of the entire study area.

**Action 24.A.3.a.** Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

**Action 24.A.3.b.** General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

**Action 24.A.3.c.** Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

**Action 24.A.3.d.** Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

**Action 24.A.3.e.** Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

**Action 24.A.3.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

### **Paradise Planning Area Policies**

#### **Objective 25.B.**

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

**Policy 25.B.1.** Abate noise issues consistent with the Noise Element and County Code.

**Policy 25.B.2.** Prevent incompatible and/or conflicting uses within the community from non-residential uses.

**Policy 25.B.3.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Paradise Planning Area.

### **Tri-Valley Planning Area Policies**

#### **Objective 26.A.**

Integrate compatible residential development into the existing community character in Benton.

**Policy 26.A.1.** Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

**Action 26.A.1.a.** Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

**Action 26.A.1.b.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.A.1.c.** Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

**Action 26.A.1.d.** Subdivisions of more than four parcels shall include paved streets.

**Action 26.A.1.e.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 26.A.1.f.** Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.A.1.g.** Permit agricultural uses, including the keeping of animals, in all land use designations.

**Action 26.A.1.h.** Encourage access and equestrian trails through developments to public lands.

**Action 26.A.1.i.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Benton.

**Objective 26.B.**

Preserve the agricultural character of the Hammil Valley.

**Policy 26.B.1.** Protect agricultural uses from the encroachment of incompatible land uses.

**Action 26.B.1.a.** Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

**Action 26.B.1.b.** Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

**Action 26.B.1.c.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.B.1.d.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 16.B.1.e.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Hammil Valley.

**Objective 26.C.**

Integrate additional compatible development into the existing community of Chalfant.

**Policy 26.C.1.** Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

**Action 26.C.1.a.** Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

**Action 26.C.1.b.** Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

**Action 26.C.1.c.** Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

**Action 26.C.1.d.** Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.C.1.e.** Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

**Action 26.C.1.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Chalfant Valley.

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## **GPA 19-01: Proposed Land Use Designation Modifications**

### **1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies.

### **2. Multi-Family Residential – Low (MFR-L)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR..

### **3. No change is proposed for the Single Family Residential designation.**



**ORDINANCE NO. ORD19-\_\_**  
**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS**  
**ADOPTING GENERAL PLAN AMENDMENT (GPA) 19-01 CONSISTING OF TWO PARTS – A)**  
**MULTI-FAMILY RESIDENTIAL (MFR) LAND USE DESIGNATION AND B) SHORT-TERM**  
**RENTALS, IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**(CEQA) AND CONSISTENT WITH THE MONO COUNTY GENERAL PLAN**

**WHEREAS**, addressing the housing crisis through policy is identified as one of Mono County’s 2018 strategic priorities; and

**WHEREAS**, in a priority setting exercise on housing programs, the Board of Supervisors expressed strong support for regulatory changes that improve housing production potential; and

**WHEREAS**, minimum lot sizes in the current MFR development regulations create potential barriers for certain types of multi-family projects that can meet density standards; and

**WHEREAS**, outreach was conducted to the Regional Planning Advisory Committees (RPACs) with MFR designations in their communities including Bridgeport, June Lake, and Long Valley/Crowley Lake; and

**WHEREAS**, not owner-occupied short-term rentals that run with the land have been under moratorium since March 2017 while policies and regulations have been under development; and

**WHEREAS**, a General Plan Amendment was adopted in April 2018 revising the June Lake area plan and short-term rental regulations; and

**WHEREAS**, outreach was intermittently conducted to the Antelope Valley RPAC, Bridgeport Valley RPAC, Mono Basin RPAC with a special meeting in Mono City, and Long Valley/Paradise/Swall Meadows RPAC and community meeting since April 2018 to refine short-term rental policies and regulations for those communities; and

**WHEREAS**, the RPACs deliberated and, when possible, made recommendations or provided direction for policy and regulation refinements which were incorporated into the proposed amendment; and

**WHEREAS**, duly noticed public hearings were held before the Planning Commission on January 17, 2019, and the Board of Supervisors on February 12, 2019; and

**WHEREAS**, an Addendum to the 2015 RTP/General Plan Update (GPU) Environmental Impact Report (EIR), as modified by the GPA 18-01B Addendum, was prepared; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, and the recommendation of the Planning Commission, the Board of Supervisors now makes the required findings and adopts GPA 19-01 A & B amending language in the General Plan Land Use Element.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS FOLLOWS:**

**SECTION ONE:** The Board of Supervisors certifies the Addendum for GPA 19-01 A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals.

**SECTION TWO:** The Board of Supervisors finds that General Plan Amendment 19-01, including all text changes to the Land Use Element of the Mono County General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term Rentals, which are attached hereto as Exhibit A and incorporated herein by reference, is consistent with the General Plan as well as all applicable area plans.

**SECTION THREE:** The Board of Supervisors further finds that the proposed area plan text amendments of GPA 19-01 are consistent with the countywide General Plan.

**SECTION FOUR:** This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance's adoption and final passage. If the Clerk fails to so publish this ordinance within said 15-day period, then the ordinance shall not take effect until 30 days after the date of publication.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of February 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
John Peters, Chair

Attest:

Approved as to form:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
County Counsel

## **Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)**

### **Legend:**

**Blue: New addition; Red: Previous**

**INTENT: The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.**

**The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.**

**The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.**

### **PERMITTED USES**

- Single-family dwelling
- Manufactured home used as a single-family dwelling<sup>1</sup> – MFR-L only <sup>c</sup>
- Duplexes and triplexes
- Accessory buildings and uses<sup>2</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Transitional and Supportive Housing<sup>6</sup>
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

### **USES PERMITTED SUBJECT TO DIRECTOR REVIEW** (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M and MFR-H

### **USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

#### **MFR-L, MFR-M and MFR-H**

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

#### **MFR-H only**

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed-and-breakfast establishments and dorms
- Transient rentals (fewer than 30 consecutive days) of four or more dwelling units only
- Manufactured housing subdivision (see Ch. 18)



Transient rentals (fewer than 30 consecutive days) are ~~prohibited~~ **allowed** in MFR-L and MFR-M, ~~except in the following~~ complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment.

**DEVELOPMENT STANDARDS**

**Minimum Lot Area:**

**MFR-L**

Minimum lot size – 7,500 sf

**Developments of three or more units – (number of units) x 3,750 sf**

~~Multiple family – 11,250 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 2 acres~~

Schools – 5 acres

**MFR-M**

**Minimum lot size – 7,500 sf**

**Developments of three or more units – (number of units) x 2,904 sf**

~~Minimum lot size – 10,000 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

**MFR-H**

Minimum lot size – 7,500 sf

**Developments of three or more units – (number of units) x 2,904 sf**

Hotels, resort hotels, and motels – 20,000 sf

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

~~MFR-M Lots measuring less than 10,000 sq. ft. shall be limited to single family & duplex uses.~~

*Minimum lot size of 7,500 square feet for single-family residences and duplexes is based on subdivision requirements. Minimum lot size for developments of three or more units is based on density maximums – 11.6 du/acre for MFR-L and 15 du/acre for MFR-M and MFR-H.*

<b>Minimum District Area:</b>	<b>MFR-M</b>	3 acres
	<b>MFR-H</b>	5 acres

<b>Minimum Lot Dimensions:</b>	Width – 60'
	Depth – 100'

MFR-L width for:

- Condominiums, cooperatives, townhomes, cluster developments – 150'
- Schools – 200'

<b>Maximum Lot Coverage:</b>	<b>MFR-L</b>	40%	<b>MFR-M and MFR-H</b>	60%
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**Minimum Setbacks:**

<b>Front:</b>	20'	<b>Rear:</b>	10'	<b>Side:</b>	10'
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See Section 04.120 for other provisions.

**Building Density:**

**MFR-L**

1 du/3,750 sq. ft. or 11.6 du/acre

**MFR-M & -H**

Condominiums, multifamily residences and similar uses – 15 du/acre

In no case shall projects containing density bonuses exceed 26 units/acre. Units designated as manager/employee housing unit shall not be counted in density calculations.

**MFR-H**

Hotels, motels, bed-and-breakfast establishments, etc. – 40 units/acre

**Population Density:** Maximum population density is 37.6 persons per acre for multifamily dwellings.

**Maximum Building Height:** 35' See Table 04.010 for other provisions.

**Landscaping:** Projects subject to use permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

**NOTES**

1. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or after the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

**SEE ALSO**

**Land Development Regulations –**

- |              |                                 |
|--------------|---------------------------------|
| Ch. 03       | Uses Permitted                  |
| Ch. 04       | Development Standards – General |
| Ch. 06       | Development Standards – Parking |
| Ch. 07       | Development Standards – Signs   |
| Table 04.010 | Building Heights                |

## Proposed General Plan Amendment 19-01B Short-Term Rentals

### DEVELOPMENT STANDARDS

#### CHAPTER 25 – SHORT-TERM RENTALS

**Sections:**

- 25.010 Intent.**
- 25.015 General Requirements and Applicability.**
- 25.018 Exemptions**
- 25.020 Establishment of Owner-Occupied Short-Term Rentals.**
- 25.035 Establishment of Not Owner-Occupied Short-Term Rentals.**
- 25.040 Notice requirements.**
- 25.050 Uses permitted.**
- 25.060 Uses permitted subject to director review**
- 25.070 Uses permitted subject to use permit**
- 25.080 Additional requirements**

**25.010 Intent.**

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

**25.015 General Requirements and Applicability.**

- A. This Chapter applies to short-term rentals in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. Short-term rentals covered by this Chapter are subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. Unless explicitly stated otherwise in this Chapter, short-term rentals covered by this Chapter shall operate in compliance with this Chapter, Chapter 5.60 of the Mono County Code, and all applicable Area Plan policies,<sup>1</sup> and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, short term rentals covered by this Chapter shall be specific to the owner and shall terminate upon a change of ownership.

<sup>1</sup> See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

### **25.018 Exemptions**

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and an Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements shall apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
  - i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035, 015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).
  - ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

### **25.020 Establishment of Owner-Occupied Short-Term Rental**

Owner-occupied short-term rentals require the owner to live on site, or the unit must be associated with an owner-occupied principal residence on the same parcel or a physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum, a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental.

### **25.030 Establishment of Not Owner-Occupied Short-Term Rental**

Not owner-occupied short-term rentals include rental of an entire dwelling unit or any part thereof that is not concurrently occupied by the owner or on the same parcel or on a physically contiguous parcel as a principal residence concurrently occupied by the owner.

### **25.040 Notice requirements.**

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 10 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

**25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

**25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

**25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

**25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.



**GPA 19-01: Proposed Area Plan Policy Edits**

**Antelope Valley Area Plan Policies**

**Objective 4.D.**

Maintain and enhance the local economy.

**Policy 4.D.1.** Incubate home businesses:

Definition: A home business is any enterprise conducted by the resident of a parcel on which the enterprise is conducted.

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor’s Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.

- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.<sup>2</sup>
- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

**Policy 4.D.2.** Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the County, and therefore the economic benefits of short-term rentals should be supported.

- A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.
- B. County health and safety ordinances apply.

**Mono Basin Area Plan Policies:**

**Objective 10.B.**

Manage buildout of the Mono City subdivision to retain its rural character.

**Policy 10.B.1.** Limit the buildable area of Mono City to the existing subdivision footprint.

<sup>2</sup> Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

The director of Community Development shall establish reasonable noise and traffic volume standards under which non-compliant business licenses may be revoked. Optionally, noise, dust, odors, vibration, smoke or other substantial nuisance standards may be developed as well. Standards applicable to agricultural uses are separate from these standards.

**Action 10.B.1.a.** Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

**Policy 10.B.2.** Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

### **Crowley Lake Area Plan Policies**

#### **Objective 23.B.**

Maintain, protect and enhance the quality and livability of community areas.

**Policy 23.B.1.** Preserve and enhance existing single-family residential uses.

**Action 23.B.1.a.** Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

**Action 23.B.1.b.** Provide adequate private open space in all residential areas and developments.

**Action 23.B.1.c.** Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

**Action 23.B.1.d.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Long Valley Planning Area.

### **Wheeler Crest Planning Area**

**Policy 24.A.3.** Retain the rural residential character of the entire study area.

**Action 24.A.3.a.** Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

**Action 24.A.3.b.** General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

**Action 24.A.3.c.** Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

**Action 24.A.3.d.** Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

**Action 24.A.3.e.** Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

**Action 24.A.3.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

### **Paradise Planning Area Policies**

#### **Objective 25.B.**

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

**Policy 25.B.1.** Abate noise issues consistent with the Noise Element and County Code.

**Policy 25.B.2.** Prevent incompatible and/or conflicting uses within the community from non-residential uses.

**Policy 25.B.3.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Paradise Planning Area.

### **Tri-Valley Planning Area Policies**

#### **Objective 26.A.**

Integrate compatible residential development into the existing community character in Benton.

**Policy 26.A.1.** Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

**Action 26.A.1.a.** Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

**Action 26.A.1.b.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.A.1.c.** Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

**Action 26.A.1.d.** Subdivisions of more than four parcels shall include paved streets.

**Action 26.A.1.e.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 26.A.1.f.** Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.A.1.g.** Permit agricultural uses, including the keeping of animals, in all land use designations.



**Action 26.A.1.h.** Encourage access and equestrian trails through developments to public lands.

**Action 26.A.1.i.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Benton.

**Objective 26.B.**

Preserve the agricultural character of the Hammil Valley.

**Policy 26.B.1.** Protect agricultural uses from the encroachment of incompatible land uses.

**Action 26.B.1.a.** Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

**Action 26.B.1.b.** Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

**Action 26.B.1.c.** Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

**Action 26.B.1.d.** All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

**Action 16.B.1.e.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Hammil Valley.

**Objective 26.C.**

Integrate additional compatible development into the existing community of Chalfant.

**Policy 26.C.1.** Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

**Action 26.C.1.a.** Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

**Action 26.C.1.b.** Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

**Action 26.C.1.c.** Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

**Action 26.C.1.d.** Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

**Action 26.C.1.e.** Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

**Action 26.C.1.f.** Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Chalfant Valley.

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## **GPA 19-01: Proposed Land Use Designation Modifications**

### **1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies.

### **2. Multi-Family Residential – Low (MFR-L)**

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR..

### **3. No change is proposed for the Single Family Residential designation.**



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: Health Department**

**TIME REQUIRED** 30 minutes

**PERSONS APPEARING BEFORE THE BOARD** Louis Molina

**SUBJECT** Elimination of Septic Tank Destruction Permit Fee

**AGENDA DESCRIPTION:**

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

Elimination of permit fee for the destruction or removal of septic tanks. A permit would still be required for the destruction of a septic tank, and an inspection conducted, but the permit fee would no longer be charged.

**RECOMMENDED ACTION:**

Adopt proposed resolution R19-\_\_\_, Resolution to Eliminate Septic Tank Destruction Permit Fee. Provide any desired direction to staff.

**FISCAL IMPACT:**

No General Fund impact. A potential loss of revenue to the Health Department of less than \$81 per year, on average.

**CONTACT NAME:** Louis Molina

**PHONE/EMAIL:** 7609377246 / lmolina@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Resolution</a>

**History**

Time	Who	Approval
2/6/2019 5:59 AM	County Administrative Office	Yes
2/6/2019 9:36 AM	County Counsel	Yes

2/5/2019 6:13 PM

Finance

Yes



MONO COUNTY HEALTH DEPARTMENT  
Environmental Health

P O .B O X 476, B R I D G E P O R T, C A 93517 P H O N E (760) 932-5580 • F A X (760) 932-5284  
P O .B O X 3329, M A M M O T H L A K E S, C A 93546 P H O N E (760) 924-1830 • F A X (760) 924-1831

January 24, 2019

**To:** Honorable Board of Supervisors  
**From:** Louis Molina, Environmental Health Director  
**Subject:** Proposed Elimination of Septic Tank Destruction Permit Fees

**Recommended Action:** Adopt proposed resolution eliminating Environmental Health permit fees associated with the destruction of septic tanks on properties in Mono County.

**Discussion:** Mono County’s Local Agency Management Program (LAMP), and previously the Lahontan Regional Board Basin Plan, require that when it is determined that a septic tank is no longer in use, and that there are no future plans for its use, the tank must be properly destroyed (if abandoned in place), or that it be removed and properly disposed of. The reason for removal or destruction of a septic tank is that the tank would otherwise represent a physical hazard to the public or could represent an ongoing threat to groundwater. It is not uncommon that a septic tank fails in one fashion or another. When this occurs, a permit is required by Mono County Environmental Health for its destruction or removal. In most cases, a new septic tank is installed in place of the tank being destroyed or removed. In many cases a new leach field is also needed for the residence. A permit for repair/alteration of the onsite wastewater treatment system (OWTS) is required for the replacement of a septic tank and/or leach field. However, in rare instances a septic tank is discovered on a property that was not previously known to exist and it must be destroyed or removed. Because it is in the best interest of the environment and public health and safety that the tank be properly destroyed under a permit issued by this department, we would like to encourage proper tank destructions by eliminating the permit fee for this work. A permit would still be required for the destruction of a septic tank, and an inspection conducted, but the permit fee would no longer be charged.

In the past 10 years, Mono County Environmental Health has issued a total of 6 permits for the destruction of a septic tank or pit toilet, where the installation of a new septic tank was not intended or needed. The current fee for a permit to destroy a septic tank is \$81. Therefore, lost revenue to the Mono County Health Department that would occur from the elimination of this permit fee is negligible.

**Fiscal Impact:** No General Fund impact. On average, a loss in permit revenue to the Health Department of less than \$81 per year would occur.

For questions regarding this item, please call Louis Molina at 924-1845.

Submitted by: \_\_\_\_\_  
Louis Molina, Environmental Health Director Date

Reviewed by: \_\_\_\_\_  
Sandra Pearce, Public Health Director Date



R19-\_\_

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS ELIMINATING THE  
FEE CHARGED FOR ENVIRONMENTAL HEALTH  
INSPECTIONS RELATED TO THE ABANDONMENT  
OF SEPTIC TANKS**

**WHEREAS**, Mono County currently imposes a fee of \$81 for permitting and inspection related to the destruction and/or removal of septic tanks that are no longer in use within the unincorporated area of the County and within the Town of Mammoth Lakes; and

**WHEREAS**, in the past ten years, Mono County's Environmental Health Department, as the local enforcement agency, has issued a total of six permits for the destruction or removal of septic tanks (where no new septic tank is installed) resulting in permit revenues of just \$486 total, or \$48.60 per year; and

**WHEREAS**, the timely destruction and/or removal of septic tanks is important for the protection of Mono County's valuable groundwater resources and the reduction of hazards to property owners and the public; and

**WHEREAS**, to encourage the destruction and/or removal of septic tanks which are no longer in use in Mono County, the Board of Supervisors wishes to eliminate the \$81 permit fee and instead implement a no-fee permit;

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1           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
2 **MONO RESOLVES** that:

3           **SECTION ONE:** The fee for a permit from Mono County to destroy and/or abandon a  
4 septic tank shall be zero dollars (\$0.00).

5           **SECTION TWO:** Any prior fee imposed by the County for the issuance of a permit for  
6 the destruction and/or abandonment of a septic tank is hereby replaced and superseded with the  
7 fee established by this resolution.

8           **PASSED, APPROVED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
9 by the following vote, to wit:

10 **AYES:**

11 **NOES:**

12 **ABSENT:**

13 **ABSTAIN:**

14  
15  
16 \_\_\_\_\_  
17 John Peters, Chair  
18 Mono County Board of Supervisors

19 **ATTEST:**

20 **APPROVED AS TO FORM:**

21  
22 \_\_\_\_\_  
23 Clerk of the Board

24  
25 \_\_\_\_\_  
26 County Counsel



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: Public Works**

**TIME REQUIRED** 10 minutes (5 minute presentation, 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Garrett Higerd

**SUBJECT** Resolution Approving Caltrans Agreements for Federal-Aid Projects (including Airport Rd Rehab Project)

**AGENDA DESCRIPTION:**

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

Resolution approving and directing the Mono County Public Works Director to execute and process agreements with the California Department of Transportation necessary for the County receiving federal-aid funding for transportation projects, including the Airport Road Rehab Project.

**RECOMMENDED ACTION:**

Adopt attached resolution "A Resolution of the Mono County Board of Supervisors Authorizing the Execution of Agreements with the California Department of Transportation for Federal and State Aid Funding for the Airport Road Rehabilitation Project"; provide any desired direction to staff.

**FISCAL IMPACT:**

Total project cost is \$1,566,000 to be paid by the State and Federal Projects budget and reimbursed by federal-aid received from the California Department of Transportation. (Environmental and Permits \$31,000; Plans, Specs and Estimate \$135,000; and, Construction \$1,400,000).

**CONTACT NAME:** Garrett Higerd

**PHONE/EMAIL:** 760-924-1802 / ghigerd@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<b>Click to download</b>
<a href="#">Staff Report re Reso for CT Agmts for Federal-Aid Projects (incl Airport Rd Project)</a>
<a href="#">Reso for CT Agmts for Federal-Aid Projects (incl Airport Rd Project)</a>
<a href="#">CT Master Agmt 4 Fed Aid Projects</a>



**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
2/6/2019 5:22 AM	County Administrative Office	Yes
2/7/2019 1:00 PM	County Counsel	Yes
2/7/2019 2:14 PM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517  
760.932.5440 • Fax 760.932.5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov) • [www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** February 12, 2019

**To:** Honorable Chair and Members of the Board of Supervisors

**From:** Garrett Higerd, County Engineer

**Re:** Adoption of Resolution Approving Master Agreement and Program Supplement Agreement with Caltrans for the Provision of Federal and State Aid for the Airport Road Rehabilitation Project

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### **Recommended Action:**

Adopt attached resolution "A Resolution of the Mono County Board of Supervisors Authorizing the Execution of Agreements with the California Department of Transportation for Federal and State Aid Funding for the Airport Road Rehabilitation Project"; provide any desired direction to staff.

### **Fiscal Impact:**

Total project cost is \$1,566,000 to be paid out of the State and Federal Projects budget and reimbursed by State Transportation Improvement Program (STIP) funds. Approval of the attached Resolution, along with execution of the agreements, will authorize the State to disburse the appropriate funds necessary to reimburse the County for costs related to the Airport Road Rehabilitation Project (Environmental and Permits \$31,000; Plans, Specs and Estimate \$135,000; and, Construction \$1,400,000).

### **Background:**

The Project will rehabilitate Airport Road and a portion of Hot Creek Hatchery Road from Highway 395 to the Mammoth/Yosemite Airport. The Project was originally identified as a priority by the Board of Supervisors in 2013 and then programmed as part of the 2014 STIP funding cycle, which programmed projects through 2019. However, it was delayed significantly because of a lack of available funding in the 2016 STIP funding cycle. The Project has been consistently included in the County's 5-Year Road Capital Improvement Program ("CIP") and designated as a high priority project, including in the most recent version of the CIP approved by the Board of Supervisors on October 2, 2018. Also, this Project is and remains of great interest to the Town of Mammoth Lakes because it provides access to Mammoth/Yosemite Airport, which the Town owns and operates. Accordingly, the County and the Town have and will continue to collaborate and coordinate on this Project, including on environmental studies and permitting, design consideration and review, and the Town's potential plans to construct a new terminal, to ensure its completion and success.

The attached resolution authorizes the chair of the Board of Supervisors, on behalf of the County, to approve and enter into the Agreements, which are required by Caltrans to allocate

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Mono County Board of Supervisors

RE: Adoption of Resolution Approving Caltrans Agreements for Airport Road Project

February 12, 2019

Page 2 of 2

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to the County funds from federal-aid and state funding sources/programs. More specifically, the Master Agreement is necessary to ensure the County's use of funds complies with federal funding requirements. Caltrans recently made updates to its standard Master Agreement and approval is needed to ensure the County receives encumbered funds for all future County federal-aid projects, including the Project. The Project Supplement sets forth special conditions in for the County to receive federal-aid funds specifically for the Project. Funds for future phases of the Project, specifically preparation of plans/specifications and construction, will be encumbered using supplemental state-approved Allocation Letters and Finance Letters. Accordingly, the attached resolution authorizes the Director of the Mono County Public Works Department to execute and process the Master Agreement and the Project Supplement at this time, and also any future Allocation Letters and Finance Letters that may need to be executed and processed by the County in order to receive all encumbered funds for the preparation of plans/specifications, construction, and/or otherwise necessary for the completion of the Project.

Please contact me at 760.924.1802 or by email at [ghigerd@mono.ca.gov](mailto:ghigerd@mono.ca.gov) if you have any questions regarding this matter.

Respectfully submitted,



Garrett Higerd, PE  
County Engineer

Attachments:

1. A Resolution of the Mono County Board of Supervisors Authorizing the Execution of Agreements with the California Department of Transportation for Federal and State Aid Funding for the Airport Road Rehabilitation Project
2. Master Agreement: Administering Agency-State Agreement for Federal-Aid Projects (Caltrans Agreement No. 09-5947F15)
3. Program Supplement No. 018-F to Administering Agency-State Agreement for Federal-Aid Projects (Caltrans Agreement No. 09-5947F15)



R19-\_\_

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE CALIFORNIA  
DEPARTMENT OF TRANSPORTATION FOR FEDERAL AND STATE AID FUNDING  
FOR THE AIRPORT ROAD REHABILITATION PROJECT**

**WHEREAS**, the Airport Road Rehabilitation Project (“Project”) consists of the rehabilitation of Airport Road and the portion of Hot Creek Hatchery Road from Highway 395 to the Mammoth/Yosemite Airport, in Mono County; and

**WHEREAS**, the Project was originally identified as a priority project by the Board of Supervisors in 2013 and thereafter programmed for State Transportation Improvement Program (“STIP”) funding in 2014; however, the Project was delayed significantly because of a lack of available funding in the 2016 STIP funding cycle; and

**WHEREAS**, the Project has been consistently included in the County’s 5-Year Road Capital Improvement Program as a high priority project, including the most recent version of the 5-Year Road Capital Improvement Program approved by the Board of Supervisors on October 2, 2018; and

**WHEREAS**, consistent with applicable sections of the California Streets and Highways Code and STIP Guidelines prepared by the California Department of Transportation (“Caltrans”), the County has been allocated certain federal and state funds to be utilized for the Project, and

**WHEREAS**, in order to receive such funds, the County must approve and execute certain Caltrans agreements governing its use of such funds when contracting for the services and/or work necessary to prepare, plan, and complete the Project; and

**WHEREAS**, in order to receive funds necessary to complete the Project following the approval and execution of these Caltrans agreements, the County will be required to approve and execute certain allocation letter(s) and finance letter(s) for additional components of the Project.

1           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
2 **MONO RESOLVES** that:

3           **SECTION ONE:** It has reviewed and hereby approves the following agreement between  
4 the County and Caltrans governing the receipt and use of federal and state aid for the Project and  
5 other similar projects: “Master Agreement: Administering Agency-State Agreement for Federal-  
6 Aid Project [Caltrans Agreement No. 09-5947F15]” (“Master Agreement”).

7           **SECTION TWO:** It has reviewed and hereby approves the following agreement between  
8 the County and Caltrans governing the receipt and use of federal and state aid for environmental  
9 review and permitting related to the Project: “Program Supplement No. F018 to Administering  
10 Agency-State Agreement for Federal-Aid Projects No. 09-5947F15” (“Project Supplement”).

11           **SECTION THREE:** It hereby authorizes and directs the Director of the Mono County  
12 Public Works Department to execute and process both the Master Agreement and the Project  
13 Supplement.

14           **SECTION FOUR:** It hereby authorizes and directs the Director of the Mono County  
15 Public Works Department to execute and process all future allocation letter and finance letter  
16 with Caltrans for the Project; provided that such future allocation letter(s) and finance letter(s)  
17 are substantially similar to, contain terms and conditions consistent with those included in the  
18 Project Supplement, and will lead to the timely reimbursement of County funds associated with  
19 the completion of the Project.

20           **SECTION FIVE:** It hereby directs the Director of the Mono County Public Works  
21 Department to bring future project supplements (and future allocation letters and future finance  
22 letters) for other projects to the Board of Supervisors for its separate review and approval.  
23

24  
25 **PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of February, 2019, by the following vote,  
26 to wit:

27  
28 **AYES:**

29 **NOES:**

30 **ABSENT:**

31 **ABSTAIN:**  
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\_\_\_\_\_  
John Peters, Chair  
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
County Counsel

MASTER AGREEMENT  
ADMINISTERING AGENCY-STATE AGREEMENT FOR  
FEDERAL-AID PROJECTS

09            Mono County  
-----  
District    Administering Agency

Agreement No. 09-5947F15

This AGREEMENT, is entered into effective this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Mono County, hereinafter referred to as "ADMINISTERING AGENCY," and the State of California, acting by and through its Department of Transportation (Caltrans), hereinafter referred to as "STATE", and together referred to as "PARTIES" or individually as a "PARTY."

RECITALS:

1. WHEREAS, the Congress of the United States has enacted the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequent Transportation Authorization Bills to fund transportation programs; and
2. WHEREAS, the Legislature of the State of California has enacted legislation by which certain federal-aid funds may be made available for use on local transportation related projects of public entities qualified to act as recipients of these federal-aid funds in accordance with the intent of federal law; and
3. WHEREAS, before federal funds will be made available for a specific program project, ADMINISTERING AGENCY and STATE are required to enter into an agreement to establish terms and conditions applicable to the ADMINISTERING AGENCY when receiving federal funds for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility.

NOW, THEREFORE, the PARTIES agree as follows:

## ARTICLE I - PROJECT ADMINISTRATION

1. This AGREEMENT shall have no force or effect with respect to any program project unless and until a project-specific "Authorization/Agreement Summary", herein referred to as "E-76" document, is approved by STATE and the Federal Highway Administration (FHWA).
2. The term "PROJECT", as used herein, means that authorized transportation related project and related activities financed in part with federal-aid funds as more fully-described in an "Authorization/ Agreement Summary" or "Amendment/Modification Summary", herein referred to as "E-76" or "E-76 (AMOD)" document authorized by STATE and the Federal Highway Administration (FHWA).
3. The E-76/E-76 (AMOD) shall designate the party responsible for implementing PROJECT, type of work and location of PROJECT.
4. The PROGRAM SUPPLEMENT sets out special covenants as a condition for the ADMINISTERING AGENCY to receive federal-aid funds from/through STATE for designated PROJECT. The PROGRAM SUPPLEMENT shall also show these federal funds that have been initially encumbered for PROJECT along with the matching funds to be provided by ADMINISTERING AGENCY and/or others. Execution of PROGRAM SUPPLEMENT by the PARTIES shall cause ADMINISTERING AGENCY to adopt all of the terms of this AGREEMENT as though fully set forth therein in the PROGRAM SUPPLEMENT. Unless otherwise expressly delegated in a resolution by the governing body of ADMINISTERING AGENCY, and with written concurrence by STATE, the PROGRAM SUPPLEMENT shall be approved and managed by the governing body of ADMINISTERING AGENCY.
5. ADMINISTERING AGENCY agrees to execute and return each project-specific PROGRAM SUPPLEMENT within ninety (90) days of receipt. The PARTIES agree that STATE may suspend future authorizations/obligations and invoice payments for any on-going or future federal-aid project performed by ADMINISTERING AGENCY if any project-specific PROGRAM SUPPLEMENT is not returned within that ninety (90) day period unless otherwise agreed by STATE in writing.
6. ADMINISTERING AGENCY further agrees, as a condition to the release and payment of federal funds encumbered for the PROJECT described in each PROGRAM SUPPLEMENT, to comply with the terms and conditions of this AGREEMENT and all of the agreed-upon Special Covenants or Remarks incorporated within the PROGRAM SUPPLEMENT, and Cooperative/Contribution Agreement where appropriate, defining and identifying the nature of the specific PROJECT.
7. Federal, state and matching funds will not participate in PROJECT work performed in advance of the approval of the E-76 or E-76 (AMOD), unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT. ADMINISTERING AGENCY agrees that it will only proceed with the work authorized for that specific phase(s) on the project-specific E-76 or E-76 (AMOD). ADMINISTERING AGENCY further agrees to not proceed with future phases of PROJECT prior to receiving an E-76 (AMOD) from STATE for that phase(s) unless no further federal funds are needed or for those future phase(s).



8. That PROJECT or portions thereof, must be included in a federally approved Federal Statewide Transportation Improvement Program (FSTIP) prior to ADMINISTERING AGENCY submitting the "Request for Authorization".

9. ADMINISTERING AGENCY shall conform to all state statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of Federal Regulation (CFR) and 2 CFR part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

10. If PROJECT is not on STATE-owned right of way, PROJECT shall be constructed in accordance with LOCAL ASSISTANCE PROCEDURES that describes minimum statewide design standards for local agency streets and roads. LOCAL ASSISTANCE PROCEDURES for projects off the National Highway System (NHS) allow STATE to accept either the STATE's minimum statewide design standards or the approved geometric design standards of ADMINISTERING AGENCY. Additionally, for projects off the NHS, STATE will accept ADMINISTERING AGENCY-approved standard specifications, standard plans, materials sampling and testing quality assurance programs that meet the conditions described in the then current LOCAL ASSISTANCE PROCEDURES.

11. If PROJECT involves work within or partially within STATE-owned right-of-way, that PROJECT shall also be subject to compliance with the policies, procedures and standards of the STATE Project Development Procedures Manual and Highway Design Manual and, where appropriate, an executed Cooperative Agreement between STATE and ADMINISTERING AGENCY that outlines the PROJECT responsibilities and respective obligations of the PARTIES. ADMINISTERING AGENCY and its contractors shall each obtain an encroachment permit through STATE prior to commencing any work within STATE rights of way or work which affects STATE facilities.

12. When PROJECT is not on the State Highway System but includes work to be performed by a railroad, the contract for such work shall be prepared by ADMINISTERING AGENCY or by STATE, as the PARTIES may hereafter agree. In either event, ADMINISTERING AGENCY shall enter into an agreement with the railroad providing for future maintenance of protective devices or other facilities installed under the contract.

13. If PROJECT is using STATE funds, the Department of General Services, Division of the State Architect, or its designee, shall review the contract PS&E for the construction of buildings, structures, sidewalks, curbs and related facilities for accessibility and usability. ADMINISTERING AGENCY shall not award a PROJECT construction contract for these types of improvements until the State Architect has issued written approval stating that the PROJECT plans and specifications comply with the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Code of Regulations.

14. ADMINISTERING AGENCY will advertise, award and administer PROJECT in accordance with the current LOCAL ASSISTANCE PROCEDURES unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT.

15. ADMINISTERING AGENCY shall provide or arrange for adequate supervision and inspection of each PROJECT. While consultants may perform supervision and inspection work for PROJECT with a fully qualified and licensed engineer, ADMINISTERING AGENCY shall provide a full-time employee to be in responsible charge of each PROJECT who is not a consultant.

16. ADMINISTERING AGENCY shall submit PROJECT-specific contract award documents to STATE's District Local Assistance Engineer within sixty (60) days after contract award. A copy of the award documents shall also be included with the submittal of the first invoice for a construction contract by ADMINISTERING AGENCY.

17. ADMINISTERING AGENCY shall submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure by ADMINISTERING AGENCY to submit a "Report of Expenditures" within one hundred eighty (180) days of project completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LOCAL ASSISTANCE PROCEDURES.

18. ADMINISTERING AGENCY shall comply with: (i) section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in federally assisted programs; (ii) the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination on the basis of disability irrespective of funding; and (iii) all applicable regulations and guidelines issued pursuant to both the Rehabilitation Act and the ADA.

19. The Congress of the United States, the Legislature of the State of California and the Governor of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to contract and other work financed with public funds. ADMINISTERING AGENCY agrees to comply with the requirements of the FAIR EMPLOYMENT PRACTICES ADDENDUM (Exhibit A attached hereto) and the NONDISCRIMINATION ASSURANCES (Exhibit B attached hereto). ADMINISTERING AGENCY further agrees that any agreement entered into by ADMINISTERING AGENCY with a third party for performance of PROJECT-related work shall incorporate Exhibits A and B (with third party's name replacing ADMINISTERING AGENCY) as essential parts of such agreement to be enforced by that third party as verified by ADMINISTERING AGENCY.

## ARTICLE II - RIGHTS OF WAY

1. No contract for the construction of a federal-aid PROJECT shall be awarded until all necessary rights of way have been secured. Prior to the advertising for construction of PROJECT, ADMINISTERING AGENCY shall certify and, upon request, shall furnish STATE with evidence that all necessary rights of way are available for construction purposes or will be available by the time of award of the construction contract.

2. ADMINISTERING AGENCY agrees to indemnify and hold STATE harmless from any liability that may result in the event the right of way for a PROJECT, including, but not limited to, being clear as certified or if said right of way is found to contain hazardous materials requiring treatment or removal to remediate in accordance with Federal and State laws. The furnishing of right of way as provided for herein includes, in addition to all real property required for the PROJECT, title free and clear of obstructions and encumbrances affecting PROJECT and the payment, as required by applicable law, of relocation costs and damages to remainder real property not actually taken but injuriously affected by PROJECT. ADMINISTERING AGENCY shall pay, from its own non-matching funds, any costs which arise out of delays to the construction of PROJECT because utility facilities have not been timely removed or relocated, or because rights of way were not available to ADMINISTERING AGENCY for the orderly prosecution of PROJECT work.

3. Subject to STATE approval and such supervision as is required by LOCAL ASSISTANCE PROCEDURES over ADMINISTERING AGENCY's right of way acquisition procedures, ADMINISTERING AGENCY may claim reimbursement from federal funds for expenditures incurred in purchasing only the necessary rights of way needed for the PROJECT after crediting PROJECT with the fair market value of any excess property retained and not disposed of by ADMINISTERING AGENCY.

4. When real property rights are to be acquired by ADMINISTERING AGENCY for a PROJECT, said ADMINISTERING AGENCY must carry out that acquisition in compliance with all applicable State and Federal laws and regulations, in accordance with State procedures as published in State's current LOCAL ASSISTANCE PROCEDURES and STATE's Right-of-Way Manual, subject to STATE oversight to ensure that the completed work is acceptable under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

5. Whether or not federal-aid is to be requested for right of way, should ADMINISTERING AGENCY, in acquiring right of way for PROJECT, displace an individual, family, business, farm operation, or non-profit organization, relocation payments and services will be provided as set forth in 49 CFR, Part 24. The public will be adequately informed of the relocation payments and services which will be available, and, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from his/her dwelling or to move his/her business or farm operation without at least ninety (90) days written notice from ADMINISTERING AGENCY. ADMINISTERING AGENCY will provide STATE with specific assurances, on each portion of the PROJECT, that no person will be displaced until comparable decent, safe and sanitary replacement housing is available within a reasonable period of time prior to displacement, and that ADMINISTERING AGENCY's relocation program is realistic and adequate to provide orderly, timely and efficient relocation of PROJECT-displaced persons as provided in 49 CFR, Part 24.

6. ADMINISTERING AGENCY shall, along with recording the deed or instrument evidencing title in the name of the ADMINISTERING AGENCY or their assignee, also record an Agreement Declaring Restrictive Covenants (ADRC) as a separate document incorporating the assurances included within Exhibits A and B and Appendices A, B, C and D of this AGREEMENT, as appropriate.

### ARTICLE III - MAINTENANCE AND MANAGEMENT

1. ADMINISTERING AGENCY will maintain and operate the property acquired, developed, constructed, rehabilitated, or restored by PROJECT for its intended public use until such time as the parties might amend this AGREEMENT to otherwise provide. With the approval of STATE, ADMINISTERING AGENCY or its successors in interest in the PROJECT property may transfer this obligation and responsibility to maintain and operate PROJECT property for that intended public purpose to another public entity.

2. Upon ADMINISTERING AGENCY's acceptance of the completed federal-aid construction contract or upon contractor being relieved of the responsibility for maintaining and protecting PROJECT, ADMINISTERING AGENCY will be responsible for the maintenance, ownership, liability, and the expense thereof, for PROJECT in a manner satisfactory to the authorized representatives of STATE and FHWA and if PROJECT falls within the jurisdictional limits of another Agency or Agencies, it is the duty of ADMINISTERING AGENCY to facilitate a separate maintenance agreement(s) between itself and the other jurisdictional Agency or Agencies providing for the operation, maintenance, ownership and liability of PROJECT. Until those agreements are executed, ADMINISTERING AGENCY will be responsible for all PROJECT operations, maintenance, ownership and liability in a manner satisfactory to the authorized representatives of STATE and FHWA. If, within ninety (90) days after receipt of notice from STATE that a PROJECT, or any portion thereof, is not being properly operated and maintained and ADMINISTERING AGENCY has not satisfactorily remedied the conditions complained of, the approval of future federal-aid projects of ADMINISTERING AGENCY will be withheld until the PROJECT shall have been put in a condition of operation and maintenance satisfactory to STATE and FHWA. The provisions of this section shall not apply to a PROJECT that has been vacated through due process of law with STATE's concurrence.

3. PROJECT and its facilities shall be maintained by an adequate and well-trained staff of engineers and/or such other professionals and technicians as PROJECT reasonably requires. Said operations and maintenance staff may be employees of ADMINISTERING AGENCY, another unit of government, or a contractor under agreement with ADMINISTERING AGENCY. All maintenance will be performed at regular intervals or as required for efficient operation of the complete PROJECT improvements.

## ARTICLE IV - FISCAL PROVISIONS

1. All contractual obligations of STATE are subject to the appropriation of resources by the Legislature and the allocation of resources by the California Transportation Commission (CTC).
2. STATE'S financial commitment of federal funds will occur only upon the execution of this AGREEMENT, the authorization of the project-specific E-76 or E-76 (AMOD), the execution of each project-specific PROGRAM SUPPLEMENT, and STATE's approved finance letter.
3. ADMINISTERING AGENCY may submit signed invoices in arrears for reimbursement of participating PROJECT costs on a regular basis once the project-specific PROGRAM SUPPLEMENT has been executed by STATE.
4. ADMINISTERING AGENCY agrees, at a minimum, to submit invoices at least once every six (6) months commencing after the funds are encumbered on either the project-specific PROGRAM SUPPLEMENT or through a project-specific finance letter approved by STATE. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six (6) month period.
5. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.
6. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.
7. Payments to ADMINISTERING AGENCY can only be released by STATE as reimbursement of actual allowable PROJECT costs already incurred and paid for by ADMINISTERING AGENCY.
8. Indirect Cost Allocation Plans/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.
9. Once PROJECT has been awarded, STATE reserves the right to de-obligate any excess federal funds from the construction phase of PROJECT if the contract award amount is less than the obligated amount, as shown on the PROJECT E-76 or E-76 (AMOD).
10. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

11. The estimated total cost of PROJECT, the amount of federal funds obligated, and the required matching funds may be adjusted by mutual consent of the PARTIES hereto with a finance letter, a detailed estimate, if required, and approved E-76 (AMOD). Federal-aid funding may be increased to cover PROJECT cost increases only if such funds are available and FHWA concurs with that increase.

12. When additional federal-aid funds are not available, ADMINISTERING AGENCY agrees that the payment of federal funds will be limited to the amounts authorized on the PROJECT specific E-76 / E-76 (AMOD) and agrees that any increases in PROJECT costs must be defrayed with ADMINISTERING AGENCY's own funds.

13. ADMINISTERING AGENCY shall use its own non-federal funds to finance the local share of eligible costs and all expenditures or contract items ruled ineligible for financing with federal funds. STATE shall make the determination of ADMINISTERING AGENCY's cost eligibility for federal fund financing of PROJECT costs.

14. ADMINISTERING AGENCY will reimburse STATE for STATE's share of costs for work performed by STATE at the request of ADMINISTERING AGENCY. STATE's costs shall include overhead assessments in accordance with section 8755.1 of the State Administrative Manual.

15. Federal and state funds allocated from the State Transportation Improvement Program (STIP) are subject to the timely use of funds provisions enacted by Senate Bill 45, approved in 1997, and subsequent STIP Guidelines and State procedures approved by the CTC and STATE.

16. Federal funds encumbered for PROJECT are available for liquidation for a period of six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. State funds encumbered for PROJECT are available for liquidation only for six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. Federal or state funds not liquidated within these periods will be reverted unless a Cooperative Work Agreement (CWA) is submitted by ADMINISTERING AGENCY and approved by the California Department of Finance (per Government Code section 16304). The exact date of fund reversion will be reflected in the STATE signed finance letter for PROJECT.

17. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

18. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

19. ADMINISTERING AGENCY agrees, and will ensure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

20. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

21. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

22. Should ADMINISTERING AGENCY fail to refund any moneys due upon written demand by STATE as provided hereunder or should ADMINISTERING AGENCY breach this AGREEMENT by failing to complete PROJECT without adequate justification and approval by STATE, then, within thirty 30 days of demand, or within such other period as may be agreed to in writing between the PARTIES, STATE, acting through the State Controller, the State Treasurer, or any other public entity or agency, may withhold or demand a transfer of an amount equal to the amount paid by or owed to STATE from future apportionments, or any other funds due ADMINISTERING AGENCY from the Highway Users Tax Fund or any other sources of funds, and/or may withhold approval of future ADMINISTERING AGENCY federal-aid projects.

23. Should ADMINISTERING AGENCY be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if ADMINISTERING AGENCY is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, STATE is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV - 22, from those constituent entities comprising a joint powers authority or by bringing of an action against ADMINISTERING AGENCY or its constituent member entities, to recover all funds provided by STATE hereunder.

24. ADMINISTERING AGENCY acknowledges that the signatory party represents the ADMINISTERING AGENCY and further warrants that there is nothing within a Joint Powers Agreement, by which ADMINISTERING AGENCY was created, if any exists, that would restrict or otherwise limit STATE's ability to recover State funds improperly spent by ADMINISTERING AGENCY in contravention of the terms of this AGREEMENT.



ARTICLE V  
AUDITS, THIRD PARTY CONTRACTING, RECORDS RETENTION AND REPORTS

1. STATE reserves the right to conduct technical and financial audits of PROJECT work and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by paragraph three (3) of ARTICLE V.

2. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by STATE.

3. ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

4. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year. The Federal Funds received under a PROGRAM SUPPLEMENT are a part of the Catalogue of Federal Domestic Assistance (CFDA) 20.205.

5. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

6. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contract over \$10,000, or other contracts over \$25,000 (excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)) on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

7. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions 5, 6, 17, 19 and 20 of ARTICLE IV, FISCAL PROVISIONS, and provisions 1, 2, and 3 of this ARTICLE V, AUDITS, THIRD-PARTY CONTRACTING RECORDS RETENTION AND REPORTS.

8. To be eligible for local match credit, ADMINISTERING AGENCY must ensure that local match funds used for a PROJECT meet the fiscal provisions requirements outlined in ARTICLE IV in the same manner as required of all other PROJECT expenditures.

9. In addition to the above, the pre-award requirements of third-party contractor/consultants with ADMINISTERING AGENCY should be consistent with the LOCAL ASSISTANCE PROCEDURES.

## ARTICLE VI - FEDERAL LOBBYING ACTIVITIES CERTIFICATION

1. By execution of this AGREEMENT, ADMINISTERING AGENCY certifies, to the best of the signatory officer's knowledge and belief, that:

A. No federal or state appropriated funds have been paid or will be paid, by or on behalf of ADMINISTERING AGENCY, to any person for influencing or attempting to influence an officer or employee of any STATE or federal agency, a member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any STATE or federal contract, including this AGREEMENT, the making of any STATE or federal loan, the entering into of any cooperative contract, and the extension, continuation, renewal, amendment, or modification of any STATE or federal contract, grant, loan, or cooperative contract.

B. If any funds other than federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this AGREEMENT, grant, local, or cooperative contract, ADMINISTERING AGENCY shall complete and submit Standard Form-LLL, "Disclosure Form to Rep Lobbying," in accordance with the form instructions.

C. This certification is a material representation of fact upon which reliance was placed when this AGREEMENT and each PROGRAM SUPPLEMENT was or will be made or entered into. Submission of this certification is a prerequisite for making or entering into this AGREEMENT imposed by Section 1352, Title 31, United States Code. Any party who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

2. ADMINISTERING AGENCY also agrees by signing this AGREEMENT that the language of this certification will be included in all lower tier sub-agreements which exceed \$100,000 and that all such sub-recipients shall certify and disclose accordingly.

## ARTICLE VII - MISCELLANEOUS PROVISIONS

1. ADMINISTERING AGENCY agrees to use all state funds reimbursed hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution and the relevant Federal Regulations.
2. This AGREEMENT is subject to any additional restrictions, limitations, conditions, or any statute enacted by the State Legislature or adopted by the CTC that may affect the provisions, terms, or funding of this AGREEMENT in any manner.
3. ADMINISTERING AGENCY and the officers and employees of ADMINISTERING AGENCY, when engaged in the performance of this AGREEMENT, shall act in an independent capacity and not as officers, employees or agents of STATE or the federal government.
4. Each project-specific E-76 or E-76 (AMOD), PROGRAM SUPPLEMENT and Finance Letter shall separately establish the terms and funding limits for each described PROJECT funded under the AGREEMENT. No federal or state funds are obligated against this AGREEMENT.
5. ADMINISTERING AGENCY certifies that neither ADMINISTERING AGENCY nor its principals are suspended or debarred at the time of the execution of this AGREEMENT. ADMINISTERING AGENCY agrees that it will notify STATE immediately in the event a suspension or a debarment occurs after the execution of this AGREEMENT.
6. ADMINISTERING AGENCY warrants, by execution of this AGREEMENT, that no person or selling agency has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ADMINISTERING AGENCY for the purpose of securing business. For breach or violation of this warranty, STATE has the right to annul this AGREEMENT without liability, pay only for the value of the work actually performed, or in STATE's discretion, to deduct from the price of consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.
7. In accordance with Public Contract Code section 10296, ADMINISTERING AGENCY hereby certifies under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against ADMINISTERING AGENCY within the immediate preceding two (2) year period because of ADMINISTERING AGENCY's failure to comply with an order of a federal court that orders ADMINISTERING AGENCY to comply with an order of the National Labor Relations Board.
8. ADMINISTERING AGENCY shall disclose any financial, business, or other relationship with STATE, FHWA or Federal Transit Administration (FTA) that may have an impact upon the outcome of this AGREEMENT. ADMINISTERING AGENCY shall also list current contractors who may have a financial interest in the outcome of this AGREEMENT.
9. ADMINISTERING AGENCY hereby certifies that it does not have nor shall it acquire any financial or business interest that would conflict with the performance of PROJECT under this AGREEMENT.

10. ADMINISTERING AGENCY warrants that this AGREEMENT was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any STATE employee. For breach or violation of this warranty, STATE shall have the right, in its discretion, to terminate this AGREEMENT without liability, to pay only for the work actually performed, or to deduct from the PROGRAM SUPPLEMENT price or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

11. Any dispute concerning a question of fact arising under this AGREEMENT that is not disposed of by agreement shall be decided by the STATE's Contract Officer who may consider any written or verbal evidence submitted by ADMINISTERING AGENCY. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on the PARTIES on all questions of fact considered and determined by the Contract Officer.

12. Neither the pending of a dispute nor its consideration by the Contract Officer will excuse ADMINISTERING AGENCY from full and timely performance in accordance with the terms of this AGREEMENT.

13. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the ADMINISTERING AGENCY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

14. Neither STATE nor any officer or employee thereof shall be responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under, or in connection with, any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that ADMINISTERING AGENCY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under this AGREEMENT.

15. STATE reserves the right to terminate funding for any PROJECT upon written notice to ADMINISTERING AGENCY in the event that ADMINISTERING AGENCY fails to proceed with PROJECT work in accordance with the project-specific PROGRAM SUPPLEMENT, the bonding requirements if applicable, or otherwise violates the conditions of this AGREEMENT and/or PROGRAM SUPPLEMENT, or the funding allocation such that substantial performance is significantly endangered.

16. No termination shall become effective if, within thirty (30) days after receipt of a Notice of Termination, ADMINISTERING AGENCY either cures the default involved or, if not reasonably susceptible of cure within said thirty (30) day period, ADMINISTERING AGENCY proceeds thereafter to complete the cure in a manner and time line acceptable to STATE. Any such termination shall be accomplished by delivery to ADMINISTERING AGENCY of a Notice of Termination, which notice shall become effective not less than thirty (30) days after receipt, specifying the reason for the termination, the extent to which funding of work under this AGREEMENT is terminated and the date upon which such termination becomes effective, if beyond thirty (30) days after receipt. During the period before the effective termination date, ADMINISTERING AGENCY and STATE shall meet to attempt to resolve any dispute. In the event of such termination, STATE may proceed with the PROJECT work in a manner deemed proper by STATE. If STATE terminates funding for PROJECT with ADMINISTERING AGENCY, STATE shall pay ADMINISTERING AGENCY the sum due ADMINISTERING AGENCY under the PROGRAM SUPPLEMENT and/or STATE approved finance letter prior to termination, provided, however, ADMINISTERING AGENCY is not in default of the terms and conditions of this AGREEMENT or the project-specific PROGRAM SUPPLEMENT and that the cost of PROJECT completion to STATE shall first be deducted from any sum due ADMINISTERING AGENCY.

17. In case of inconsistency or conflicts with the terms of this AGREEMENT and that of a project-specific PROGRAM SUPPLEMENT, the terms stated in that PROGRAM SUPPLEMENT shall prevail over those in this AGREEMENT.

18. Without the written consent of STATE, this AGREEMENT is not assignable by ADMINISTERING AGENCY either in whole or in part.

19. No alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the PARTIES, and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES.

IN WITNESS WHEREOF, the PARTIES have executed this AGREEMENT by their duly authorized officers.

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

Mono County

By \_\_\_\_\_

By \_\_\_\_\_

Chief, Office of Project Implementation  
Division of Local Assistance

\_\_\_\_\_  
Mono County  
Representative Name & Title  
(Authorized Governing Body Representative)

Date \_\_\_\_\_

Date \_\_\_\_\_

## EXHIBIT A

### FAIR EMPLOYMENT PRACTICES ADDENDUM

1. In the performance of this Agreement, ADMINISTERING AGENCY will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. ADMINISTERING AGENCY will take affirmative action to ensure that employees are treated during employment without regard to their race, sex, sexual orientation, color, religion, ancestry, or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. ADMINISTERING AGENCY shall post in conspicuous places, available to employees for employment, notices to be provided by STATE setting forth the provisions of this Fair Employment section.

2. ADMINISTERING AGENCY, its contractor(s) and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 1290-0 et seq.), and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full. Each of the ADMINISTERING AGENCY'S contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.

3. ADMINISTERING AGENCY shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this AGREEMENT.

4. ADMINISTERING AGENCY will permit access to the records of employment, employment advertisements, application forms, and other pertinent data and records by STATE, the State Fair Employment and Housing Commission, or any other agency of the State of California designated by STATE, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.

5. Remedies for Willful Violation:

(a) STATE may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which ADMINISTERING AGENCY was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that ADMINISTERING AGENCY has violated the Fair Employment Practices Act and had issued an order under Labor Code Section 1426 which has become final or has obtained an injunction under Labor Code Section 1429.

(b) For willful violation of this Fair Employment Provision, STATE shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by STATE in securing the goods or services thereunder shall be borne and paid for by ADMINISTERING AGENCY and by the surety under the performance bond, if any, and STATE may deduct from any moneys due or thereafter may become due to ADMINISTERING AGENCY, the difference between the price named in the Agreement and the actual cost thereof to STATE to cure ADMINISTERING AGENCY's breach of this Agreement.



## EXHIBIT B

### NONDISCRIMINATION ASSURANCES

ADMINISTERING AGENCY HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the STATE, acting for the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the ACT), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964" (hereinafter referred to as the REGULATIONS), the Federal-aid Highway Act of 1973, and other pertinent directives, to the end that in accordance with the ACT, REGULATIONS, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which ADMINISTERING AGENCY receives federal financial assistance from the Federal Department of Transportation. ADMINISTERING AGENCY HEREBY GIVES ASSURANCE THAT ADMINISTERING AGENCY will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the REGULATIONS.

More specifically, and without limiting the above general assurance, ADMINISTERING AGENCY hereby gives the following specific assurances with respect to its federal-aid Program:

1. That ADMINISTERING AGENCY agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the REGULATIONS, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the REGULATIONS.

2. That ADMINISTERING AGENCY shall insert the following notification in all solicitations for bids for work or material subject to the REGULATIONS made in connection with the federal-aid Program and, in adapted form, in all proposals for negotiated agreements:

ADMINISTERING AGENCY hereby notifies all bidders that it will affirmatively ensure that in any agreement entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for an award.

3. That ADMINISTERING AGENCY shall insert the clauses of Appendix A of this assurance in every agreement subject to the ACT and the REGULATIONS.

4. That the clauses of Appendix B of this Assurance shall be included as a covenant running with the land, in any deed effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where ADMINISTERING AGENCY receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where ADMINISTERING AGENCY receives federal financial assistance in the form, or for the acquisition, of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.

7. That ADMINISTERING AGENCY shall include the appropriate clauses set forth in Appendix C and D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the ADMINISTERING AGENCY with other parties:

Appendix C;

(a) for the subsequent transfer of real property acquired or improved under the federal-aid Program; and

Appendix D;

(b) for the construction or use of or access to space on, over, or under real property acquired, or improved under the federal-aid Program.

8. That this assurance obligates ADMINISTERING AGENCY for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property or real property or interest therein, or structures, or improvements thereon, in which case the assurance obligates ADMINISTERING AGENCY or any transferee for the longer of the following periods:

(a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

(b) the period during which ADMINISTERING AGENCY retains ownership or possession of the property.

9. That ADMINISTERING AGENCY shall provide for such methods of administration for the program as are found by the U.S. Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that ADMINISTERING AGENCY, other recipients, sub-grantees, applicants, sub-applicants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the ACT, the REGULATIONS, this Assurance and the Agreement.

10. That ADMINISTERING AGENCY agrees that the United States and the State of California have a right to seek judicial enforcement with regard to any matter arising under the ACT, the REGULATIONS, and this Assurance.

11. ADMINISTERING AGENCY shall not discriminate on the basis of race, religion, age, disability, color, national origin or sex in the award and performance of any STATE assisted contract or in the administration on its DBE Program or the requirements of 49 CFR Part 26. ADMINISTERING AGENCY shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of STATE assisted contracts. ADMINISTERING AGENCY'S DBE Implementation Agreement is incorporated by reference in this AGREEMENT. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved DBE Implementation Agreement, STATE may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and/or the Program Fraud Civil Remedies Act of 1985 (31USC 3801 et seq.)

THESE ASSURANCES are given in consideration of and for the purpose of obtaining any and all federal grants, loans, agreements, property, discounts or other federal financial assistance extended after the date hereof to ADMINISTERING AGENCY by STATE, acting for the U.S. Department of Transportation, and is binding on ADMINISTERING AGENCY, other recipients, subgrantees, applicants, sub-applicants, transferees, successors in interest and other participants in the federal-aid Highway Program.

## APPENDIX A TO EXHIBIT B

During the performance of this Agreement, ADMINISTERING AGENCY, for itself, its assignees and successors in interest (hereinafter collectively referred to as ADMINISTERING AGENCY) agrees as follows:

(1) Compliance with Regulations: ADMINISTERING AGENCY shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the REGULATIONS), which are herein incorporated by reference and made a part of this agreement.

(2) Nondiscrimination: ADMINISTERING AGENCY, with regard to the work performed by it during the AGREEMENT, shall not discriminate on the grounds of race, color, sex, national origin, religion, age, or disability in the selection and retention of sub-applicants, including procurements of materials and leases of equipment. ADMINISTERING AGENCY shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the REGULATIONS, including employment practices when the agreement covers a program set forth in Appendix B of the REGULATIONS.

(3) Solicitations for Sub-agreements, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by ADMINISTERING AGENCY for work to be performed under a Sub-agreement, including procurements of materials or leases of equipment, each potential sub-applicant or supplier shall be notified by ADMINISTERING AGENCY of the ADMINISTERING AGENCY's obligations under this Agreement and the REGULATIONS relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: ADMINISTERING AGENCY shall provide all information and reports required by the REGULATIONS, or directives issued pursuant thereto, and shall permit access to ADMINISTERING AGENCY's books, records, accounts, other sources of information, and its facilities as may be determined by STATE or FHWA to be pertinent to ascertain compliance with such REGULATIONS or directives. Where any information required of ADMINISTERING AGENCY is in the exclusive possession of another who fails or refuses to furnish this information, ADMINISTERING AGENCY shall so certify to STATE or the FHWA as appropriate, and shall set forth what efforts ADMINISTERING AGENCY has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of ADMINISTERING AGENCY's noncompliance with the nondiscrimination provisions of this agreement, STATE shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

(a) withholding of payments to ADMINISTERING AGENCY under the Agreement within a reasonable period of time, not to exceed 90 days; and/or

(b) cancellation, termination or suspension of the Agreement, in whole or in part.

(6) Incorporation of Provisions: ADMINISTERING AGENCY shall include the provisions of paragraphs (1) through (6) in every sub-agreement, including procurements of materials and leases of equipment, unless exempt by the REGULATIONS, or directives issued pursuant thereto. ADMINISTERING AGENCY shall take such action with respect to any sub-agreement or procurement as STATE or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event ADMINISTERING AGENCY becomes involved in, or is threatened with, litigation with a sub-applicant or supplier as a result of such direction, ADMINISTERING AGENCY may request STATE enter into such litigation to protect the interests of STATE, and, in addition, ADMINISTERING AGENCY may request the United States to enter into such litigation to protect the interests of the United States.

The following clauses shall be included in any and all deeds effecting or recording the transfer of PROJECT real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the U.S. Department of Transportation, as authorized by law, and upon the condition that ADMINISTERING AGENCY will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of federal-aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with the Regulations pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the ADMINISTERING AGENCY all the right, title, and interest of the U.S. Department of Transportation in, and to, said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto ADMINISTERING AGENCY and its successors forever, subject, however, to the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on ADMINISTERING AGENCY, its successors and assigns.

ADMINISTERING AGENCY, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns,

(1) that no person shall on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (;) (and) \*

(2) that ADMINISTERING AGENCY shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (;) and

(3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the U.S. Department of Transportation shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this deed.\*

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

## APPENDIX C TO EXHIBIT B

The following clauses shall be included in any and all deeds, licenses, leases, permits, or similar instruments entered into by ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7(a) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.), shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY and its assigns.

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

## APPENDIX D TO EXHIBIT B

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7 (b) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that:

(1) no person on the ground of race, color, sex, national origin, religion, age or disability, shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in the use of said facilities;

(2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, sex, national origin, religion, age or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and

(3) that the (grantee, licensee, lessee, permittee, etc.,) shall use the premises in compliance with the Regulations.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY, and its assigns.

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\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.



**PROGRAM SUPPLEMENT NO. F018**  
to  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR FEDERAL-AID PROJECTS NO 09-5947F15**

**Adv Project ID**                      **Date:** December 21, 2018  
0919000015                      **Location:** 09-MNO-0-CR  
**Project Number:** RSTPL-5947(059)  
**E.A. Number:**  
**Locode:** 5947

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on \_\_\_\_\_ and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. \_\_\_\_\_ approved by the Administering Agency on \_\_\_\_\_ (See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

**PROJECT LOCATION:**

Airport Road and Hot Creek Hatchery Road in Mammoth Lakes

**TYPE OF WORK:** Road Rehabilitation

**LENGTH:** 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds		
	Z240	\$31,000.00	LOCAL		OTHER
\$31,000.00			\$0.00		\$0.00

**COUNTY OF MONO**

**STATE OF CALIFORNIA**  
**Department of Transportation**

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

**Chief, Office of Project Implementation**  
**Division of Local Assistance**

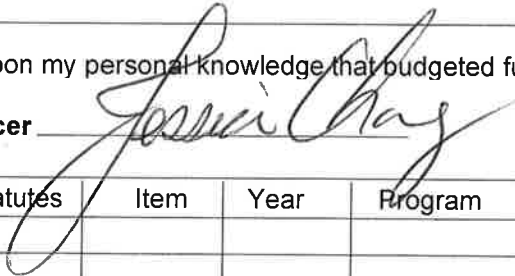
Date \_\_\_\_\_

Date \_\_\_\_\_

Attest \_\_\_\_\_

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

**Accounting Officer** \_\_\_\_\_



**Date** 12/27/18                      \$31,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT



**SPECIAL COVENANTS OR REMARKS**

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
2. This PROJECT is programmed to receive Federal Transportation Enhancement Activities (TEA) funds. The ADMINISTERING AGENCY agrees that any functional or operational change to a TEA PROJECT, before, during, or after PROJECT acquisition and/or construction, that does not comply with, or is in conflict with, the TEA program requirements and the original purpose of the project at the time it was programmed may render the PROJECT ineligible for Federal reimbursement and ADMINISTERING AGENCY may be required to reimburse STATE the entire amount of TEA funds contributed to the project or the value of the TEA fund contribution, based upon the fair market value of the acquisition and/or construction, at the time the conflict and/or non-compliance is determined, whichever is greater.
3. This PROJECT is programmed to receive funding from the State Transportation Improvement Program (STIP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. The start of reimbursable expenditures is restricted to the later of either 1) the effective date of the Master Agreement, 2) the effective date of the PROGRAM SUPPLEMENT, or 3) the effective date of the component specific allocation.

4. STATE and ADMINISTERING AGENCY agree that additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE approved Allocation Letter and Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.
5. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. An approved time extension will revise the timely use of funds criteria, outlined above, for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof.

Documentation for approved supplementary allocations, time extensions, and fund transfers between components will be a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

6. This PROJECT will be administered in accordance with the CTC STIP guidelines, as

**SPECIAL COVENANTS OR REMARKS**

adopted or amended, and the STATE Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP), the Local Assistance Program Guidelines, and the Local Assistance Procedures Manual. The submittal of invoices for project costs shall be in accordance with the above referenced publications and the following.

7. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
8. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
9. This PROJECT is subject to the timely use of funds provisions enacted by Senate Bill 45 (SB 45), approved in 1997, and subsequent CTC guidelines and State procedures approved by the CTC and STATE, as outlined below:

Funds allocated for the environmental & permits, plan specifications & estimate, and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and complete the construction or vehicle purchase contract within 36 months of award.

10. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of

**SPECIAL COVENANTS OR REMARKS**

Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

11. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
12. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

13. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

**SPECIAL COVENANTS OR REMARKS**

Failure to do so will cause a delay in the State processing invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

14. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at [www.sam.gov](http://www.sam.gov).



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: Community Development**

**TIME REQUIRED** 5 minutes

**PERSONS APPEARING BEFORE THE BOARD** Wendy Sugimura

**SUBJECT** Schedule for the Inyo National Forest Plan Revision Objection Resolution Process

**AGENDA DESCRIPTION:**

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

The Inyo National Forest transmitted the schedule for the Forest Plan revision objection resolution process on Feb. 1, 2019. The topics the County objected to are scheduled for Wed., Feb. 20.

**RECOMMENDED ACTION:**

Provide direction to staff regarding participation in the process.

**FISCAL IMPACT:**

No impacts other than staff time.

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 760-924-1814 / wsugimura@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Forest Plan Objection Meeting Schedule</a></p>
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**History**

Time	Who	Approval
2/7/2019 3:54 PM	County Administrative Office	Yes
2/6/2019 5:29 PM	County Counsel	Yes
2/7/2019 2:15 PM	Finance	Yes

**INYO NATIONAL FOREST LAND MANAGEMENT PLAN REVISION  
OBJECTION RESOLUTION MEETING AGENDA  
CERRO COSO COLLEGE, BISHOP, CALIFORNIA**

**Day 1 – February 19, 2019**

<b>Time</b>	<b>Topic</b>	<b>Objectors and Interested Persons with Interest in Topic</b>
8:30 – 8:45	Welcome/ground rules/meeting structure –Meeting Facilitator Safety/Logistics – Inyo NF staff Reviewing Officer welcome – Bernie Gyant	
8:45 – 9:30	Fire suppression, fuels management	<b>Objectors:</b> John Muir Project/Center for Biological Diversity (JMP/CBD), Blue Ribbon Coalition (BRC) <b>Interested Persons:</b> Sierra Forest Legacy (SFL), Southern California Edison (SCE)
9:30 – 10:15	Riparian, meadow and fen management	<b>Objectors:</b> SFL, SCE <b>Interested Persons:</b> Trout Unlimited, SCE, Western Watersheds Project
<b>10:15 – 10:45</b>	<b>Break</b>	
10:45 – 11:30	Timber production, Complex Early Seral Forest	<b>Objectors:</b> SFL, JMP/CBD, California Forestry Association/American Forest Resource Council (CFA/AFRC) <b>Interested Persons:</b> SFL, JMP/CBD, SCE
<b>11:30 – 12:45</b>	<b>Lunch Break</b>	
12:45 – 1:00	Resolution progress check – Bernie Gyant	
1:00 – 1:30	Species of Conservation Concern list	<b>Objectors:</b> SFL, JMP/CBD <b>Interested Persons:</b> SFL, Lynn Boulton, Alan Carlton
1:30 – 2:15	Species of Conservation Concern viability	<b>Objectors:</b> SFL, JMP/CBD, CFA/AFRC <b>Interested Persons:</b> JMP/CBD, Lynn Boulton, Alan Carlton, SCE
<b>2:15 – 2:45</b>	<b>Break</b>	
2:45 – 3:30	California spotted owl habitat management	<b>Objectors:</b> CFA/AFRC, SFL, JMP/CBD <b>Interested Persons:</b> Lynn Boulton, Alan Carlton, SCE
3:30 – 4:00	Sage grouse habitat management	<b>Objectors:</b> SFL, JMP/CBD, SCE <b>Interested Persons:</b> Western Watersheds Project, Lynn Boulton, Alan Carlton, SCE
<b>4:00 – 4:30</b>	<b>Break</b>	
4:30 – 5:00	Resolution progress check – Bernie Gyant	
<b>5:00</b>	<b>Adjourn</b>	

**Day 2 – February 20, 2019**

<b>Time</b>	<b>Topic</b>	<b>Objectors and Interested Persons with Interest in Topic</b>
8:00 – 8:15	Welcome/ground rules/meeting structure –	



	Meeting Facilitator Safety/Logistics – Inyo NF staff Reviewing Officer welcome – Bernie Gyant	
8:15 – 9:15	TBD based on topics from first day that require additional discussion	<b>Objectors:</b> TBD <b>Interested Persons:</b> TBD
9:15 – 10:00	Winter ROS	<b>Objectors:</b> Winter Wildlands Alliance (WWA), SFL <b>Interested Persons:</b> WWA
10:00 – 10:45	Wild and Scenic Rivers	<b>Objectors:</b> Mono Lake Committee, Mono County Board Of Supervisors (Mono Co), People for Mono Basin Preservation, American Whitewater, SFL <b>Interested Persons:</b> SFL, SCE
<b>10:45 – 11:15</b>	<b>Break</b>	
11:15 – 12:00	Pacific Crest Trail	<b>Objectors:</b> Mono Co, California Off-road Vehicle Association (CORVA), BRC, Pacific Crest Trail Association (PCTA), Greg Warren <b>Interested Persons:</b> SFL, PCTA
<b>12:00 – 1:15</b>	<b>Lunch Break</b>	
1:15 – 1:30	Resolution progress check – Bernie Gyant	
1:30 – 2:30	Recommended Wilderness – fixed anchors, fire prone habitat	<b>Objectors:</b> Access Fund, Jerry Gabriel, California 4WD Association (Cal4Wheel) <b>Interested Persons:</b>
<b>2:30 – 3:00</b>	<b>Break</b>	
3:00 – 4:15	Recommended Wilderness – multiple uses/roads, wilderness evaluation, amount and location of recommended wilderness	<b>Objectors:</b> BRC, Pat Woods, Inyo County Board of Supervisors, Jerry Gabriel, Cal4Wheel, John Patzer, Mike Johnston, Eastern Sierra 4WD Club, Mono Co, SFL <b>Interested Persons:</b> Roseanne Howard, SFL, WWA, Chris Lizza, Betsy McDonald, Linda Emerson, Edith Warkentine, Harold McDonald, Todd Vogel, Rosemary Jarrett, Lynn Boulton, Alan Carlton, SCE
<b>4:15 – 4:30</b>	<b>Break</b>	
4:30 – 5:00	Resolution progress check – Bernie Gyant	
<b>5:00</b>	<b>Adjourn</b>	

**Day 3 – February 21, 2019**

<b>Time</b>	<b>Topic</b>	<b>Objectors and Interested Persons with Interest in Topic</b>
8:30 – 8:45	Welcome/ground rules/meeting structure – Meeting Facilitator Safety/Logistics – Inyo NF staff Reviewing Officer welcome – Bernie Gyant	
8:45 – 9:15	Pack goat closure	<b>Objectors:</b> North American Pack Goat Association <b>Interested Persons:</b> Sierra Nevada Bighorn Sheep Association
<b>9:15 – 10:00</b>	<b>Break</b>	
10:00 – 10:15	Resolution progress check – Bernie Gyant	
10:15 – 11:30	TBD based on topics from first two days that require additional discussion	<b>Objectors:</b> TBD <b>Interested Persons:</b> TBD
<b>11:30 – 11:45</b>	<b>Break</b>	
11:45 – 12:00	Resolution progress check – Bernie Gyant	
<b>12:00</b>	<b>Adjourn</b>	



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** February 12, 2019

**Departments: County Counsel**

**TIME REQUIRED** 10 minutes (5 minute presentation, 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Stacey Simon

**SUBJECT** Mono County Law Library Board of Trustees

### AGENDA DESCRIPTION:

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

Presentation regarding Mono County Law Library and appointments to the Law Library Board of Trustees.

### RECOMMENDED ACTION:

Re-appoint Tim Kendall and Stacey Simon, and appoint Sophie Bidet, to the Mono County Law Library Board of Trustees for a one-year term expiring in January 2020. Provide any desired direction to staff.

### FISCAL IMPACT:

The Mono County Law Library has an approved budget of \$13,150 for FY2018-19. Of that amount approximately \$4,000 is funded by fees charged to litigants in the Superior Court and approximately \$9,150 is funded by operating transfers from the County General Fund. All funds are used for the acquisition of materials or for library staff costs. Trustees are not compensated.

**CONTACT NAME:** Stacey Simon

**PHONE/EMAIL:** 760 924-1704 / [ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download

[Staff Report](#)

#### History

Time	Who	Approval
2/6/2019 5:25 AM	County Administrative Office	Yes

2/6/2019 9:39 AM

County Counsel

Yes

2/5/2019 6:07 PM

Finance

Yes

**County Counsel**  
Stacey Simon

**Assistant County Counsel**  
Christian E. Milovich

**Deputies**  
Anne M. Larsen  
Jason Canger

**OFFICE OF THE  
COUNTY COUNSEL**

*Mono County*  
South County Offices  
P.O. BOX 2415  
MAMMOTH LAKES, CALIFORNIA 93546

**Telephone**  
760-924-1700

**Facsimile**  
760-924-1701

**Paralegal**  
Jenny Lucas

To: Board of Supervisors

From: Stacey Simon

Date: February 12, 2019

Re: Law Library Board of Trustees

**Recommended Action**

Re-appoint Tim Kendall and Stacey Simon and appoint Mono County Sophie Bidet to the Mono County Law Library Board of Trustees. Provide any desired direction to staff.

**Strategic Plan Focus Area(s) Met**

- Economic Base     Infrastructure     Public Safety  
 Environmental Sustainability     Mono Best Place to Work  
 Mandated Function

**Fiscal Impact**

The Mono County Law Library has an approved budget of \$13,150 for FY2018-19. Of that amount approximately \$4,000 is funded by fees charged to litigants in the Superior Court and approximately \$9,150 is funded by operating transfers from the County General Fund.

**Discussion**

State law establishes a law library in every county of the state and provides for its governance by a board of law library trustees made up of at least six but not more than seven members. (*See* Business and Professions Code §§ 6300 et seq.) These are volunteer, uncompensated positions.

For a county in which there are no more than three judges of the Superior Court, the board of trustees consists of the following ex officio members: (1) the judges, or a person designated by each to serve on their behalf; and (2) the chair of the Board of Supervisors.

The Board of Supervisors is charged with appointing additional members to equal a board of at least six (i.e., three additional members). Historically, this board has appointed the District Attorney, the County Counsel and one Public Defender to serve as trustees. Terms are annual.

Newly-contracted Public Defender Sophie Bidet has indicated an interest in serving on the Board of Trustees and both I and District Attorney Tim Kendall are willing to continue to serve. No other individuals have expressed interest in the appointment, but if someone were to volunteer, the seventh seat remains available.

It is recommended that your Board reappoint Tim Kendall and Stacey Simon, and appoint Sophie Bidet, to the Mono County Law Library Board of Trustees for a one-year term ending in January of 2020, or until such time as successors are qualified.

If you have any questions on this matter prior to your meeting, please call me at 924-1704.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**TIME REQUIRED**

**SUBJECT** Closed Session - Human Resources

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p><a href="#">Click to download</a></p> <p>No Attachments Available</p>
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**History**

**Time**

**Who**

**Approval**



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**TIME REQUIRED**

**SUBJECT** Closed Session - Existing Litigation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mineral County, et al. v. Lyon County (NV), Centennial Livestock, et al.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:** Jason

**PHONE/EMAIL:** (760) 924-1712 / jcanger@gmail.com

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p><a href="#">Click to download</a></p> <p>No Attachments Available</p>
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**History**

Time

Who

Approval





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

## **REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**TIME REQUIRED**

**SUBJECT** Closed Session - Performance  
Evaluation, County Counsel

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### **AGENDA DESCRIPTION:**

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

---

### **RECOMMENDED ACTION:**

---

### **FISCAL IMPACT:**

---

### **CONTACT NAME:**

**PHONE/EMAIL:** /

---

### **SEND COPIES TO:**

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### **MINUTE ORDER REQUESTED:**

YES  NO

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### **ATTACHMENTS:**

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No Attachments Available

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History

Time

Who

Approval



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** February 12, 2019

**Departments: CAO**

**TIME REQUIRED** 1 hour

**PERSONS APPEARING BEFORE THE BOARD** Leslie Chapman

**SUBJECT** Legislative Platform Update

**AGENDA DESCRIPTION:**

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

Mono County Legislative Platform annual update.

**RECOMMENDED ACTION:**

1) Review draft 2019 Mono County Legislative platform; and 2) Propose amendments and adopt 2019 Mono County Legislative Platform with amendments, or 3) Direct staff to present the amended document at the February 19th Board meeting for adoption.

**FISCAL IMPACT:**

Minimal publishing costs are included in the CAO budget.

**CONTACT NAME:** Leslie Chapman

**PHONE/EMAIL:** 760-932-5414 / lchapman@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Prior Year (2018) Legislative Platform</a>
<a href="#">Draft 2019 Legislative Platform</a>

**History**

Time	Who	Approval
2/7/2019 4:58 PM	County Administrative Office	Yes

2/7/2019 5:01 PM

County Counsel

Yes

2/7/2019 5:07 PM

Finance

Yes



# County of Mono

## County Administrative Office

**Leslie L. Chapman**  
County Administrative Officer

**Vacant**  
Assistant County Administrative Officer

**Dave Butters**  
Human Resources Director

**Jay Sloane**  
Risk Manager

February 12, 2019

**To:** Honorable Board of Supervisors

**From:** Leslie Chapman, CAO

**SUBJECT:** Mono County Legislative Platform Update

**RECOMMENDATION:**

- 1) Review draft 2019 Mono County Legislative platform, and
- 2) Propose amendments and adopt 2019 Mono County Legislative Platform with amendments, or
- 3) Direct staff to present the amended document at the February 19<sup>th</sup> Board meeting for adoption.

**FISCAL IMPACT:** Minimal printing costs that are included in the CAO budget

**DISCUSSION:** The purpose of the Mono County Legislative Platform is to strengthen the County's advocacy at the state and federal level by providing Board-adopted guidelines articulating issues that are important to this Board and its constituents.

The original Mono County Platform was developed in January 2015 and has been updated annually using additional input from Supervisors and County departments.

Mono County's Legislative Platforms is a living document that changes as the strategic goals of the organization are achieved and as unanticipated items arise during a state or federal legislative session. If your Board supports the general guidelines set forth in this Legislative Platform, individual Board members and County staff will apply these guidelines in evaluating State and Federal legislation, and for executive and regulatory actions. Items not covered by this Platform and which the County should address, will be handled in the same manner as they have been in the past, by bringing the issue before the Board for public dialogue and Board direction. Since the Board has already approved the positions listed in the document, Board members and staff may advocate for the County when they are at conferences, meeting with legislators or in other situations where it is in the best interest of the County. Once adopted, bound copies of the Legislative Platform will be delivered to Board Members and our Legislators and copies will be available for the public on the website, or hard copy. To ensure this platform remains relevant, it is further recommended the Platform be reviewed, updated and adopted annually.

If you have any questions, please contact me at (760) 932-5414 or [lchapman@mono.ca.gov](mailto:lchapman@mono.ca.gov).

Attachments: 2018 Board-approved Legislative Platform  
2019 Draft Legislative Platform



# Mono County

## 2018 State and Federal Legislative Platform



Reviewed and adopted by the Mono County Board of Supervisors

February 13, 2018

# Mono County Board of Supervisors

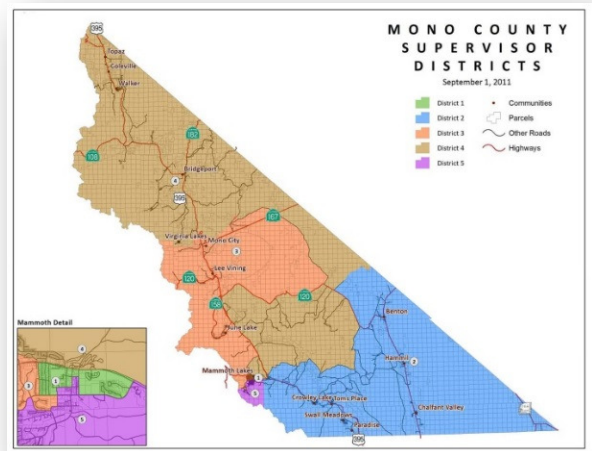
Larry Johnston ..... District 1

Fred Stump ..... District 2

Bob Gardner ..... District 3

John Peters ..... District 4

Stacy Corless ..... District 5



Leslie L. Chapman  
County Administrative Officer  
PO Box 696  
Bridgeport, CA 93517  
Tel: (760) 932-5414  
Email: [lchapman@mono.ca.gov](mailto:lchapman@mono.ca.gov)

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## Introduction

Mono County, California, is a rural county situated between the crest of the Sierra Nevada and the California/Nevada border. Accessed by US Highway 395 which weaves its way north-south, and is a state-designated Scenic Byway from its southern boundary all the way to Walker in the north, Mono County is 108 miles in length, and has an average width of only 38 miles. With dramatic mountain boundaries that rise in elevation to over 13,000 feet, the county's diverse landscape includes forests of Jeffrey and Lodgepole pine, juniper and aspen groves, hundreds of lakes, alpine meadows, streams and rivers, and sage-covered high desert. The county has a land area of 3,030 square miles, or just over 2 million acres, 94% of which is publicly owned. Much of the land is contained in the Inyo and Humboldt-Toiyabe National Forests, as well as the John Muir and Ansel Adams Wilderness areas. As a result, Mono County offers vast scenic and recreational resources, and has unsurpassed access to wilderness and outdoor recreation and adventure.



*Chris Tinker/Mono County Tourism/ Mono Lake*

The county is home to, and named after, Mono Lake, which is a large high-desert saline lake with intriguing limestone tufa formations, and is a vital habitat for millions of migratory and nesting birds. Mono Lake is just one of the reasons that Mono County draws landscape photographers year-round. Another highlight is the historic gold rush town of Bodie, which during its heyday in the late 1800s, was home to as many as 10,000 people, and is now maintained as a State Historic Park with

about 200 buildings still standing as they were left, preserved in “arrested decay” for visitors to enjoy. Other natural wonders that attract people to Mono County include Devils Postpile National Monument, one of the world’s finest examples of columnar basalt, and the headwaters of the Owens and Middle Fork San Joaquin Rivers, two of the state’s most important watersheds. Yosemite National Park’s eastern entrance at Tioga Pass is only 12 miles from Lee Vining and Mono Lake.



*Alekos McKee/Mono County Tourism/ Bodie*



Mono County has several small towns and charming villages, each with its own scenic beauty, year-round recreational opportunities, natural and historical attractions, and unique characteristics. The County seat is proudly located in Bridgeport, where the original 1881 courthouse is the second oldest in the state to be in continuous use. The only incorporated town in the county is Mammoth Lakes, which is located at the base of world-renowned Mammoth Mountain Ski Area, with a summit of 11,053 feet, over 3500 skiable acres, 28 lifts, and an average of 400 inches of snowfall annually. January 2017 recorded historic amounts of snow, with 20.5 feet accumulating in Mammoth during that month alone. Approximately 7,500 people reside in the Mammoth Lakes area year-round, but during the peak winter season, the population swells to over 35,000 when visitors from around the state, country, and world come to ski, snowboard, and take part in many other winter activities. The sister resort, June Mountain, just 20 miles north of Mammoth, offers uncrowded, wide-open slopes and a more peaceful, family-friendly alternative to busier ski areas.



Mammoth Mountain Ski Area

Summer, however, is when Mono County really shines. The region offers countless miles of alpine hiking, superb trout fishing at dozens of well-stocked lakes, streams and rivers, kayaking, cycling, horseback riding, golfing, and endless warm-weather adventures. Photographers flock to the county in September and October when it is almost impossible to take a bad photo of the fall color that lights up the Eastern Sierra landscape. *Sunset Magazine* named Mono County one of the “Top 5 places to Hike” in autumn and *TravelAndLeisure.com* listed Mono County as one of “America’s Best Fall Color Drives.” A wide variety of lodging, restaurants, and shops are available throughout the county, and commercial air service to Mammoth Yosemite Airport, just a 10-minute drive from the Town of Mammoth Lakes, is accessible from Los Angeles, Burbank, San Francisco, and San Diego on Alaska and United Airlines throughout the winter, and from Los Angeles in summer and fall.



Alicia Vennos/Mono County

## State and Federal General Guidelines

The Mono County Board of Supervisors supports the general guidelines set forth below. County staff will apply these guidelines in evaluating State and Federal legislation, as well as executive and regulatory actions. It is the Board's objective to implement these guidelines.

To support the County's service to the community, the County should:

- Support legislative and budget efforts that protect and/or enhance local government revenues, maximize the County's access to state and federal funding sources, and/or increase local funding flexibility;
- Oppose any effort to balance the State budget through the taking of local government resources;
- Support legislation that protects the County's quality of life and diverse natural resources, while preserving the essence and history of the County;
- Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies while opposing attempts to decrease, restrict, or eliminate County revenue sources;
- Support legislation and budget action which provides additional and continuing funding for local road infrastructure, including complete street features;
- Oppose legislative and administrative actions which would create federal unfunded mandates and/or preempt local decision-making authority;
- Support legislation that realigns governmental services in such a manner as to improve the delivery of services and make government more accountable to the people;
- Support the promotion of tourism, recreation, filming, and a diversified local economy in the Eastern Sierra to achieve strong economic growth and prosperity;
- Continue to support legislation that honors our veterans for their service to our country;
- Support efforts that further the strategic directions outlined in the County's Strategic Plan; and

- Engage on any proposals to repeal or alter the Affordable Care Act (ACA), which provides Mono County citizens the ability to obtain affordable health care.
- Support efforts to combat climate change.

## State Priorities

1. **Protect County revenue sources** – Many County programs are at risk due to the instability of State and Federal funding. The Board of Supervisors supports efforts to sustain funding enabling continuation of critical programs for Mono County’s constituents.
  
2. **Encourage regulation relief/reform** – Mono County applauds California’s efforts to protect the environment. The Board supports efforts to achieve responsible regulation relief in the following areas:
  - a. **Provide regulatory relief for solid waste operations** –
    - i. Continue to provide regulatory relief to rural jurisdictions from statewide solid waste and recycling mandates when recycling infrastructure does not yet exist and causes significant transportation costs and emissions.
    - ii. Provide regulatory relief from recycling and diversion mandates for waste that originates on Federal and Los Angeles Department of Water and Power (LADWP) lands. Large-scale projects and activities on those lands can dramatically impact the County’s diversion rate while circumventing the County’s regulatory authority.
    - iii. Provide funding for the siting and development of recycling infrastructure, and/or develop policies within state agencies such as Caltrans for the re-use of materials (glass cullet, wood chips) when generated in rural areas.
  
  - b. **Support CARB compliance legislation** – Support legislation regarding California Air Resources Board (CARB) compliance to assist rural counties with the costs associated with State mandated compliance.
  
  - c. **Support environmental processing legislation** – Support legislation that streamlines environmental processing, including the application of certain urban exemptions under the California Environmental Quality Act (CEQA) to rural communities.
  
  - d. **Support regulation of short-term rental online platforms** – Online short-term rental platforms are unregulated, leaving accountability and compliance issues to local jurisdictions. Mono County urges the legislature to support regulation of short-term rentals to ensure an even playing field with traditional commercial lodging, require accountability, provide for tax collection, and support compliance at the state and local levels.

- e. **Ensure adequate oversight of state requirements for commercial cannabis activities** – Mono County is concerned about the state’s allocation of resources for monitoring and inspection of commercial cannabis permits to ensure compliance with state requirements, particularly in rural areas like Mono County. Where oversight is delegated to local agencies, such as the Agricultural Commissioner, adequate funding should also be provided. Where oversight is retained by the state, state agency staff should have adequate on-the-ground presence to ensure accountability and compliance without increasing the burden on local jurisdiction staff.

### 3. Natural Resources, Public Lands and Agriculture

- a. **Support sustainable funding for State parks** – Continue to support measures to sustain our State parks, and the roads that access them, for the continued enjoyment of visitors and residents. Closure or underfunding of these parks would result in a significant negative economic impact on our County as tourism and recreation are our most important economic drivers.
- a. **Protect our communities from forest fires and promote forest health** – Support a balanced approach to fuels management that considers air quality and other health related issues within the Great Basin Unified Air Pollution Control District (GBUAPCD).
- b. **Support removal and utilization of dead and dying trees** – Support state and federal funding, as necessary and appropriate, for the continued removal and utilization of dead and dying trees due to invasive pest infestation consistent with Governor Brown’s October 2015 Emergency Proclamation. The removal of diseased trees is vital for the prevention of severe fire risk conditions, which ultimately protects public health and safety while reducing greenhouse gas emissions from wildfire and preserving the carbon sequestration capabilities of California’s forest lands.
- c. **Ensure full funding of Department of Fish and Wildlife Hatchery and Inland Fisheries Program (AB 7- 2006)** – In 2006, AB 7 dedicated by law one third of all sport fishing license fees to be used for adequate stocking of Department of Fish and Wildlife Hatcheries. Beyond the funding dedication, AB 7 dictated the size of fish to be stocked. Recent DFW actions, as well as state budget actions, have reduced the size of the stocking fish and not fully directed the fee funding to this program. Mono County supports the original intent including all the funding being directed to the hatchery program and the fish size as described in the original legislation.

- d. **Support sustainable fishing** – Support the funding of efforts to enhance the fish population in Mono County including sustainable fishing, ongoing fish stocking, education for proper catch and release practices, protection of spawning waterways, and support of the California Department of Fish and Wildlife stocking of diploid trout in allowable waters.
- e. **Support bio-energy action plan development** – We encourage the various state agencies involved to continue evolving this field of work to produce cleaner, more affordable technology based on sustainable and healthy forestry principles in a manner that benefits rural Sierra economies. Mono County has encouraged state agencies, such as the Sierra Nevada Conservancy (SNC) and California Energy Commission (CEC) to provide funding for project scoping and planning.
- f. **Support legislation that promotes, protects, or facilitates the sustainability of our local agriculture** – Mono County agriculture is an important local economic driver. It provides jobs and contributes to the open-space landscape that draws visitors. Reinststate Williamson Act subventions and continue to develop alternative funding measures, such as the Strategic Growth Council’s Sustainable Agricultural Lands Conservation Program.
- g. **Support legislation and funding that eases the burden of implementing the Sustainable Groundwater Management Act, including creating necessary infrastructure in rural, sparsely populated areas** – The Sustainable Groundwater Management Act provides for local agencies to develop groundwater sustainability plans and, pursuant to those plans, sustainably manage groundwater resources. The funding mechanism for these activities provided in the law is for local agencies to impose fees on water users. Areas subject to the Act in Mono County are sparsely populated and primarily in agricultural production. Accordingly, very few individuals (less than a dozen) would have to bear the significant burden of funding compliance with the Act. This raises real concerns regarding the future of Mono County’s agricultural operations.

#### 4. **Public Safety and Criminal Justice**

- a. **Advocate for local impacts of cannabis legislation** – Advocate for local control, taxation and funding for addressing the environmental, land use, and public safety impacts of the cultivation of cannabis.
- b. **Ensure State realignment & cost-shifts** – Continue to ensure successful implementation of the broad array of programs transferred to county jurisdiction under the 2011 Public Safety Realignment, including appropriate distribution of AB 109 funding. Support state policy changes that will allow for

greater administrative and program flexibility for county programs associated with this shift of responsibility.

- c. **Support of rural fire districts** – The population of Mono County is highly rural and dependent upon voluntary associations that provide basic emergency services. These volunteer fire districts provide services to residents and tourists, and they are often the first responders to accidents. Support relief for rural fire districts.
- d. **Advocate for Community Paramedicine** – Advocate for the State Emergency Medical Services Agency (EMSA) to expand the current number of EMS Programs participating in the Community Paramedicine Demonstration Project.
- e. **Support elimination of Juvenile Housing Fees** – Support proposals to eliminate the fee paid by counties to house juveniles at the Division of Juvenile Facilities. The fee is currently \$24,000 per juvenile committed and counties are not funded for this.

## 5. Transportation and Infrastructure

- a. **Support action for transportation funding** – Support the multiple transportation funding sources that provide for improved transportation systems and multimodal networks, including SB 1 as enacted and delivery of projects that rehabilitate and improve local roads and related infrastructure.
- b. **Support State highway access** – Mono County supports budget policy and legislation to fund rehabilitation of the Bodie Road (Highway 270) that provides access to Bodie State Park and to facilitate early Sierra Pass openings (including Highways 120 and 108).
- c. **Support complete streets and walkable community principles** – Mono County is a strong supporter and advocate of the complete streets and walkable community principles in the 2040 California Transportation Plan. This focus is a transportation paradigm and culture shift that will impact projects from initiation to completion and maintenance. Recently, local jurisdictions have been increasingly tasked with the funding and maintenance of complete street features on state facilities such as state highways. These responsibilities lie with the state, and a corresponding shift in the functioning and funding of Caltrans is needed to ensure success.
- d. **Support continued rural broadband deployment and telecommunications improvements through local, State, and Federal policy advocacy, infrastructure**

**projects, and grant programs** – Having appropriate policy at the local, State, and Federal levels is imperative to ensure adequate communications connectivity – which is a critical part of public safety and economic development. Because Mono County has dedicated resources to improve access to high-quality broadband in our communities and as a result of the completion of the Digital 395 project, roughly 90% of our households have access to Gigabit internet. Unfortunately, several Mono County communities and residents still face barriers to connectivity as there is inadequate infrastructure to support basic Plain Old Telephone Service (POTS) telephone service, let-alone high-speed Internet. In order to improve the landscape, the County should advocate for:

- i. Policies, regulations, and enforcement around providers delivering basic POTS services to all locations desiring this service;
- ii. Appropriate and effective definitions of ‘broadband’ which recognize the importance of technology and dependence on the internet for public safety and economic development;
- iii. Legislation and associated programs that provide funding for broadband infrastructure projects and adoption/education efforts;
- iv. Programs and efforts that move to improve the accuracy of metrics used to represent the current state of broadband in Mono County.

## **6. Administrative and Fiscal Services**

- a. **Support Clerk/Recorder Services and Elections Administration improvements** – Support resources for improving county record keeping services and election administration, and monitor legislation that may impact the following:
  - i. Recording fees and process, and recorded documents;
  - ii. Vital statistic fees and process;
  - iii. Public records;
  - iv. Unfunded mandates;
  - v. Vote-by-mail, voter registration, election management systems, elections process, and election equipment;
  - vi. Funding for records preservation (such as Board of Supervisors historic records);
  - vii. Funding for modernization of elections equipment;
- b. **Support Vote-by-mail legislation** – Support legislation to authorize vote-by-mail ballot elections for rural counties.
- c. **Support the full funding of all Payment In Lieu of Taxes (PILT)** – Support legislation and budget efforts that provide for payment of past due balances and continue to maximize the PILT revenue to counties and maintain full funding of PILT without restrictions beyond the current authorization.



- d. **Oppose legislation that would limit and/or impose significant procedural or substantive barriers to counties' ability to contract for services.**
- e. **Pursue county line adjustments with Madera and Inyo.**

## 7. Health and Human Services

- a. **Ensure State and Federal Healthcare Reform has equitable funding formulas for rural counties** – Affordable Care Act (ACA) implementation began in 2014, and it is vital that local government funding streams reflect equitable distribution formulas to service our rural constituents. Securing adequate funding to sustain health care reform measures is important to Mono County. Key issues include Medi-Cal expansion and funding for these mandates and continuation of 1991 realignment allocation/amounts.
- b. **Advocate for a level of funding that enables counties to properly administer the Medi-Cal program on the state's behalf.**
- c. **Support improvements to Medi-Cal** – Support the streamlining of the Medi-Cal administration and improve access to health coverage for uninsured families.
- d. **Support measures that establish full and continued State and federal funding of the IHSS program** and continuance of the Maintenance of Effort funding structure.
- e. **Support a funding methodology and assumptions that enable counties to properly administer the In-Home Supportive Services program** on the state's behalf.
- f. **Support county implementation of the Continuum of Care Reform** – Support adequate funding for county implementation of the Continuum of Care Reform including continued funding for the Foster Parent Recruitment, Retention, and support fund administered through local child welfare services (CWS) agencies that are dedicated to the recruitment, retention, and support of resource families so that they may provide stable, loving homes for children in the foster care system.
- g. **Support State and Federal laws that support affordable housing** and broaden the opportunities for local, non-profit housing entities and instrumentalities of government to increase homeownership. In addition, support increased

financing, subsidy options, and tax incentives to support development of new, affordable housing units.

## 8. Economic Development

- a. **Support new and current business development** – Support legislation and programs that support economic development efforts that augment and promote business retention and expansion, as well as create an environment conducive to new business attraction.
- b. **Support of commercial filming** – Support bills and initiatives to attract and retain film production in the state as increased filming statewide will result in commercial opportunities for commercial filming projects in Mono County.
- c. **Support tourism and recreation economy** – Support legislation that serves to strengthen the tourism and recreation economy, particularly in the shoulder season (spring and fall).

## Federal Priorities

1. **Support Funding/Program Preservation** – Support legislative, regulatory, and budget efforts that protect and/or enhance local government revenues, maximize the County’s access to federal funding sources, and/or increase local funding flexibility. Oppose legislative and administrative actions that would create federal unfunded mandates and/or preempt local decision-making authority.
  - a. **Support full funding of the Secure Rural Schools program** – These funds are critical to Mono County as they provide funding for Mono County Office of Education programs as well as supporting road maintenance to ensure students can get to and from school on County roads.
  - b. **Support the full funding of all Payment in Lieu of Taxes (PILT)** – Support legislation and budget efforts that continue to maximize the PILT revenue to counties and continue full funding of PILT without restrictions beyond the current authorization.
  - c. **Support federal funding for Housing and Economic Development programs** – Support the highest possible funding level for key federal housing and economic development programs, including the Community Development Block Grant (CDBG).
    - a. **Support continued rural broadband deployment and telecommunications improvements through local, State, and Federal policy advocacy, infrastructure projects, and grant programs** – Having appropriate policy at the local, State, and Federal levels is imperative to ensure adequate communications connectivity – which is a critical part of public safety and economic development. Because Mono County has dedicated resources to improve access to high-quality broadband in our communities and as a result of the completion of the Digital 395 project, roughly 90% of our households have access to Gigabit internet. Unfortunately, several Mono County communities and residents still face barriers to connectivity as there is inadequate infrastructure to support basic Plain Old Telephone Service (POTS) telephone service, including cellular phone service, let-alone high-speed Internet. In order to improve the landscape, the County should advocate for:
      - i. Policies, regulations, and enforcement around providers delivering basic POTS services to all locations desiring this service;
      - ii. Appropriate and effective definitions of ‘broadband’ which recognize the importance of technology and dependence on the internet for public safety and economic development;

- iii. Legislation and associated programs that provide funding for broadband infrastructure projects and adoption/education efforts; Programs and efforts that move to improve the accuracy of metrics used to represent the current state of broadband in Mono County
  - d. **Support legislation that promotes, protects, or facilitates the sustainability of our local agriculture** – Mono County agriculture is an important local economic driver, provides jobs, puts food on the table and contributes to the open-space landscape that draws visitors.
  - e. **Support Economic Development resources** –
    - i. Support legislation and federal programs that provide access to small business capital for local business development through the Small Business Administration, Small Business Development Corporation and other government loan and financial programs.
    - ii. Support legislation and federal programs that promote locally-based business retention and expansion, as well as create an environment conducive to new business attraction.
    - iii. Support initiatives to attract commercial filming opportunities to the region; in particular, budgetary allocations that increase capacity for processing special use permits on the Inyo and Humboldt Toiyabe National Forests.
    - iv. Support bills, initiatives and programs that strengthen the tourism and recreation economy.
- 2. **Natural Resources, Public Lands, and Agriculture** – Support legislation that promotes agriculture and that protects the County’s quality of life, its diverse natural resources, and preserves the essence and history of the County, along with legislation that provides adequate funding for stewardship of our public lands.
  - a. **Support sustainable funding for federal public lands** – Support measures to sustain our federal lands. Closure or underfunding of these lands managed by the US Forest Service, Bureau of Land Management and National Park Service would result in a significant negative impact to our county as tourism and recreation are our economic drivers.
  - b. **Support outdoor recreation economy and public lands** – Support the enacted 2016 Outdoor Recreation and Jobs Act and the effort to measure the outdoor recreation economy’s contribution to the US Gross Domestic Product. Once the federal government fully understands the economic benefits of outdoor recreation, land management agencies and local governments will have necessary data to measure the impact of the recreation economy and the key

role that sustainable recreation needs to play in the management decisions of public lands agencies.

- c. **Support special designations** – Support special use designations for public lands such as National Scenic Areas, Wild & Scenic Rivers, Wilderness, National Monuments, National Conservation Areas, when demonstrated conservation values and public support warrant such designations.
- d. **Oppose public lands disposal** – Oppose the large-scale sale, transfer or "disposal" of public lands except for strategic, widely supported transfers or exchanges for management and boundary adjustments with demonstrated public benefit.
- e. **Support wildfire funding and fuels reduction** – Support legislation to change the method of funding wildfire suppression on National Forests by providing access to funding outside of the statutory discretionary limits for emergency purposes and for investment in additional resources for forest management/fuels reduction that addresses California's tree mortality crisis.
- f. **Support public land infrastructure** – Support increased funding for public land management agencies to address deferred maintenance of infrastructure in forests, national parks and reserves that rural counties depend on for tourism and recreation-based economies.
- g. **Support land management directives** – Support Mono County's tourism and recreation economy by ensuring funding, programs, and management directives for federal land agencies (including the Land & Water Conservation Fund) that facilitate the planning, building, and maintenance of infrastructure for sustainable recreation, travel, and commercial film permitting on public lands.
- h. **Support sustainable fishing** – Support the funding of efforts to enhance the fish population in Mono County including sustainable fishing, ongoing fish stocking, education for proper catch and release practices, protection of spawning waterways, and support of the California Department of Fish and Wildlife stocking of diploid trout in allowable waters.
- i. **Support the control of invasive species** – Support control and mitigation for the spread of invasive species to protect, conserve, and restore public and private lands.
- j. **Support biomass project development** – Support legislation that encourages the US Forest Service (USFS) and Bureau of Land Management (BLM) to continue actively promoting and assisting with biomass project development.

- k. **Support alternative energy –**
  - i. Support local efforts to develop renewable, distributed energy sources including but not limited to environmentally and appropriately scaled biomass, solar, and wind, while ensuring projects and their supporting infrastructure (i.e. transmission lines, pipes lines, towers, service roads) does not degrade the County’s quality of life, natural or visual resources, water or essence and history.
  - ii. Continue to support geothermal power production that is environmentally sustainable and doesn’t negatively affect local domestic water supplies.
  
- l. **Support Devils Postpile National Monument legislative requests –** Support legislation to authorize a boundary adjustment request, and to designate a portion of the Middle Fork San Joaquin River as Wild & Scenic, as described in Devils Postpile National Monuments 2015 Management Plan.
  
- m. **Support endangered species regulation –** Support a balanced approach to the implementation of endangered species regulation with impacts to the rural economy and communities of Mono County. Mono County is fortunate to have a rich natural heritage that should be conserved, and it supports the need to protect and recover imperiled species. These conservation measures must be weighed and balanced against impacts to the fragile tourism and recreation-based rural economy and local communities, and every effort must be made to protect private property rights and avoid detrimental impacts to county residents.
  
- n. **Support sage grouse conservation –** Ensure funding commitments are met and honored by federal agencies and support continued participation in the collaborative process to address Bi-State Sage Grouse conservation efforts.

### 3. Public Safety & Criminal Justice

- a. **Support full funding of Byrne Justice Assistance Grants –** Support the preservation of funding levels for existing safety programs such as the Byrne Justice Grant (Byrne/JAG) Program and oppose efforts to reduce or divert funding away from these programs.
  
- b. **Support continued funding of FEMA’s Assistance to Firefighters Grant (AFG) program –** Support continued funding to enhance the safety of the public and firefighters with respect to fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services organizations, and State Fire Training Academies. This funding is for critically

needed resources to equip and train emergency personnel to recognized standards, enhance operations efficiencies, foster interoperability, and support community resilience.

- c. **Support legislation that resolves the conflict federal statutes have with legalization of recreational cannabis use in California** – ideally, this includes removing cannabis as a schedule 1 drug and providing cannabis businesses with access to business banking services by changing federal banking access laws. Barring a legislative solution by Congress, the County supports reinstatement of the concepts stated in the Cole Memo that allows commercial cannabis activities to operate free and clear of federal enforcement interference so long as the County has a robust regulatory framework in place.
- d. **Urge common-sense gun safety legislation**

#### 4. Transportation and Infrastructure

- a. **Ensure that federal transportation formulas support rural road infrastructure** – Mono County has concerns regarding the continued implementation of the federal surface transportation reauthorization program. Mono County relies on the network of state highways and locally maintained roads to link residents to essential services. Transportation funding formulas should provide funding protections or guarantees for California’s rural transportation system and reflect that rural counties lack viable means to fund larger projects that provide statewide benefit. We should advocate for formulas that distribute federal funds to support local transportation priorities.
- b. **Support efforts to protect the Highway Trust Fund** and support programs that provide funding for local roads, bridges, and transit initiatives including pedestrian and bicycle systems, and other multi-modal transportation programs.
- c. **Support federal highway access** – Mono County supports budget policy and legislation that funds infrastructure such as roads on federal land with access to popular destinations including national parks and monuments.
- d. **Support Yosemite Area Regional Transportation and Eastern Sierra Transit Authority funding** – Support efforts to seek sustainable funding for regional public transportation to Yosemite National Park, other National Parks in our region, and other public lands destinations throughout the Eastern Sierra.

## 5. Health Care Reform

- a. **Oppose legislation to repeal the Affordable Care Act (ACA)** – Work to preserve and expand the number of citizens currently receiving health insurance. Oppose efforts to reduce benefits and block grants or other actions that would shift the current federal/state cost and responsibility to the states and counties.
  - b. **Ensure that Affordable Care Act (ACA) funding is maintained for local governments** – Support the Prevention and Public Health Fund of the ACA, the nation’s first dedicated mandatory funding stream for public health and prevention activities, which supports Mono County health care services to underserved residents.
  - c. **Oppose funding reductions for Medicaid** – Oppose efforts to reduce federal funding for Medicaid administration or benefits including converting to a voucher system with less federal funding.
  - d. **Oppose turning Medicaid over to States** – Oppose efforts to turn Medicaid (Medi-Cal in California) over to the states with less federal funding.
  - e. **Support full funding of the Children’s Health Insurance Program (CHIP).**
  - f. **Support funding of Veterans benefits** – Support provision and funding for current benefits and health care programs for Veterans.
6. **Child Welfare** – Support legislation that increases services and home-based placement resources to children who are victims of or at risk of: abuse, neglect, or exploitation, and provide support to caregivers of these victims.
7. **Immigration** – Oppose immigration reform efforts that would eliminate a pathway to full and equal citizenship, that would restrict the rights of immigrants or break up families, or that would focus on a mass deportation of undocumented immigrants.
8. **Oppose efforts to reduce the Supplemental Nutrition Assistance Program (SNAP)** – when Congress reauthorizes the Farm Bill in 2018. In Mono County, the Supplemental Nutrition Assistance Program (SNAP) provides over 1,400 residents with CalFresh benefits.



9. **Support the Older Americans Act (OAA)** – and increased federal funding for the OAA programs. The Act established a national network of Area Agencies on Aging (AAA) which oversee a variety of social services for seniors, including nutrition, elder abuse prevention, legal services and advocacy, and caregiver resources. The OAA is not adequately funded and does not reflect the need for senior services or the population growth of people over age 60. With the limited state funding to support California’s AAAs programs, it is critical that the federal funding expand to support senior services.



# MONO COUNTY

CALIFORNIA'S EASTERN SIERRA



Lundy Canyon

## HIDDEN TREASURES IN PLAIN SIGHT

**MONO COUNTY** is a land of dramatic mountain backdrops, high plains, and countless clear lakes, streams, and rivers. Over 3,000 square miles in size, Mono County is well-known for its vast scenic and recreational resources. Much of this land is contained in the Inyo and Toiyabe National Forests, and the Ansel Adams, John Muir, and Hoover wilderness areas. Access to hiking, fishing, biking, skiing, horseback riding, fall colors, uncrowded campgrounds, amazing music festivals, and much more is found just off of scenic US 395, which stretches the length of the county, 120 spectacular miles from Bishop, California, to the Nevada border.

## TOP ATTRACTIONS

**YOSEMITE NATIONAL PARK** – Drive California's highest pass – just 12 miles from Lee Vining to Yosemite's east entrance – to witness ten-story waterfalls, enjoy world-class rock climbing and hiking, and more (summer only).  
Contact: [www.nps.gov/yose](http://www.nps.gov/yose) or 209-372-0200. For bus service: [www.Yarts.com](http://www.Yarts.com).

**BODIE STATE HISTORIC PARK** – Bodie is preserved in a state of "arrested-decay," so keep an eye out for spirits roaming the once-wild streets of this genuine gold-mining ghost town.  
Contact: [www.parks.ca.gov](http://www.parks.ca.gov) or [www.BodieFoundation.org](http://www.BodieFoundation.org) or 760-647-6445.

**MONO LAKE** – Paddle a canoe around volcanic islands (don't worry, they're dormant!) and tufa towers, which are natural limestone formations created by the ancient lake's salinity.  
Learn more at Mono Basin Scenic Area Visitor Center, 760-647-3044, or the Mono Lake Committee, [www.MonoLake.org](http://www.MonoLake.org) or 760-647-6595.

**DEVILS POSTPILE NATIONAL MONUMENT** – Located near Mammoth Lakes, Devils Postpile is the world's finest example of columnar basalt formations: 760-924-5500.

### Mono County Tourism

**Alicia Vennos**

[avennos@mono.ca.gov](mailto:avennos@mono.ca.gov)

1-800-845-7922

760-924-1743 Office

### East River PR

**Katie Shaffer**

[katie@eastriverpr.com](mailto:katie@eastriverpr.com)

530-214-8790 Office

530-559-5330 Cell

## MONO COUNTY Towns Communities

**BENTON HOT SPRINGS** — Soak in natural hot springs that are temperature regulated in this historic stagecoach station.

**BRIDGEPORT** — Home of the county seat, the classic whitewashed wooden courthouse has been in use since 1880. Just outside of Bridgeport, Twin Lakes, Virginia Lakes and Bridgeport Reservoir offer fishing and hiking all summer long.

**CONVICT LAKE / McGEE CREEK** — Dramatically situated under towering Mt. Morrison, Convict Lake is loved by anglers, hikers, and wedding parties! Catch wildflowers or fall colors at McGee Creek Canyon.

**CROWLEY LAKE** — Fishing season opener's home base, this expansive lake offers world-class trout fishing.

**JUNE LAKE** — Tucked away at the base of 10,909-ft. Carson Peak, June Lake is a scenic mountain hideaway. Well known for trout fishing and brilliant fall colors, the June Lake Loop is a snowy retreat in winter. June Mountain Ski Area offers free lift tickets all winter for kids age 12 and under.

**LEE VINING** — Overlooking dramatic Mono Lake, Lee Vining is the gateway town to Yosemite National Park – just 12 breathtaking miles up Tioga Pass Road.

**MAMMOTH LAKES** — Mammoth Mountain Ski Area consistently ranks as one of the top winter sports destinations in North America. In the town of Mammoth Lakes, you'll find quaint shops, gourmet restaurants and accommodations from cozy cabins to four-star luxury hotels.

**ROCK CREEK / TOM'S PLACE** — Famous for the beautiful Little Lakes Valley hiking trail, fall colors, and home-made pie.

**TOPAZ** — Home to Topaz Lake, which boasts a nine month fishing season (and big cash derby!), and a Nevada casino.

**WALKER AND COLEVILLE** — Ranch towns in the northern part of Mono County, Walker and Coleville host California's only ATV/UTV Jamboree!

## GETTING TO CALIFORNIA'S EASTERN SIERRA

### FLY TO THE EASTERN SIERRA!

Daily air service to Mammoth Yosemite Airport (MMH) is available on Alaska Airlines, United Airlines and/or JetSuiteX from Los Angeles, Burbank, San Diego and San Francisco.



### DRIVE

Mono County is within a scenic 5-7 hour drive from Los Angeles, San Francisco and Las Vegas. Northern Mono County is only 1.5 hours from Reno/Tahoe International Airport.

### DRIVING DISTANCES AND TIMES

Reno	2.5 hours	140 miles / 225 km
San Francisco	5.5 hours	250 miles / 402 km
Los Angeles	5.5 hours	330 miles / 531 km
Sacramento	4 hours	220 miles / 354 km
Las Vegas	5.5 hours	340 miles / 547 km
Yosemite Valley	2 hours	75 miles / 121 km

*All mileage and times are from Lee Vining, CA*



Mono Lake

## VISITOR AMENITIES

**LODGING** — With more than 140 hotels, motels, bed & breakfast inns, cabins and campgrounds, Mono County has a diverse lodging base – truly everything from deluxe spa hotels to rustic cottages and scenic RV parks.

**DINING** — All that fresh air and adventure will have visitors needing fuel. There are over 100 restaurants, cafes, pubs and bakeries to choose from throughout Mono County, with options ranging from traditional comfort food to delicious ethnic cuisine and fine dining.

**SHOPPING** — If you are looking for Macy's, you won't find it in Mono County. Our shopping experience is more about bait, gloves and woolly buggers! However, with approximately 125 stores to browse through, you'll find lots of intriguing shops, art galleries with Eastern Sierra-inspired visions, and Native American crafts and western wear that will bring out everyone's inner Wild West.

**WINTER 2018** — Kids 12 and under ski and snowboard FREE all winter at June Mountain, no restrictions!

## TOP EASTERN SIERRA ACTIVITIES

### SUMMER

Hiking and Backpacking  
Fishing and Camping  
Mountain Biking and Road Cycling  
Kayaking and Canoeing  
Stand-up Paddleboarding  
Rock Climbing  
Horseback Riding  
ATVs / Off-Highway Vehicles

### WINTER

Skating and Snowboarding  
Cross Country Skiing  
Snowshoeing  
Snowmobiling  
Dog-Sledding  
Sledding and Tubing  
Ice Skating  
Ice Climbing

## 2018 EVENT HIGHLIGHTS

June Lake Winter Festival	June Lake	March 3
Mammoth Winter Biathlon	Mammoth Lakes	March 17-18
Mono Basin Bird Chautauqua	Lee Vining	June 15-17
Old-Fashioned 4th of July	Bridgeport	June 30 – July 4
How Big Is Big Fishing Derby	Walker	July 1-31
June Lake Triathlon	June Lake	July 7
Mammoth Festival of Beers & Bluesapalooza	Mammoth Lakes	August 2-5
Friends of Bodie Day	Bodie	August 11
Founder's Day Celebrations	Bridgeport	August 31 – Sept. 3
Eastern Sierra ATV/UTV Jamboree	Walker	Sept. 11-15
Bridgeport Autumn Festival & Car Show	Bridgeport	Sept. 29
Ambush at the Lake Fishing Derby	Bridgeport	Oct. 1 – Nov. 15

For the latest news, events info, FREE Visitor Guide, and Mono County Travel Blog – visit us online at [www.MonoCounty.org](http://www.MonoCounty.org) and on Facebook at [www.Facebook.com/VisitEasternSierra](http://www.Facebook.com/VisitEasternSierra).

**Elected State Representatives:**

<p>Assembly member Frank Bigelow 5<sup>th</sup> Assembly District State Capitol, Suite #6027 Sacramento, CA 94249-0005 Phone: (916) 319-2005 Fax: (916) 319-2105 Website: <a href="https://assembly.ca.gov/assemblymembers">https://assembly.ca.gov/assemblymembers</a></p>	<p>Senator Tom Berryhill 8<sup>th</sup> Senate District State Capitol, Room 3076 Sacramento, CA 95814 Phone: (916) 651-4008 Fax: (916) 651-4908 Website: <a href="http://berryhill.cssrc.us/">http://berryhill.cssrc.us/</a></p>
<p>Governor Jerry Brown c/o State Capitol, Suite 1173 Sacramento, CA 95814 Phone: (916) 445-2841 Fax: (916) 558-3160 Website: <a href="http://gov.ca.gov/Agencies/Governor-Office-of-the">http://gov.ca.gov/Agencies/Governor-Office-of-the</a></p>	

**Elected Congressional Representatives:**

<p>Senator Kamala Harris United States Senate 112 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3553 Fax: (202) 224-0454 Website: <a href="http://www.harris.senate.gov/">http://www.harris.senate.gov/</a></p>	<p>Senator Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3841 Fax: (202) 228-3954 Website: <a href="http://www.feinstein.senate.gov/">http://www.feinstein.senate.gov/</a></p>
<p>Congressman Paul Cook 8<sup>th</sup> Congressional District 1222 Longworth House Office Building Washington, DC 20515 Phone: (202) 225-5861 Fax: (909) 797-4997 Website: <a href="http://cook.house.gov/">http://cook.house.gov/</a></p>	





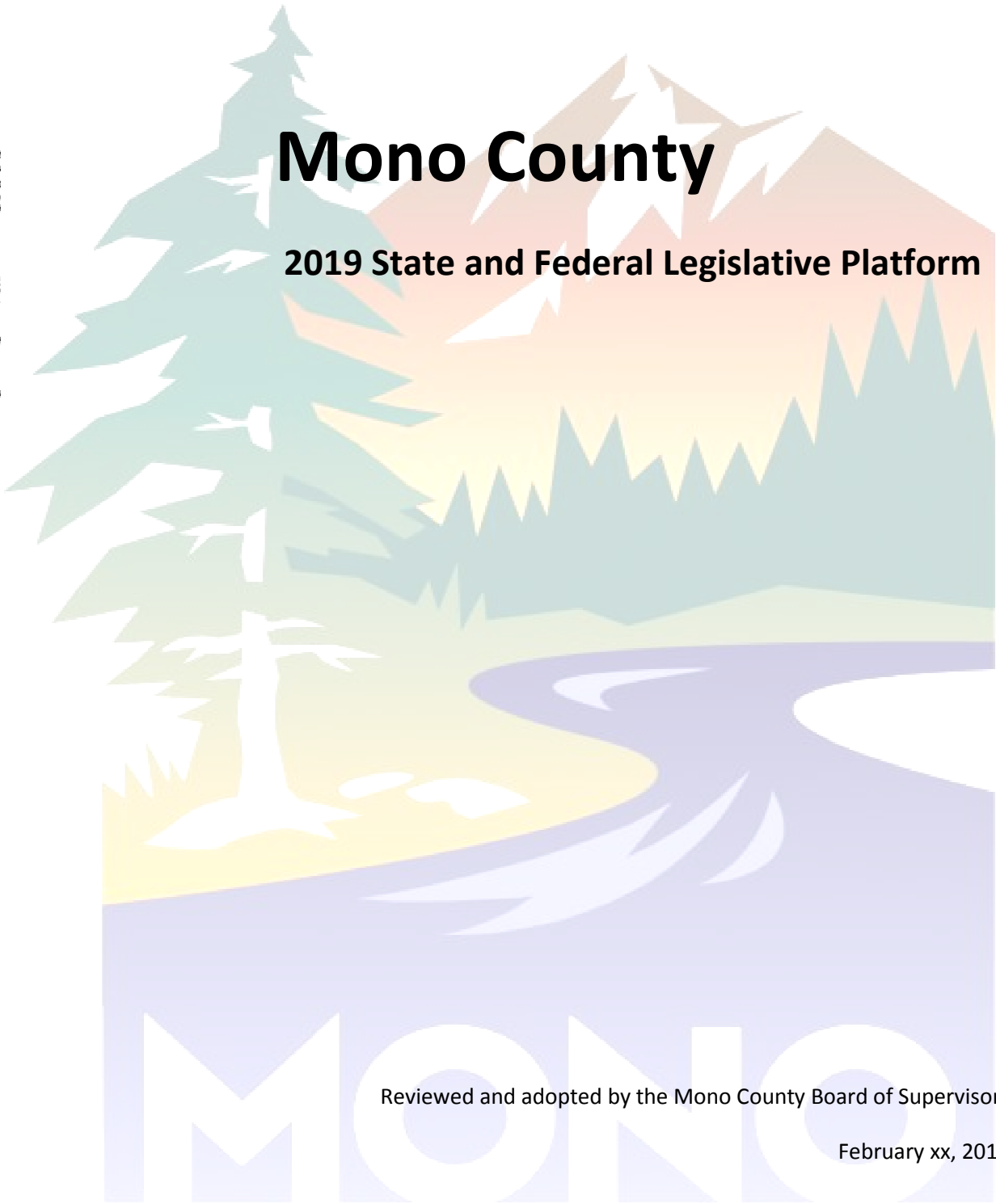
County of Mono  
Post Office Box 696  
Bridgeport, California 93517  
(760) 932-5410  
[www.mono.county.ca.gov](http://www.mono.county.ca.gov)





# Mono County

## 2019 State and Federal Legislative Platform



Reviewed and adopted by the Mono County Board of Supervisors

February xx, 2019

C O U N T Y

# Mono County Board of Supervisors

Jennifer Halferty ..... District 1

Fred Stump ..... District 2

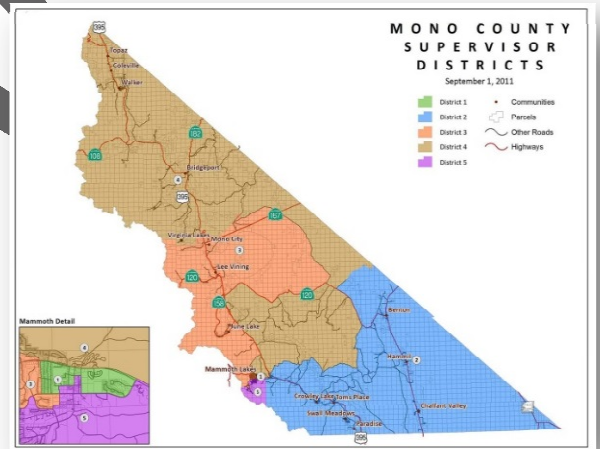
Bob Gardner ..... District 3

John Peters ..... District 4

Stacy Corless ..... District 5



Leslie L.



Chapman  
County Administrative Officer  
PO Box 696  
Bridgeport, CA 93517  
Tel: (760) 932-5414  
Email: [lchapman@mono.ca.gov](mailto:lchapman@mono.ca.gov)



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## Introduction

Mono County, California, is a rural county situated between the crest of the Sierra Nevada and the California/Nevada border. Accessed by US Highway 395 which weaves its way north-south and is a state-designated Scenic Byway from its southern boundary all the way to Walker in the north, Mono County is 108 miles in length, and has an average width of only 38 miles. With dramatic mountain boundaries that rise in elevation to over 13,000 feet, the county's diverse landscape includes forests of Jeffrey and Lodgepole pine, juniper and aspen groves, hundreds of lakes, alpine meadows, streams and rivers, and sage-covered high desert. The county has a land area of 3,030 square miles, or just over 2 million acres, 94% of which is publicly owned. Much of the land is contained in the Inyo and Humboldt-Toiyabe National Forests, as well as the John Muir and Ansel Adams Wilderness areas. As a result, Mono County offers vast scenic and recreational resources, and has unsurpassed access to wilderness and outdoor recreation and adventure.



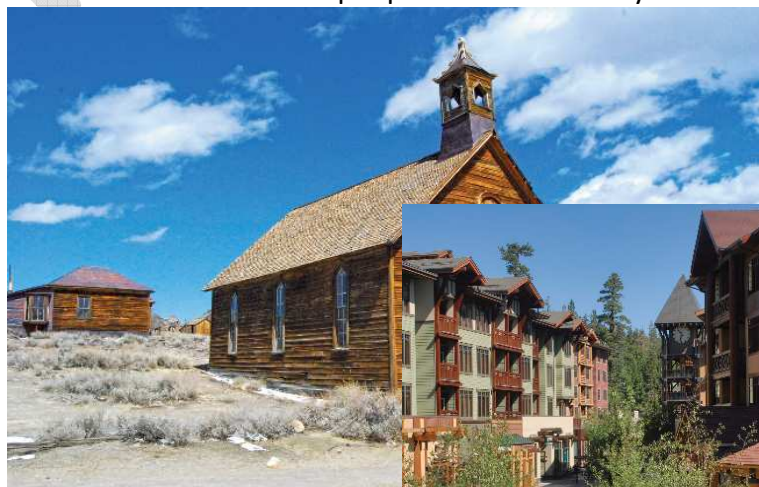
The county is home to, and named after, Mono Lake, which is a large high-desert saline lake with intriguing limestone tufa formations and is a vital habitat for millions of migratory and nesting birds. Mono Lake is just one of the reasons that Mono County draws landscape photographers year-round. Another highlight is the historic gold rush town of Bodie, which during its heyday in the late 1800s, was home to as many as 10,000 people, and is now

maintained as a State Historic Park with about 200 still standing as they were left, preserved in a state of decay" for visitors to enjoy. Other natural wonders that attract people to Mono County include Devils Postpile National Monument, one of the world's finest examples of columnar basalt and the headwaters of the Owens and Middle Fork San Joaquin Rivers; two of the state's most important watersheds. Yosemite National Park's eastern entrance at Tioga Pass is only 12 miles from Lee Vining and Mono Lake.

*Chris Tinker/Mono County Tourism/ Mono Lake*

buildings  
"arrested

Mono County has several small towns and charming villages, each with its own scenic beauty,



*Alekos McKee/Mono County Tourism/ Bodie*

year-round recreational opportunities, natural and historical attractions, and unique characteristics. The County seat is proudly located in Bridgeport, where the original 1881 courthouse is the second oldest in the state to be in continuous use. The only incorporated town in the county is Mammoth Lakes, which is located at the base of world-renowned Mammoth Mountain Ski Area, with a summit of 11,053 feet, over 3500 skiable acres, 28 lifts, and an average of 400 inches of snowfall annually. January 2017 recorded historic amounts of snow, with 20.5 feet accumulating in Mammoth during that month alone. Approximately 7,500 people reside in the Mammoth Lakes area year-round, and during the peak winter season, the population swells to over 35,000 when visitors from around the state, country, and world come to ski, snowboard, and take part in many other winter activities. The sister resort, June Mountain, just 20 miles north of Mammoth, offers uncrowded, wide-open slopes and a more peaceful, family-friendly alternative to busier ski areas.

Summer, however, is when Mono County really shines. The region offers countless miles of alpine hiking, superb trout fishing at dozens of well-stocked lakes, streams and rivers, kayaking, cycling, horseback riding, golfing, and endless warm-weather adventures. Photographers flock to the county in September and October when it is almost impossible to take a bad photo of the fall color that lights up the Eastern Sierra landscape. *Sunset Magazine* named Mono County one of the “Top 5 places to Hike” in autumn and *TravelAndLeisure.com* listed Mono County as one of “America’s Best Fall Color Drives.”

A wide variety of lodging, restaurants, and shops are available throughout the county, and commercial air service to Mammoth Yosemite Airport, just a 10-minute drive from the Town of Mammoth Lakes, is accessible non-stop and year-round from Los Angeles, and seasonally from many other airports. Air services are offered through United Airlines and JetSuiteX.



## State and Federal General Guidelines

The Mono County Board of Supervisors supports the general guidelines set forth below. County staff will apply these guidelines in evaluating State and Federal legislation, as well as executive and regulatory actions. It is the Board's objective to implement these guidelines.

To support the County's service to the community, the County should:

- Support legislative and budget efforts that protect and/or enhance local government revenues, maximize the County's access to state and federal funding sources, and/or increase local funding flexibility;
- Oppose any effort to balance the State budget through the taking of local government resources;
- Support legislation that protects the County's quality of life and diverse natural resources, while preserving the essence and historic values of the County;
- Support legislation that provides tax and funding formulas for the equitable distribution of state and federal monies while opposing attempts to decrease, restrict, or eliminate County revenue sources;
- Support legislation and budget action which provides additional and continued funding for local road infrastructure, including complete street features;
- Oppose legislative and administrative actions which would create federal unfunded mandates and/or preempt local decision-making authority;
- Support legislation that realigns governmental services in such a manner as to improve the delivery of services and make government more accountable to the people;
- Support the promotion of tourism, recreation, sustainable fisheries, filming, and a diversified local economy in the Eastern Sierra to achieve strong economic growth and prosperity;
- Continue to support legislation that honors our veterans for their service to our country;
- Support efforts that further the strategic directions outlined in the County's Strategic Plan; and

- Engage on any proposals to repeal or additionally alter the Affordable Care Act (ACA), which provides Mono County citizens the ability to obtain affordable health care.
- Support efforts to combat climate change.
- Support legislation that seeks to address the insufficient quantity and quality of homes affordable to our residents.

DRAFT

## State Priorities

1. **Protect County revenue sources** – Many County programs are at risk due to the instability of State funding. The Board of Supervisors supports efforts to sustain funding, enabling the continuation of critical programs for Mono County’s constituents.
  
2. **Encourage regulation relief/reform** – Mono County applauds California’s efforts to protect the environment. The Board supports efforts to achieve responsible regulation relief in the following areas:
  - a. **Provide regulatory relief for solid waste operations** –
    - i. Continue to provide regulatory relief to rural jurisdictions from statewide solid waste and recycling mandates when recycling infrastructure does not yet exist and causes significant transportation costs and emissions.
    - ii. Provide funding for the siting and development of recycling infrastructure, and/or develop policies within state agencies and businesses such as CalTrans, Los Angeles Department of Water and Power and Southern California Edison for the re-use of materials (glass cullet, wood chips) when generated in rural areas.
  
  - b. **Support CARB compliance legislation** – Support legislation regarding California Air Resources Board (CARB) compliance to assist rural counties with the costs associated with State mandated compliance.
  
  - c. **Support environmental processing legislation** – Support legislation that streamlines environmental processing, including the application of certain urban exemptions under the California Environmental Quality Act (CEQA) to rural communities.
  
  - d. **Support regulation of short-term rental online platforms** – Online short-term rental platforms are unregulated, leaving accountability and compliance issues to local jurisdictions. Mono County urges the legislature to support regulation of short-term rentals to ensure an even playing field with traditional commercial lodging, require accountability, provide for tax collection, and support compliance at the state and local levels.
  
  - e. **Ensure adequate oversight of state requirements for commercial cannabis activities** – Mono County is concerned about the state’s allocation of resources for monitoring and inspection of commercial cannabis permits to ensure compliance with state requirements, particularly in rural areas like Mono County. Where oversight is delegated to local agencies, such as the Agricultural Commissioner, adequate funding should also be provided. Where oversight is

retained by the state, state agency staff should have adequate on-the-ground presence to ensure accountability and compliance without increasing the burden on local jurisdiction staff.

- f. **Adding 'transportation and banking as a State funded oversight component' – needs wording**

### 3. Natural Resources, Public Lands and Agriculture

- a. **Support sustainable funding for State parks** – Continue to support measures to sustain our State parks, roads that access these parks, and recreation programs for the continued enjoyment of visitors and residents. Closure or underfunding of these parks would result in a significant negative economic impact on our County as tourism and recreation are our most important economic drivers.
- b. **Protect our communities from wildfire and promote forest health** – Consistent with Governor Brown's 2018 Executive Order on Forest Management, support a balanced approach to fuels management that increases funding and capacity for community protection and, also, considers air quality and other health related issues within the Great Basin Unified Air Pollution Control District.
- c. **Support the use of milling and logging as a solution to fire reduction and tree mortality by removing dead and dying trees and thinning overly dense forests in the Sierra Nevada.**
- d. **Support programs and policies that promote the creation of both state and local preventative and disaster planning.**
- e. **Support continued and enhanced state funding for non-native, invasive plant management programs** – After years of no state funding allocation, weed management area groups throughout the state will have funding opportunities in the coming budget year. These programs are critical to the protection of our local and statewide environment, and have proven positive effects on natural fire regimes, species diversity, watershed health, and many other concerns. State funding for these programs should be maintained and enhanced if possible.
- f. **Ensure full funding of Department of Fish and Wildlife Hatchery and Inland Fisheries Program (AB 7- 2006)** – In 2006, AB 7 dedicated by law one third of all sport fishing license fees to be used for adequate stocking of Department of Fish and Wildlife Hatcheries. Beyond the funding dedication, AB 7 dictated the size of fish to be stocked. Recent DFW actions, as well as state budget actions, have

reduced the size of the stocking fish and not fully directed the fee funding to this program. Mono County supports the original intent including all funding being directed to the hatchery program, fish size, and reproducing diploid fish countywide as described in the original legislation.

- g. **Support sustainable fishing** – Support the funding of efforts to enhance the fish population in Mono County including sustainable fishing, ongoing fish stocking, education for proper catch and release practices, protection of spawning waterways, and support of the California Department of Fish and Wildlife stocking of diploid trout in allowable waters.
- h. **Support bio-energy action plan development** – We encourage the various state agencies involved to continue evolving this field of work to produce cleaner, more affordable technology based on sustainable and healthy forestry principles in a manner that benefits rural Sierra economies. Mono County has encouraged state agencies, such as the Sierra Nevada Conservancy (SNC) and California Energy Commission (CEC) to provide funding for project scoping and planning.
- i. **Support legislation that promotes, protects, or facilitates the sustainability of our local agriculture** – Mono County agriculture is an important local economic driver. It provides jobs and contributes to the open-space landscape that draws visitors. Reinstating Williamson Act subventions and continue to develop alternative funding measures, such as the Strategic Growth Council’s Sustainable Agricultural Lands Conservation Program.
- j. **Support legislation and funding that eases the burden of implementing the Sustainable Groundwater Management Act, including creating necessary infrastructure in rural, sparsely populated areas** – The Sustainable Groundwater Management Act provides for local agencies to develop groundwater sustainability plans and, pursuant to those plans, sustainably manage groundwater resources. The funding mechanism for these activities provided in the law is for local agencies to impose fees on water users. Areas subject to the Act in Mono County are sparsely populated and primarily in agricultural production. Accordingly, very few individuals (less than a dozen) would have to bear the significant burden of funding compliance with the Act. This raises real concerns regarding the future of Mono County’s agricultural operations.
- k. **Continued engagement in Bi-State Sage Grouse conservation efforts** – Mono County appreciates the State’s increased role in sage-grouse conservation efforts and addressing the threat posed by the Los Angeles Department of Water and Power’s (LADWP’s) dewatering of Long Valley, a key habitat area for the South Mono Population Management Unit. The California Department of Fish and Wildlife is a significant player in this conservation effort. Ultimately, continuation of the collaborative multi-party partnership, strengthened by



cooperative engagement by LADWP, would be the ideal outcome to warrant a new decision not to list the species under the federal Endangered Species Act. If listed, the result could be an additional regulatory burden with devastating impacts to our agricultural and recreational activity-based economy.

#### 4. **Public Safety and Criminal Justice**

- a. **Advocate for local impacts of cannabis legislation** – Advocate for local control, taxation and funding for addressing the environmental, land use, and public safety impacts of the cultivation of cannabis.
- b. **Ensure State realignment & cost-shifts** – Continue to ensure successful implementation of the broad array of programs transferred to county jurisdiction under the 2011 Public Safety Realignment, including appropriate distribution of AB 109 funding. Support state policy changes that will allow for greater administrative and program flexibility for county programs associated with this shift of responsibility.
- c. **Support of rural fire districts** – The population of Mono County is highly rural and dependent upon voluntary associations that provide basic emergency services. These volunteer fire districts provide services to residents and tourists, and they are often the first responders to accidents. Support relief for rural fire districts.
- d. **Advocate for Community Paramedicine** – Advocate for the State Emergency Medical Services Agency (EMSA) to expand the current number of EMS Programs participating in the Community Paramedicine Demonstration Project.
- e. **Support elimination of Juvenile Housing Fees** – Support proposals to eliminate the fee paid by counties to house juveniles at the Division of Juvenile Facilities. The fee is currently \$24,000 per juvenile committed and counties are not funded for this.

#### 5. **Transportation and Infrastructure**

- a. **Support action for transportation funding** – Support the multiple transportation funding sources that provide for improved transportation systems and multimodal networks, including SB 1 as enacted and delivery of projects that rehabilitate and improve local roads and related infrastructure.

- b. **Support State highway access** – Mono County supports budget policy and legislation to fund rehabilitation of the Bodie Road (Highway 270) that provides access to Bodie State Park and to facilitate early Sierra Pass openings (including Highways 120 and 108).
- c. **Support complete streets and walkable community principles** – Mono County is a strong supporter and advocate of the complete streets and walkable community principles in the 2040 California Transportation Plan. This focus is a transportation paradigm and culture shift that will impact projects from initiation to completion and maintenance. Recently, local jurisdictions have been increasingly tasked with the funding and maintenance of complete street features on state facilities such as state highways. These responsibilities lie with the state, and a corresponding shift in the functioning and funding of CalTrans is needed to ensure success.
- d. **Support continued rural broadband deployment and communications improvements through local, State, and Federal policy advocacy, infrastructure projects, and grant programs** – Having appropriate policy at the local, State, and Federal levels is imperative to ensure adequate communications connectivity – which is a critical part of public safety and economic development. Because Mono County has dedicated resources to improve access to high-quality broadband in our communities and as a result of the completion of the Digital 395 project, roughly 90% of our households have access to Gigabit internet. Unfortunately, several Mono County communities and residents still face barriers to connectivity as there is inadequate infrastructure to support basic Plain Old Telephone Service (POTS) telephone service, let-alone high-speed Internet. In order to improve the landscape, the County should advocate for:
  - i. Policies, regulations, and enforcement around providers delivering basic POTS services to all locations desiring this service;
  - ii. Appropriate and effective definitions of ‘broadband’ which recognize the importance of technology and dependence on the internet for public safety and economic development;
  - iii. Legislation and associated programs that provide funding for broadband infrastructure projects and adoption/education efforts;
  - iv. Programs and efforts that move to improve the accuracy of metrics used to represent the current state of broadband in Mono County;
  - v. Legislation and associated programs which strive to improve the overall state of emergency communications in rural communities.

## 6. Administrative and Fiscal Services

- a. **Support Clerk/Recorder Services and Elections Administration improvements** – Support resources for improving county record keeping services and election administration, and monitor legislation that may impact the following:
  - i. Recording fees and process, and recorded documents;
  - ii. Vital statistic fees and process;
  - iii. Public records;
  - iv. Unfunded mandates;
  - v. Vote-by-mail, voter registration, election management systems, elections process, and election equipment;
  - vi. Funding for records preservation (such as Board of Supervisors historic records);
  - vii. Funding for modernization of elections equipment;
- b. **Support Vote-by-mail legislation** – Support legislation to authorize vote-by-mail ballot elections for rural counties.
- c. **Support leveraging SB2 Recording fees to return to Mono County for housing.**
- d. **Support the full funding of all Payment In Lieu of Taxes (PILT)** – Support legislation and budget efforts that provide for payment of past due balances and continue to maximize the PILT revenue to counties and maintain full funding of PILT without restrictions beyond the current authorization.
- e. **Oppose legislation that would limit and/or impose significant procedural or substantive barriers to counties' ability to contract for services.**
- f. **Pursue county line adjustments with Madera and Inyo.**

## 7. Health and Human Services

- a. **Ensure State and Federal Healthcare Reform has equitable funding formulas for rural counties** – Affordable Care Act (ACA) implementation began in 2014, and it is vital that local government funding streams reflect equitable distribution formulas to service our rural constituents. Securing adequate funding to sustain health care reform measures is important to Mono County. Key issues include Medi-Cal expansion and funding for these mandates and continuation of 1991 realignment allocation/amounts.
- b. **Advocate for a level of funding that enables counties to properly administer the Medi-Cal program on the state's behalf.**

- c. **Support improvements to Medi-Cal** – Support the streamlining of the Medi-Cal administration and improve access to health coverage for uninsured families.
- d. **Support measures that establish full and continued State and federal funding of the IHSS program** and continuance of the Maintenance of Effort funding structure.
- e. **Support a funding methodology and assumptions that enable counties to properly administer the In-Home Supportive Services program on the state’s behalf.**
- f. **Support county implementation of the Continuum of Care Reform** – Support adequate funding for county implementation of the Continuum of Care Reform including continued funding for the Foster Parent Recruitment, Retention, and support fund administered through local child welfare services (CWS) agencies that are dedicated to the recruitment, retention, and support of resource families so that they may provide stable, loving homes for children in the foster care system.
- g. **Support affordable housing** – Support State laws that support affordable housing and broaden the opportunities and reduce barriers for local government, and non-profit housing entities and instrumentalities of government to increase homeownership and the creation of rental housing. This includes repealing of Article XXXIV. In addition, support increased financing, subsidy options, and tax incentives to support development of new, affordable housing units in rural communities such as Mono County.
- h. **Support legislation that provides funding to support the Local Primacy Agency (LPA) program that ensures safe drinking water to Mono County residents.**
- i. **Support funding opportunities for environmental health regulation** – Support funding opportunities including fees for State mandates related to environmental health regulation of food establishments, sewage disposal facilities, water systems, well construction, swimming pools, and recreational health facilities, occupied housing, underground storage tank facilities, solid waste facilities, land use development, rabies and vector control, and the management of hazardous waste/materials.
- j. **Support legislation, funding opportunities, and multidisciplinary efforts to provide harm reduction and addiction services in Mono County.**

- k. **Support legislation for health providers** – Support legislation and advocate for increasing the number of dental and medical providers in rural counties, especially those who accept Medi-Cal and Denti-Cal insurance.
- l. **Support legislation for public health programs** – Support legislation and programming, and advocate for upstream approaches to health and preventative public health programs including Maternal, Child, and Adolescent Health (MCAH), Oral Health, Tobacco Education, Women, Infants and Children (WIC), Emergency Preparedness, Communicable Disease, HIV/STDs, and Immunizations.

## 8. Economic Development

- a. **Support new and current business development** – Support legislation and programs that support economic development efforts that augment and promote business retention and expansion, as well as create an environment conducive to new business attraction.
- b. **Support of commercial filming** – Support bills and initiatives to attract and retain film production in the state as increased filming statewide will result in commercial opportunities for commercial filming projects in Mono County.
- c. **Support tourism and recreation economy** – Support legislation that strengthens the tourism and recreation, including the formation of a State Office of Outdoor Recreation.

## Federal Priorities

1. **Support Funding/Program Preservation** – Support legislative, regulatory, and budget efforts that protect and/or enhance local government revenues, maximize the County’s access to federal funding sources, and/or increase local funding flexibility. Oppose legislative and administrative actions that would create federal unfunded mandates and/or preempt local decision-making authority. Strongly encourage Congress and the President to commit to negotiate successfully so as to avoid any future Federal Government shutdowns.
  - a. **Support Sustainable Funding for Secure Rural Schools** – Support legislation that creates a sustainable revenue stream for Secure Rural Schools, such as the Forest Management for Rural Sustainability Act. .
  - b. **Support the full funding of all Payment in Lieu of Taxes (PILT)** – Support legislation and budget efforts that continue to maximize the PILT revenue to counties and continue full funding of PILT without restrictions beyond the current authorization.
  - c. **Support full federal funding for the United States Department of Agriculture (USDA) Rural Development (RD) Programs** – Support funding for community development programs and affordable housing such as the Section 502 Direct Loan Program and the necessary program staff to implement these programs.
  - d. **Support full and expanded federal funding for Housing and Economic Development programs** – Support the highest possible funding level for key federal housing and economic development programs, including the Community Development Block Grant (CDBG), the HOME Investment Partnership Program, and the creation of a minimum four percent Low Income Housing Tax Credit floor.
  - e. **Support continued rural broadband deployment and communications improvements through local, State, and Federal policy advocacy, infrastructure projects, and grant programs** – Having appropriate policy at the local, State, and Federal levels is imperative to ensure adequate communications connectivity, which is a critical part of public safety and economic development. Because Mono County has dedicated resources to improve access to high-quality broadband in our communities and as a result of the completion of the Digital 395 project, roughly 90% of our households have access to Gigabit internet. Unfortunately, several Mono County communities and residents still face barriers to connectivity as there is inadequate infrastructure to support basic Plain Old Telephone Service (POTS) telephone service, including cellular phone

service, let-alone high-speed Internet. In order to improve the landscape, the County should advocate for:

- i. Policies, regulations, and enforcement around providers delivering basic POTS services to all locations desiring this service;
    - ii. Appropriate and effective definitions of ‘broadband’ which recognize the importance of technology and dependence on the internet for public safety and economic development;
    - iii. Legislation and associated programs that provide funding for broadband infrastructure projects and adoption/education efforts; Programs and efforts that move to improve the accuracy of metrics used to represent the current state of broadband in Mono County
  - f. **Support legislation that promotes, protects, or facilitates the sustainability of our local agriculture** – Mono County agriculture is an important local economic driver, provides jobs, puts food on the table and contributes to the open-space landscape that draws visitors.
  - g. **Support Economic Development resources** –
    - i. Support legislation and federal programs that provide access to small business capital for local business development through the Small Business Administration, Small Business Development Corporation and other government loan and financial programs.
    - ii. Support legislation and federal programs that promote locally-based business retention and expansion, as well as create an environment conducive to new business attraction.
    - iii. Support initiatives to attract commercial filming opportunities to the region: in particular, budgetary allocations that increase capacity for processing special use permits on the Inyo and Humboldt Toiyabe National Forests.
    - iv. Support bills, initiatives, and programs that strengthen the tourism and recreation economy.
2. **Natural Resources, Public Lands, and Agriculture** – Support legislation that promotes agriculture and that protects the County’s quality of life, its diverse natural resources, and preserves the essence and history of the County, along with legislation that provides adequate funding for stewardship of our public lands.
- a. **Support sustainable funding for federal public lands** – Support measures to sustain our federal lands. Closure or underfunding of these lands managed by the US Forest Service, Bureau of Land Management and National Park Service would result in a significant negative impact to our county as tourism and recreation are our economic drivers.

- b. **Support outdoor recreation economy and public lands** – Support the enacted 2016 Outdoor Recreation and Jobs Act and the effort to measure the outdoor recreation economy’s contribution to the US Gross Domestic Product. Once the federal government fully understands the economic benefits of outdoor recreation, land management agencies and local governments will have necessary data to measure the impact of the recreation economy and the key role that sustainable recreation needs to play in the management decisions of public lands agencies.
- c. **Support special designations** – Support special use designations for public lands such as National Scenic Areas, Wild & Scenic Rivers, Wilderness, National Monuments, National Conservation Areas, when demonstrated conservation values and public support warrant such designations.
- d. **Oppose public lands disposal** – Oppose the large-scale sale, transfer or "disposal" of public lands except for strategic, widely supported transfers or exchanges for management and boundary adjustments with demonstrated public benefit.
- e. **Support wildfire funding and fuels reduction** – Support legislation to change the method of funding wildfire suppression on National Forests by providing access to funding outside of the statutory discretionary limits for emergency purposes and for investment in additional resources for forest management/fuels reduction that addresses California's tree mortality crisis.
- f. **Support public land infrastructure** – Support increased funding for public land management agencies to address deferred maintenance of infrastructure in forests, national parks and reserves that rural counties depend on for tourism and recreation-based economies.
- g. **Support land management directives** – Support Mono County’s tourism and recreation economy by ensuring funding, programs, and management directives for federal land agencies (including the Land & Water Conservation Fund) that facilitate the planning, building, and maintenance of infrastructure for sustainable recreation, travel, and commercial film permitting on public lands.
- h. **Support sustainable fishing** – Support the funding of efforts to enhance the fish population in Mono County including sustainable fishing, ongoing fish stocking, education for proper catch and release practices, protection of spawning waterways, and support of the California Department of Fish and Wildlife stocking of diploid trout in allowable waters.



- i. **Support the control of invasive species** – Support control and mitigation for the spread of invasive species to protect, conserve, and restore public and private lands.
- j. **Support biomass project development** – Support legislation that encourages the US Forest Service (USFS) and Bureau of Land Management (BLM) to continue actively promoting and assisting with biomass project development.
- k. **Support alternative energy** –
  - i. Support local efforts to develop renewable, distributed energy sources including but not limited to environmentally and appropriately scaled biomass, solar, and wind, while ensuring projects and their supporting infrastructure (i.e. transmission lines, pipes lines, towers, service roads) does not degrade the County’s quality of life, natural or visual resources, water or essence and history.
  - ii. Continue to support geothermal power production that is environmentally sustainable and doesn’t negatively affect local domestic water supplies.
- l. **Support Devils Postpile National Monument legislative requests** – Support legislation to authorize a boundary adjustment request, and to designate a portion of the Middle Fork San Joaquin River as Wild & Scenic, as described in Devils Postpile National Monuments 2015 Management Plan.
- m. **Support endangered species regulation** – Support a balanced approach to the implementation of endangered species regulation with impacts to the rural economy and communities of Mono County. Mono County is fortunate to have a rich natural heritage that should be conserved, and it supports the need to protect and recover imperiled species. These conservation measures must be weighed and balanced against impacts to the fragile tourism and recreation-based rural economy and local communities, and every effort must be made to protect private property rights and avoid detrimental impacts to county residents.
- n. **Support sage grouse conservation** – Mono County appreciates the US Fish and Wildlife Service’s strong support of the multi-party, collaborative Bi-State conservation effort, including addressing the threat posed by the Los Angeles Department of Water and Power’s (LADWP’s) dewatering of Long Valley and ensuring funding commitments are met and honored by federal agencies. Ultimately, continuation of the collaborative partnership, strengthened by cooperative engagement by LADWP, would be the ideal outcome to warrant a new decision not to list the species under the federal Endangered Species Act. If the bird is listed, the result could be an additional regulatory burden with devastating impacts to our agricultural and recreational activity-based economy.

### 3. Public Safety and Criminal Justice

- a. **Support full funding of Byrne Justice Assistance Grants** – Support the preservation of funding levels for existing safety programs such as the Byrne Justice Grant (Byrne/JAG) Program and oppose efforts to reduce or divert funding away from these programs.
- b. **Support continued funding of FEMA’s Assistance to Firefighters Grant (AFG) program** – Support continued funding to enhance the safety of the public and firefighters with respect to fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services organizations, and State Fire Training Academies. This funding is for critically needed resources to equip and train emergency personnel to recognized standards, enhance operations efficiencies, foster interoperability, and support community resilience.
- c. **Support legislation that resolves the conflict federal statutes have with legalization of recreational cannabis use in California** – ideally, this includes removing cannabis as a schedule 1 drug and providing cannabis businesses with access to business banking services by changing federal banking access laws. Barring a legislative solution by Congress, the County supports reinstatement of the concepts stated in the past memorandums allowing for commercial cannabis activities to operate free and clear of federal enforcement interference so long as the County has a robust regulatory framework in place.
- d. **Urge common-sense gun safety legislation**
- e. **Support sustainable FAA funding for airport safety related projects on public and private property on or near our airports.**

### 4. Transportation and Infrastructure

- a. **Ensure that federal transportation formulas support rural road infrastructure** – Mono County has concerns regarding the continued implementation of the federal surface transportation reauthorization program. Mono County relies on the network of state highways and locally maintained roads to link residents to essential services. Transportation funding formulas should provide funding protections or guarantees for California’s rural transportation system and reflect that rural counties lack viable means to fund larger projects that provide statewide benefit. We must advocate for formulas that distribute federal funds to support local transportation priorities.

- b. **Support efforts to protect the Highway Trust Fund** and support programs that provide funding for local roads, bridges, and transit initiatives including pedestrian and bicycle systems, and other multi-modal transportation programs.
- c. **Support federal highway access** – Mono County supports budget policy and legislation that funds infrastructure such as roads on federal land with access to popular destinations including national parks and monuments.
- d. **Support Yosemite Area Regional Transportation and Eastern Sierra Transit Authority funding** – Support efforts to seek sustainable funding for regional public transportation to Yosemite National Park, other National Parks in our region, and other public lands destinations throughout the Eastern Sierra.

## 5. Health Care Reform

- a. **Oppose legislation to repeal the Affordable Care Act (ACA)** – Work to preserve and expand the number of citizens currently receiving health insurance. Oppose efforts to reduce benefits and block grants or other actions that would shift the current federal/state cost and responsibility to the states and counties.
- b. **Ensure that Affordable Care Act (ACA) funding is maintained for local governments** – Support the Prevention and Public Health Fund of the ACA, the nation’s first dedicated mandatory funding stream for public health and prevention activities, which supports Mono County health care services to underserved residents.
- c. **Oppose funding reductions for Medicaid** – Oppose efforts to reduce federal funding for Medicaid administration or benefits including converting to a voucher system with less federal funding.
- d. **Oppose turning Medicaid over to States** – Oppose efforts to turn Medicaid (Medi-Cal in California) over to the states with less federal funding.
- e. **Support full funding of the Children’s Health Insurance Program (CHIP).**
- f. **Support funding of Veterans benefits** – Support provision and funding for current benefits and health care programs for Veterans.
- g. **Support Womens Rights to Health** – Health care is key to women’s well-being and economic stability. Support provisions that make sure new health care law works for women.

6. **Child Welfare** – Support legislation that increases services and home-based placement resources to children who are victims of or at risk of: abuse, neglect, or exploitation, and provide support to caregivers of these victims.
7. **Immigration** – Oppose immigration reform efforts that would eliminate a pathway to full and equal citizenship, that would restrict the rights of immigrants or break up families, or that would focus on a mass deportation of undocumented immigrants.
8. **Support the Older Americans Act (OAA)** – Support the Older Americans Act (OAA) and increased federal funding for the OAA programs. The Act established a national network of Area Agencies on Aging (AAA) which oversee a variety of social services for seniors, including nutrition, elder abuse prevention, legal services and advocacy, and caregiver resources. The OAA is not adequately funded and does not reflect the need for senior services or the population growth of people over age 60. With the limited state funding to support California’s AAA programs, it is critical that the federal funding expand to support senior services.

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# MONO COUNTY

CALIFORNIA'S EASTERN SIERRA



Lundy Canyon

## HIDDEN TREASURES IN PLAIN SIGHT

**MONO COUNTY** is a land of dramatic mountain backdrops, high plains, and countless clear lakes, streams, and rivers. Over 3,000 square miles in size, Mono County is well-known for its vast scenic and recreational resources. Much of this land is contained in the Inyo and Toiyabe National Forests, and the Ansel Adams, John Muir, and Hoover wilderness areas. Access to hiking, fishing, biking, skiing, horseback riding, fall colors, uncrowded campgrounds, amazing music festivals, and much more is found just off of scenic US 395, which stretches the length of the county, 120 spectacular miles from Bishop, California, to the Nevada border.

## TOP ATTRACTIONS

**YOSEMITE NATIONAL PARK** – Drive California's highest pass – just 12 miles from Lee Vining to Yosemite's east entrance – to witness ten-story waterfalls, enjoy world-class rock climbing and hiking, and more (summer only).  
Contact: [www.nps.gov/yose](http://www.nps.gov/yose) or 209-372-0200. For bus service: [www.Yarts.com](http://www.Yarts.com).

**BODIE STATE HISTORIC PARK** – Bodie is preserved in a state of "arrested-decay," so keep an eye out for spirits roaming the once-wild streets of this genuine gold-mining ghost town.  
Contact: [www.parks.ca.gov](http://www.parks.ca.gov) or [www.BodieFoundation.org](http://www.BodieFoundation.org) or 760-647-6445.

**MONO LAKE** – Paddle a canoe around volcanic islands (don't worry, they're dormant!) and tufa towers, which are natural limestone formations created by the ancient lake's salinity.  
Learn more at Mono Basin Scenic Area Visitor Center, 760-647-3044, or the Mono Lake Committee, [www.MonoLake.org](http://www.MonoLake.org) or 760-647-6595.

**DEVILS POSTPILE NATIONAL MONUMENT** – Located near Mammoth Lakes, Devils Postpile is the world's finest example of columnar basalt formations: 760-924-5500.

### Mono County Tourism

Alicia Vennos

[avennos@mono.ca.gov](mailto:avennos@mono.ca.gov)

1-800-845-7922

760-924-1743 Office

### East River PR

Katie Shaffer

[katie@eastriverpr.com](mailto:katie@eastriverpr.com)

530-214-8790 Office

530-559-5330 Cell

## MONO COUNTY Towns Communities

**BENTON HOT SPRINGS** — Soak in natural hot springs that are temperature regulated in this historic stagecoach station.

**BRIDGEPORT** — Home of the county seat, the classic whitewashed wooden courthouse has been in use since 1880. Just outside of Bridgeport, Twin Lakes, Virginia Lakes and Bridgeport Reservoir offer fishing and hiking all summer long.

**CONVICT LAKE / McGEE CREEK** — Dramatically situated under towering Mt. Morrison, Convict Lake is loved by anglers, hikers, and wedding parties! Catch wildflowers or fall colors at McGee Creek Canyon.

**CROWLEY LAKE** — Fishing season opener's home base, this expansive lake offers world-class trout fishing.

**JUNE LAKE** — Tucked away at the base of 10,909-ft. Carson Peak, June Lake is a scenic mountain hideaway. Well known for trout fishing and brilliant fall colors, the June Lake Loop is a snowy retreat in winter. June Mountain Ski Area offers free lift tickets all winter for kids age 12 and under.

**LEE VINING** — Overlooking dramatic Mono Lake, Lee Vining is the gateway town to Yosemite National Park – just 12 breathtaking miles up Tioga Pass Road.

**MAMMOTH LAKES** — Mammoth Mountain Ski Area consistently ranks as one of the top winter sports destinations in North America. In the town of Mammoth Lakes, you'll find quaint shops, gourmet restaurants and accommodations from cozy cabins to four-star luxury hotels.

**ROCK CREEK / TOM'S PLACE** — Famous for the beautiful Little Lakes Valley hiking trail, fall colors, and home-made pie.

**TOPAZ** — Home to Topaz Lake, which boasts a nine month fishing season (and big cash derby!), and a Nevada casino.

**WALKER AND COLEVILLE** — Ranch towns in the northern part of Mono County, Walker and Coleville host California's only ATV/UTV Jamboree!

## GETTING TO CALIFORNIA'S EASTERN SIERRA

### FLY TO THE EASTERN SIERRA!

Daily air service to Mammoth Yosemite Airport (MMH) is available on Alaska Airlines, United Airlines and/or JetSuiteX from Los Angeles, Burbank, San Diego and San Francisco.



### DRIVE

Mono County is within a scenic 5-7 hour drive from Los Angeles, San Francisco and Las Vegas. Northern Mono County is only 1.5 hours from Reno/Tahoe International Airport.

### DRIVING DISTANCES AND TIMES

Reno	2.5 hours	140 miles / 225 km
San Francisco	5.5 hours	250 miles / 402 km
Los Angeles	5.5 hours	330 miles / 531 km
Sacramento	4 hours	220 miles / 354 km
Las Vegas	5.5 hours	340 miles / 547 km
Yosemite Valley	2 hours	75 miles / 121 km

*All mileage and times are from Lee Vining, CA*



## VISITOR AMENITIES

**LODGING** — With more than 140 hotels, motels, bed & breakfast inns, cabins and campgrounds, Mono County has a diverse lodging base – truly everything from deluxe spa hotels to rustic cottages and scenic RV parks.

**DINING** — All that fresh air and adventure will have visitors needing fuel. There are over 100 restaurants, cafes, pubs and bakeries to choose from throughout Mono County, with options ranging from traditional comfort food to delicious ethnic cuisine and fine dining.

**SHOPPING** — If you are looking for Macy's, you won't find it in Mono County. Our shopping experience is more about bait, gloves and woolly buggers! However, with approximately 125 stores to browse through, you'll find lots of intriguing shops, art galleries with Eastern Sierra-inspired visions, and Native American crafts and western wear that will bring out everyone's inner Wild West.

**WINTER 2018** — Kids 12 and under ski and snowboard FREE all winter at June Mountain, no restrictions!

## TOP EASTERN SIERRA ACTIVITIES

### SUMMER

Hiking and Backpacking  
Fishing and Camping  
Mountain Biking and Road Cycling  
Kayaking and Canoeing  
Stand-up Paddleboarding  
Rock Climbing  
Horseback Riding  
ATVs / Off-Highway Vehicles

### WINTER

Skating and Snowboarding  
Cross Country Skiing  
Snowshoeing  
Snowmobiling  
Dog-Sledding  
Sledding and Tubing  
Ice Skating  
Ice Climbing

## 2018 EVENT HIGHLIGHTS

June Lake Winter Festival	June Lake	March 3
Mammoth Winter Biathlon	Mammoth Lakes	March 17-18
Mono Basin Bird Chautauqua	Lee Vining	June 15-17
Old-Fashioned 4th of July	Bridgeport	June 30 – July 4
How Big Is Big Fishing Derby	Walker	July 1-31
June Lake Triathlon	June Lake	July 7
Mammoth Festival of Beers & Bluesapalooza	Mammoth Lakes	August 2-5
Friends of Bodie Day	Bodie	August 11
Founder's Day Celebrations	Bridgeport	August 31 – Sept. 3
Eastern Sierra ATV/UTV Jamboree	Walker	Sept. 11-15
Bridgeport Autumn Festival & Car Show	Bridgeport	Sept. 29
Ambush at the Lake Fishing Derby	Bridgeport	Oct. 1 – Nov. 15

For the latest news, events info, FREE Visitor Guide, and Mono County Travel Blog – visit us online at [www.MonoCounty.org](http://www.MonoCounty.org) and on Facebook at [www.Facebook.com/VisitEasternSierra](http://www.Facebook.com/VisitEasternSierra).

**Elected State Representatives:**

<p>Assembly Member Frank Bigelow 5<sup>th</sup> Assembly District State Capitol, Suite #4158 Sacramento, CA 94249 Capitol Office Phone: (916) 319-2005 District Office Phone: (559) 673-0501 Fax: (916) 319-2105 Website: <a href="https://ad05.asnrc">https://ad05.asnrc</a></p>	<p>Senator Andreas Borgeas 8<sup>th</sup> Senate District State Capitol, Room 3082 Sacramento, CA 95814-4900 Capitol Office Phone: (916) 651-4008 District Office Phone: (559) 253-7122 Fax: (916) 651-4908 Website: <a href="http://borgeas.cssrc.us/">http://borgeas.cssrc.us/</a></p>
<p>Governor Gavin Newsom State Capitol, Suite 1173 Sacramento, CA 95814 Phone: (916) 445-2841 Fax: (916) 558-3160 Website: <a href="http://gov.ca.gov/">http://gov.ca.gov/</a></p>	

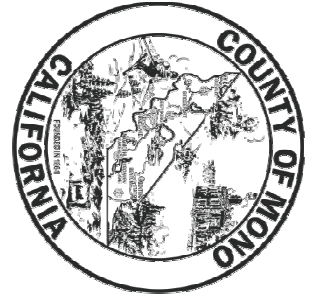
**Elected Congressional Representatives:**

<p>Senator Kamala Harris United States Senate 112 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3553 Fax: (202) 224-0454 Website: <a href="http://www.harris.senate.gov/">http://www.harris.senate.gov/</a></p>	<p>Senator Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3841 Fax: (202) 228-3954 Website: <a href="http://www.feinstein.senate.gov/">http://www.feinstein.senate.gov/</a></p>
<p>Congressman Paul Cook 8<sup>th</sup> Congressional District 1027 Longworth House Office Building Washington, DC 20515 Phone: (202) 225-5861 Fax: (909) 797-4997 Website: <a href="http://cook.house.gov/">http://cook.house.gov/</a></p>	

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County of Mono  
Post Office Box  
696  
Bridgeport,  
California 93517  
(760) 932-5410  
[www.mono.county.ca.gov](http://www.mono.county.ca.gov)





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