



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

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

MEETING LOCATION Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

Regular Meeting May 19, 2015

TELECONFERENCE LOCATIONS: 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov. If you would like to receive an automatic copy of this agenda by email, please send your request to Bob Musil, Clerk of the Board: bmusil@mono.ca.gov.

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

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board.

(Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on May 5, 2015.

B. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on May 12, 2015.

3. RECOGNITIONS

A. Recognition of County Employees

Departments: Board of Supervisors

5 minutes

Present Certificates of Appreciation to Stacey Simon, Nick Criss, Courtney Weiche, Brent Calloway, Greg Newbry, and Gerry LeFrancois recognizing their efforts on behalf of Mono County in regards to the Sage Grouse listing. Certificates were already previously presented and/or sent to Dr. Paulus and Wendy Sugimura.

Recommended Action: None. Certificates have already been approved. This item is to make presentation of certificates to Mammoth Lakes employees in attendance.

Fiscal Impact: None.

4. BOARD MEMBER REPORTS

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

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

6. DEPARTMENT/COMMISSION REPORTS

7. CONSENT AGENDA

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

A. Confirmation of Drainage Easement: Silver Lake Pines Subdivision #1, June Lake

Departments: Public Works

The June Lake Streets Rehabilitation Project has made significant improvements to

the June Lake Village drainage system both upstream and downstream of the drainage ditch located along privately-maintained Raymond Avenue. The ditch is currently filled in with sediment and vegetation and Public Works has engineered a solution which would replace the eastern portion of the ditch with an underground storm drain pipe, relocate it entirely within the offered right of way, and mitigate flooding along Crawford Avenue and Raymond Avenue. This item would confirm the existence of the County's drainage easement within the right-of-way for Raymond Avenue in anticipation of project implementation and affirm that Raymond Avenue itself remains a privately-maintained road.

Recommended Action: Approve and Authorize the Chairman's signature on Resolution No. 15-_____ "A Resolution of the Mono County Board of Supervisors Confirming its Acceptance of a Drainage Easement within the Silver Lake Pines # 1 Subdivision in June Lake and affirming the Status of Raymond Avenue as a Privately-Maintained Road."

Fiscal Impact: Proposed drainage improvements within Raymond Avenue are estimated to cost approximately \$70,000 and there is adequate funding budgeted in the June Lake Streets project. There will be a long term maintenance cost to the Road fund associated with the proposed drainage improvements. However, the Road Department has historically maintained the Raymond Ditch from time to time.

B. Mono County Fisheries Commission Appointment

Departments: Economic Development

Mono County Fisheries Commission Appointment.

Recommended Action: That the Board consider and appoint Ms. Sue Burak to a 4 year term on the Mono County Fisheries Commission starting May 19, 2015 and ending May 19, 2019.

Fiscal Impact: None.

C. CSA # 5 Restoration of the Courthouse Fence

Departments: Finance

Use of CSA #5 funds to contract for restoration of the Bridgeport Courthouse fence.

Recommended Action: Approve \$12,000 expenditure of CSA #5 funds for the restoration of the Bridgeport Courthouse fence.

Fiscal Impact: The budget change for this item is included in the 3rd quarter budget item.

D. Antelope Valley Regional Planning Advisory Committee appointment

Departments: Community Development

Appoint member to the Antelope Valley Regional Planning Advisory Committee.

Recommended Action: Appoint Elena "Ele" Espinosa to the Antelope Valley

Regional Planning Advisory Committee, as recommended by Chairman Fesko.

Fiscal Impact: None.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Waterfowl CEQA Draft Environmental Document

Departments: Clerk of the Board

Correspondence received from the California Department of Fish and Wildlife concerning the Draft Environmental Document regarding Migratory Game Bird Hunting (Waterfowl, Coots, Moorhens) in compliance with CEQA.

9. REGULAR AGENDA - MORNING

A. Mono Council for the Arts Presentation

Departments: Clerk of the Board

15 minutes (10 minute presentation; 5 minute discussion)

(Kendra Knight) - Presentation by Kendra Knight, Gallery Director of the Mono Council for the Arts, regarding the Council's recent activities. Presentation includes a slideshow of student art and the Arts in Education program.

Recommended Action: None (informational only). Provide any desired direction to staff.

Fiscal Impact: None.

B. Solid Waste Parcel Fee Renewal for FY 15/16

Departments: Solid Waste Division of Public Works

10 minutes (5 minute presentation; 5 minute discussion)

(Tony Dublino) - A resolution of the Mono County Board of Supervisors Extending and Re-establishing the Mono County Solid Waste Fee Program for Fiscal Year 2015/2016; a resolution of the Mono County Board of Supervisors Authorizing Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2014/2015, or for Fiscal Years 2015/2016 through Fiscal Years 2020-2020/2021.

Recommended Action: (1) Adopt Resolution #R15-_____, a resolution of the Mono County Board of Supervisors Extending and Re-establishing the Mono County Solid Waste Fee Program for Fiscal Year 2015/2016; (2) adopt Resolution #R15-_____, a resolution of the Mono County Board of Supervisors Authorizing Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2014/2015, or for Fiscal Years 2015/2016 through Fiscal Years 2020-2020/2021. Provide any desired direction to staff.

Fiscal Impact: Countywide, \$800,000 in revenue and interest per year.

C. Approve Letter to the Los Angeles Department of Water and Power Regarding Irrigation in Long Valley

Departments: Community Development

10 minutes (5 minute presentation; 5 minute discussion)

(Scott Burns, Wendy Sugimura) - Discuss response to notification by LADWP that ranchers in Long Valley will receive no water this season for irrigation. The draft letter for approval will be provided at the meeting.

Recommended Action: Approve letter to LADWP expressing concern and the need for immediate reconsideration and action. Provide any desired direction to staff.

Fiscal Impact: Unquantified, indirect impact to the General Fund through the potential loss of over \$6 million (or 12.5%) of agricultural production in Mono County.

D. Ad Hoc EMS Committee Member

Departments: Emergency Medical Services

15 minutes (5 minute presentation; 10 minute discussion)

(Rob DeForrest, EMS Manager) - At the May 12, 2015 meeting, it came to the attention of the Board that there may be a potential conflict of interest for Lynda Salcido to serve on the Ad Hoc EMS Committee. The Board of Supervisors will discuss and potentially take action with respect to this potential conflict of interest.

Recommended Action: Provide direction to staff.

Fiscal Impact: None.

E. 3rd Quarter Budget Review

Departments: Finance

30 minutes (15 minute presentation; 15 minute discussion)

(Leslie Chapman) - Presentation of third quarter budget check in and amendments followed by a preview of next year's budget outlook and presentation of the 2015-16 budget calendar.

Recommended Action: 1. Hear the 3rd quarter budget update and approve changes to the CSA #5 budget as follows. Increase appropriation in Capital Expenditures by \$35,000 and increase Contract Services by \$12,000. There is sufficient fund balance to cover these changes. (4/5ths vote required). 2. Discuss budget status and what to expect in FY 2015-16. 3. Review, adjust and approve the 2015-16 draft budget calendar including community workshops, budget hearings and other important deadlines.

Fiscal Impact: While certain line items have changed, there is no overall fiscal impact to the General Fund as a result of this action, and there is sufficient fund balance to cover the requested \$47,000 in the CSA #5 budget.

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

11. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Manager.

D. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: personnel complaint.

E. Closed Session - Conference with Legal Counsel

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

12. REGULAR AGENDA AFTERNOON- NONE

ADJOURN



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on May 5, 2015.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
***PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING***

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[05-05-15 Draft Mins](#)

History

Time	Who	Approval
5/13/2015 11:52 AM	County Administrative Office	Yes
5/13/2015 4:14 PM	County Counsel	Yes
5/13/2015 6:18 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 Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
May 5, 2015**

Flash Drive	#1003
Minute Orders	M15-91 to M15-105
Resolutions	R15-28 to R15-29
Ordinance	Ord15-03 to ORD15-04

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

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

*Break: 10:30 a.m.
Reconvene: 10:40 a.m.
Closed Session/Lunch: 12:00 p.m.
Reconvene: 1:47 p.m.
Adjourn: 2:15 p.m.*

Pledge of Allegiance led by Supervisor Johnston.

Supervisor Johnston:

- May is National Mental Health Awareness Month – reason for green ties/scarf.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Julie Fritcher:

- Regarding Camp Antelope – OVIHA
- Question about houses supposedly build and taxes associated with this.
- Left information at Marshall Rudolph's office.
- Gave her contact phone number: 760-264-6753. Asked for some follow up.

Note

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

Eric Swab:

- He does have information for board but wishes to run it through county counsel first.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on April 7, 2015.

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

M15-91

B. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the regular meeting held on April 14, 2015, as corrected.

Johnston moved; Alpers seconded

Vote: 5 yes; 0; no

M15-92

Supervisor Alpers:

- On draft minutes, under item #9c, his comment should read, "Mentioned that the plaque should be changed to read California Department of Fish and Wildlife".

Supervisor Fesko:

- On draft minutes, under item #9b, under his comments, should read, "Asked Public Works Direct IF", not "is".
- On draft minutes, under item 9c in the item description, should be Northern Mono Chamber not Northern Mono *County* Chamber of Commerce.

C. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on April 21, 2015, as corrected.

Johnston moved; Alpers seconded

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

M15-93

Supervisor Johnston:

- On draft minutes, under the consent agenda all his votes should read as a "yes" with the exception of item #7e, the megabyte item, which he voted "no".
- His comment regarding this should read, "Wanted it on the record that the only consent item he was in protest to was #7e, the Megabyte item".

3. RECOGNITIONS

A. Resolution of Appreciation for Ron Achten

Departments: Board of Supervisors

A Resolution of Appreciation by the Mono County Board of Supervisors for Ron

Note

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Achten recognizing his years of service to the Chalfant Valley Fire Department and the Chalfant Community.

Action: Approve proposed resolution.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-94

Supervisor Stump:

- Read and presented resolution to Mr. Achten.

4 BOARD MEMBER REPORTS

Supervisor Alpers:

- 4/22 - Met with members of the LVPUD and Dennis Domaille, owner of the Mobil Mart, about the possibility of the PUD connecting with Domaille's water system should drought conditions seriously impact Lee Vining water supplies. The meeting was cordial, cooperative and productive. Dennis would be receptive to exploring the idea of providing backup water to the community if necessary.
- 4/24 - Participated in a series of radio interviews on KMMT, KIBS and the Sierra Wave regarding the general opening of the 2015 fishing season. All in all, it appeared to be an excellent opener in spite of the inclement weather. Grant Lake was busy on Sunday.
- 4/27 - Participated in a conference call with Supervisor Stump and Kate Bunney regarding the Walk for Water event to be held in September. Ms. Bunney will make a Board appearance in July to brief the public.
- 4/29 - Attended the SCE Government Advisory Panel (GAP) held at SCE headquarters in Rosemead. The featured speaker was Ted Craver, Chairman, President and CEO of Edison International the parent company of SCE; and Chairman of the Edison Electric Institute (EEI) the national association of investor-owned electric companies. His presentation was titled "Our Energy Future" and was attended by about 20 individuals from the government sector (ie. County Supervisor, City Council members, special district leaders). Many interesting facts, talking points and policy matters were discussed, but the crux of the meeting was SCE's desire to improve customer service and relations in a cross section canvass of SCE's 14 million customers, the company received a "D" rating on an A, B, C, D, F scale. Chairman Craver assured me that they hear our concerns and want to work with Mono County and its customers in our area is a priority. Provided SCE officials with an information packet that illustrated our concerns with SCE in Mono County. Following are some of the meeting information points:
 - Mission for over 100 years = providing safe, reliable and affordable electricity.
 - SCE has a 99.9% Statewide reliability rating, however the .01% represents a large number of customers that have problems.
 - 1/3 of all SCE customers are on financial assistance of some type which makes affordability a major issue.
 - Worldwide, the US is in the "center" on reliability, but is the most affordable.
 - Currently, SCE is driven by the State of California's 50-50-50 Policy which sets the standard for the year 2030 for 50% reduction in petroleum use, 50% of utility power coming from renewable energy, and 50% increase in energy efficiency in existing buildings.
 - Determining how much electricity will be needed in SCE service area is a challenge given the "2-way energy pipeline" that is developing Statewide. Renewables are coming online fast and customers want to pay for only what they receive (customization) -SCE is engaged in "generation shed" meaning they are divesting themselves of power generation facilities to increase investment in networks. Currently, they own only 20% of generation facilities necessary to meet their customer needs, but service 1.5 million poles. They are brokering 80% of the energy they need. There are no plans to sell off eastern Sierra hydro-

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- electric facilities because they are predictable and reliable.
- Undergrounding of transmission lines is considered on a case by case basis. Overhead transmission costs 1/10th of underground.
- Transmission corridors will not be altered in any way as they concern SCE. Should they have the need for more power movement, they will increase the carrying capacity of existing lines or make towers taller and add more lines. Any change in electrical transmission must meet the PUC standard of "positive net benefit" to customers.
- Most difficult part of SCE's customer service effort is dealing with the changing demographic in the service area. The needs of businesses as well as private use are constantly changing with emerging use of technologies in daily human activities.
- SCE is in a highly regulated and complicated business. Because they are a monopoly, the PUC regulates their profit margin. A rate increase does not equate to increased revenue for profit.

Supervisor Corless:

- MCWD: follow-up re: our comment letter. MCWD's conservation requirement was reduced to 20%.
- Inyo National Forest Travel Analysis Process (TAP) meeting in Bishop, 4/21—overview of this required process, part of the 2005 Travel Management Rule, not part of forest planning, great opportunity for the county and INF to prioritize funding since there's a funding shortage for both agencies. There isn't any action associated with this, other than the analysis and information gathering (ie, not closing roads). INF staff conducted an exemplary meeting—workshop style, focused on maps.
 - Comments are due May 18—should be focused on specific roads or issues, not general philosophical leanings. Maps and information available on the inyo's website:http://www.fs.usda.gov/detail/inyo/landmanagement/planning/?cid=stelpr_d3834316.
- CSAC new supervisor institute "graduation" in Sacramento April 23.
- April 24 – Mono Lake Committee's Andrea Lawrence award dinner, with DWP General Mgr. Marcie Edwards. Congratulations to Ted Schade, recipient of the award.
- April 28 Community Conversation: town hall meeting was a big success. About 70 people were there, engaged in a lively discussion of economic development and what local government should do and not do. Encouraged by the level of community engagement, and intend to follow up by trying to work some of the ideas and suggestions into our strategic plan. Plan to move forward with holding quarterly (at least) meetings in mammoth to discuss county issues, and Mammoth Forward will also be doing future "Community Conversation" events. Many thanks to Supervisor Fesko for jumping in and for all the staff members who attended.
- 4/29 Retirement party for Julie Bear, Sierra Nevada Conservancy, at Convict Lake. Many thanks to Julie for her service to the Eastern Sierra.
- 4/30 Collaborative Planning Team.
- 5/1 Call with consultants to plan our 5/22 strategic planning meeting.
- Sad to hear of Georgia Lowe's passing over the weekend—resident of Swall, former owner/operator of Tioga Pass Resort, talented writer.

Supervisor Fesko:

- April 15th Wednesday – Represented Mono County at RCRC Board Meeting in Sacramento.
- April 16th Thursday – Celebrated a very good friend's 80th Birthday. Happy Birthday Bob "Bonsai" Lewallen.
- April 21st Tuesday – Represented Mono County at the USFWS announcement in Reno Nevada that the Bi-State Sage Grouse would not be listed under the Endangered Species Act. I had a great conversation with US Secretary of the Interior Sally Jewell regarding the great contribution by Mono County in the Local Working Group. During my

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conversation with Nevada Governor Brian Sandoval, he commented on a recent visit to Bodie with his family. I was accompanied by Planner Wendy Sugimura at this event. A special thanks to all of the planning staff that has contributed to this effort and specifically Scott Burns, Wendy Sugimura and Brent Calloway.

- A shout out to some great friends who celebrated life. Happy Birthday to Bill Koch (April 21st) and Mary Spindler (April 22nd).
- April 22nd Wednesday – met with CHP lieutenant Jeff Holt to discuss the upcoming 8th Annual Eastern Sierra ATV & UTV Jamboree.
- April 24th and 25th – Pre-rode a few trails for the Jamboree; pre-riding is done to make certain that the trails are in safe and good condition for the upcoming jamboree. Over 1000 miles of trails are pre-ridden. Saturday 25th we had off and on snow showers. Absolutely a fantastic day to ride!
- April 27th Monday – Attended the Airport Land Use Commission along with Supervisor Stump in Mammoth Lakes.
- April 28th Tuesday – Attended the “Cooperating to Compete” community conversation in Mammoth Lakes. Thanks to Mammoth Forward and Supervisor Corless for helping to organize this conversation. There were 70 participates and it lasted longer than the two hours originally planned due to fantastic two way dialog between the presenters and the community. Looks forward to more of these conversations in the future.
- April 29th Wednesday – Attended a meeting between the Northern Mono Chamber of Commerce, Mono County’s Public Works and Risk Management, CHP and Sheriff’s department to go over everyone’s role on the upcoming Eastern Sierra Jamboree.
- April 30th Thursday – Attended the Collaborative Planning Team. This is a quarterly public meeting which is comprised of federal, state, local and tribal entities.
- May 2nd Saturday – Attend the Antelope Valley’s Beta Sigma Phi’s Cinco De Mayo dinner. All proceeds go to local scholarships. A great turn out as usual!
- May 4th Monday – Thanks to Joe Blanchard and Tony Iniguez for getting the swamp coolers up and running at various facilities in Walker.
- May 4th Monday - Attended along with Assistant County Counsel Stacey Simon, US District Court hearing regarding the lawsuit on water issues in Nevada and California. This hearing is the latest as this lawsuit moves forward. It was heard in the Courtroom of the Honorable Robert C Jones. It was a good experience to watch the lawyers argue their case at this level. Thanks to Stacey Simon for taking the time to keep me updated as this lawsuit moves slowly forward.
- May 5th Tuesday – Happy Birthday shout outs to Sue Fowler, manager at Meadowcliff Restaurant. And a very special Happy Birthday to my daughter Michelle Schembri. I am very proud of the person you have become!
- 5/23 – Mountain Gate celebration 11-2 pm – all board members invited to attend.

Supervisor Johnston:

- Took a tour of the Swall Meadows fire area. The cleanup of the burned homes has been completed but the area still looks like a disaster area. Lots of other clean up activity is happening and a small structure has been actually been completed.
- Attended the IMACA meeting in Bishop. Two items of note: Main office of IMACA will be moved to a new location and the Headstart building at the Mammoth Elementary School will be relocated to the High School in coordination with the Elementary School parking lot reconstruction.
- Attended the Treasury Oversight committee. Although interest rates are still low, the County continues to make 3 to 4 times the interest that is available via LAIF (0.84 vs. 0.26).
- The state Transportation Funding Package (SB 16 – Beall) has cleared the Senate Transportation and Housing Committee. This bill would raise 3.5 billion in transportation funding. The bill will next go before the Senate Government and Finance Committee on May 6th.

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- Governor Brown announced a more aggressive climate goal of 40% below 1990 levels by 2030.
- The Governor is scheduled to speak at the CSAC Legislative Conference in Sacramento on May 27 and 28th. All supervisors are invited to attend the conference.

Supervisor Stump:

- Thanked Supervisor Johnston for visiting Swall Meadows and for how supportive he's been.
- 4-23: Conference call with Race Communications about current high speed internet grant construction and submitted grant requests status. Mentioned letter that was sent out.
- 4-24 / 4-26: Participated in Fire Department Fund Raising Fishing Opener Activities at Crowley Lake.
- 4-27: Attended Airport Land Use Commission , acted as chair, public hearing on compliance of Airport Development Plan continued to May 21.
- 4-27: With Supervisor Alpers held a phone conference with Kate Bunney - Sponsor of a Walking Water Event in September, a consciousness raising event about water from its point of generation to its point of use, wants to put on a presentation before the Board this summer.
- 4-27: Attended the Land Development Technical Advisory Committee - Issue at Sierra Business Park.
- 4-28: Attended CSA 1 - Continuing to work on Crowley Lake Community Improvements.
- 4-30: Interviewed as part of Red grant, a grant received by Probation that provides funding to determine local juvenile probation needs and practices that will best help the local population.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- **April 22nd** – Attended the Mono County Energy Taskforce meeting. Vianey White and Megan Mahaffey elected as Co-chairs. The group is focusing on building energy audits which will better inform ongoing Zero Net Energy efforts for County.
- **April 22nd** – Attended the Long Valley RPAC meeting. Group reviewed County Strategic Plan and committed to sending in any comments or feedback via Courtney Weiche by May 11th.
- **April 27th** – Attended the Town of Mammoth Lakes Synergy Summit. Conversation led by Councilman John Wentworth about how to build a non-snow recreational economic model.
- **April 28th** – Attended the Community Conversation on how to cooperate to compete better. Supervisor Stacy Corless provided overview of recreation as a pillar to future economic development and she and Chairman Tim Fesko participated in Q&A with Council members Colin Fernie and John Wentworth. Approximately 50 people in attendance.
- **April 30th** – Met with MCOE Superintendent Stacey Adler and negotiate final aspects of lease for Bridgeport office move. Still awaiting feedback from MCOE on some elements but it was a very constructive meeting and project moving forward.
- **April 30th** – Attended the Collaborative Planning Team Meeting and presented the Mono County Strategic Plan for review and feedback. CPT members will send in individual comments as appropriate.
- **May 1st** -- Had lunch with Town of Mammoth Lakes Manager Dan Holler. Touched bases on issues between the jurisdictions where shared service models should be continuing.
- **May 4th** -- Met with Paul Rudder top review status of improvement work happening at the Sierra Center Mall. Paul reiterated commitment to improve building to suit county's ongoing

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and long term needs.

6. DEPARTMENT/COMMISSION REPORTS

Bob Musil:

- Last week received call from staff in Assembly member Frank Bigelow's office; working with Senator Tom Berryhill on the Sportfishing Stimulus Act of 2015.
- Will make fishing more affordable with changes in licensing scheme.
- Asking board for letter of support.
- Because it's covered in legislative platform, no formal vote is needed.
- Supervisor Fesko: believes in supporting this stimulus.
- Supervisor Alpers: agrees with a support letter.
- General consensus is a yes to the letter.

Tony Dublino:

- Update on Round Fire removal project.
- There were thousands of tons of debris removed.
- Feels the company did a great job based on feedback from community members.
- He'd like to draft a thank you letter.
- Supervisor Stump: how about a resolution?
- They did full debris removal on 37 sites; 4 did not choose to use CalRecycle, but of those 4, most of the debris has been removed. Feels those 4 had strong emotional ties to property.
- Supervisor Stump: acknowledged Roberta Reed for being the go to person for insurance issues. Thanked her and Tony for being a good team.
- Tony thanked Roberta as well.

7. CONSENT AGENDA

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

A. Amendment to License and Agreement with Skyway Towers, LLC

Departments: Solid Waste, Information Technology, County Counsel

Proposed amendment to License and Agreement with Skyway Towers, LLC pertaining to the use of County property as a telecommunications site. Amendment modifies manner and location of access to licensed premises.

Action: Approve County entry into proposed amendment and authorize Chair to execute said amendment on behalf of the County.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

M15-95

B. Updated House and Property Numbering Ordinance

Departments: County Counsel; Information Technology

Adopt Ordinance #ORD 15- of the Mono County Board of Supervisors Amending Chapter 15.20 and Sections 13.35.010 and 17.16.250 of the Mono County Code Pertaining to and in Reference to House and Property Numbering.

Action: Adopt proposed ordinance #ORD15-03, amending Chapter 15.20 and Sections 13.35.010 and 17.16.250 of the Mono County Code Pertaining to and

Note

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in Reference to House and Property Numbering.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

ORD15-03

C. Authorization for IT to Purchase Replacement Storage Device

Departments: Information Technology; Finance

Information Technology is seeking Board approval for the purchase of a replacement Storage Area Network (SAN) data storage device for Bridgeport data center as the existing infrastructure has reached end of life. The amount is fully covered by existing money within the IT budget but the purchase amount of \$22,893.75 requires Board authorization to make.

Action: Approve the purchase of a new EMC VNXe3200 SAN device to replace an existing one which has reached end of life.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

M15-96

D. Wheeler Crest Design Review Ordinance Amendment

Departments: Community Development

Proposed ordinance #ORD15-_____, amending Ordinance 91-07, which established a design review committee for the Wheeler Crest Planning Area, in order to modify membership criteria.

Action: Adopt proposed ordinance #ORD15-04, amending Ordinance 91-07, which established a design review committee for the Wheeler Crest Planning Area, in order to modify membership criteria.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

ORD15-04

E. Electronic Monitoring Service Agreement

Departments: Probation

Proposed contract with BI Incorporated pertaining to Electronic Monitoring Service for the Probation Department.

Action: Approve County entry into proposed contract and authorize Karin Humiston to execute said contract on behalf of the County.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

M15-97

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

Note

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A. Fish and Game Commission

Departments: Clerk of the Board

Notice from the Fish and Game Commission dated April 24, 2015 regarding the prohibition on the use of lead projectiles and ammunition using lead projectiles for the take of wildlife with firearms.

Supervisor Stump:

- He finds it disengaging that the Dept. of Fish and Wildlife are still hunting Sage Grouse.
- Just because Sage Grouse isn't listed doesn't mean all efforts just stop.
- He supports a letter denying permits to hunt Sage Grouse.

Supervisor Fesko:

- Agrees with Supervisor Stump.
- Supports letter asking that Bi-State Sage Grouse not be hunted.
- General consensus is yes for letter – Scott Burns and staff will work on this.

Supervisor Johnston:

- Thinks Mono County needs to have a strong presence at June meeting. Letter can be presented then.
- Also thinks the bobcat issue should be addressed even if it's not on the agenda.

Jim Leddy:

- Putting off final determination.
- They will take comments on bobcat issue.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Letter of Support for Peter Pumphrey Re-appointment to Lahontan Water Board

Departments: Board of Supervisors

(Supervisor Fred Stump and Peter Pumphrey) - Discussion and potential action by the Board to send a letter of support to Governor Brown for the re-appointment of Mono County resident Peter Pumphrey to the Lahontan Water Quality Control Board.

Action: Direct Chair of Board to sign and County staff to send letter of support.

Stump moved; Alpers seconded

Vote: 5 yes; 0 no

M15-98

Jim Leddy:

- Supervisor Stump asked that this be agendaized.
- Mr. Pumphrey has represented Mono County very well.
- There's a draft letter in packet highlighting his services; worked with Mr. Pumphrey to make sure everything is accurate.
- Seat not open till September, but the sooner support is given the better.
- It's appropriate to have a Mono County representative.

Supervisor Stump:

- With his education and experience and his awareness, he is a good choice.
- He's in Victorville today on Lahontan business or else he would have

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been here.

- Urges board approve letter of support.

Supervisor Alpers:

- Very crucial to have this type of representation.
- Asks that we track this appointment and do more if necessary.

B. Emergency Withdrawal from Reserves and Budget Approval

Departments: CAO, Finance

(Roberta Reed) - Discussion and potential withdrawal of money from reserves to cover the costs the "Round Fire" emergency that occurred during the period of 2/6/15 through 2/12/15 and approving associated budgets.

Action: 1. Approve and authorize proposed resolution #R15-28, appropriating and transferring \$218,389 from General Reserves to Fund 191 (Feb 2015 Wind/Fire Storm Fund) to cover the costs of the declared emergency as a result of the February 2015 Wind and Fire Storm known and recognized by the State as the "Round Fire;" (4/5 vote required) and 2. Approve and authorize the proposed Disaster Fund budget and revised General Reserve budget (4/5 vote required).

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

R15-28

M15-99

Roberta Reed:

- OES has already provided hundreds of thousands of dollars, most of which has gone to CalRecycle.
- We now need to cover \$218,389 – we need to take money from reserves which requires a 4/5 vote.
- Explained resolution before board.
- Explained budgets before board.
- If full amount of claim is recognized by OES, we could move leftover amounts back into reserves.

Jim Leddy:

- We will bring the termination of the emergency next week.

Supervisor Stump:

- If OES honors this claim, will we be in a position to redeposit monies back into our reserves?

Leslie Chapman:

- In order to meet expenditures, we have to have a budget to spend out of. It has to be budgeted and balanced which requires the transferring of reserves.
- Thanked Roberta for work on this.
- We have \$100,000 in contracts that needs to be covered.

Marshall Rudolph:

- More appropriate to do this while emergency is in effect, not after it's terminated.

Supervisor Fesko:

- Why are we doing this now?

Note

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C. Sheriff Vehicle Replacements

Departments: Public Works and Sheriff

(Jeff Walters) - The Mono County Sheriff's Department is requesting replacement of five existing vehicles with five 2015 Chevrolet Tahoe 4WD Police Patrol Vehicles (PPV's).

Action: Authorize Public Works Director to purchase five new Chevrolet Tahoe PPV's for the Mono County Sheriff's Department. 2. Amend the Motor Pool budget by increasing appropriation in Capital Equipment: Vehicles (Object Code 53010) by \$320,000 (4/5 vote required).

Alpers moved; Corless seconded

Vote: 4 yes; 1 no: Johnston

M15-100

Jeff Walters:

- Explained item.
- Offered to get additional information to the board should they require it.
- Price includes upfitting (all cages, lights, safety required equipment for law enforcement vehicles).
- They try to save, salvage and reuse whatever they can off of the vehicles being taken out of service.

Supervisor Johnston:

- For last four years, he has been advocating for more efficient vehicles for county fleet, specifically for Sheriff's Department.
- Feels the Sheriff's vehicles have been larger and more expensive than necessary, sucking general funds from other uses.
- Along the way, there has been progress made – the Ford Interceptor has been acquired.
- Wondering why they want such large vehicles?
- Chevy Tahoe is new this year, untested as law enforcement vehicle. We don't have any in our fleet either.
- Structural integrity of Ford Interceptor is much safer than the Chevy Tahoes and engines don't compare.
- He has some serious reservations about this purchase.
- What about vehicles being replaced? Soft target of 130,000 miles – we should extend unless there is a safety reason.
- We shouldn't be doing this now due to cost; goes against the idea of standardizing fleet.
- He can't support this in the face of the budget issues.
- If this passes, you are again sending a negative message to the public, contradicting what we've said we're going to do and flying in the face of budgetary crisis.

Supervisor Fesko:

- Agrees with Supervisor Johnston about the mileage issue. He's not sure all of them need to be purchased right now.
- He does not agree with the cost either, needs more data. Need to compare apples to apples.
- Interceptors are used well; went over all features that make them exceptional.
- Doesn't see the savings that Public Works is talking about.
- Asked about increase in motor pool charges.

Note

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- Can we start with two or three, test them out and then get other ones during new budget time? He's ok with a change; just wants to make sure it's the right one.
- He doesn't like the idea of going to black and white. People like the deputy colors as-is. Blurring the line with CHP could be an issue.
- Asked Sheriff about extra money that will need to be budgeted.

Supervisor Stump:

- Will equipment get stripped out of old vehicles and either be auctioned or reused in the fleet if possible?

Supervisor Corless:

- Had a discussion with the Sheriff about two months ago; feels they have done the necessary research and know which vehicle would be best for their department.

Supervisor Alpers:

- Appreciates analysis done on this; we've done due diligence.
- Feels a compelling argument has been made for our needs in Mono County.
- He supports the Sheriff's recommendation.
- He feels the full five vehicles should be supported.

Sheriff Braun:

- Explained cost differences.
- Prefers the Tahoe because it is a patrol rated package; its four-wheel drive which suits our purposes; has more clearance than the Interceptor.
- Feels the Tahoe is more reliable overall.
- Tahoe will have a calibrated speedometer which will help win court cases.
- Going to black and white to have more of a presence.

Undersheriff Moriarty:

- Gave additional details why the Tahoe is the best choice for the Sheriff's Department.
- Talked about tracking down time of getting electronics in vehicles serviced.
- Federal Signal (upfitters) has said they will stand by their product, sending people to us to do repairs.
- They really need seven vehicles, feels they've compromised already only asking for five.
- There is a lot of cooperation going on between local law enforcement agencies right now.

Leslie Chapman

- .40 increase in motor pool costs over what is currently being used because it's a more expensive vehicle, the upfitting will be paid through motor pool costs (instead of Sheriff's Department handling the upfitting separately).

Marshall Rudolph:

- These types of purchases are an exception to the normal need for a bid process through ordinances.

Judy Curti:

- Commented on color of cars: study done that black and white is a crime deterrent and that it works.

D. Cooperative Forest Road Agreement with Inyo National Forest and Road Project Agreement for June Lake Streets Rehabilitation

Note

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Project

Departments: Public Works

(Garrett Higerd) - The proposed agreements will provide interim right-of-way documentation and a framework for cooperation with the Inyo National Forest for County-maintained roads that are on Forest lands and do not have a more formal right-of-way easement.

Action: Approve County entry into proposed Cooperative Forest Road Agreement and Road Project Agreement for the June Lake Streets Rehabilitation Project and authorize the Public Works Director to execute and administer said agreements on behalf of the County. Authorize the Public Works Director to review and approve modifications to Schedule A of the Cooperative Forest Road Agreement, and associated Maintenance Plan, on behalf of the County from time to time.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

M15-101

Garrett Higerd:

- Explained item and recommended action.
- This item is somewhat related to item E as well.
- Worked with Forest Service and came up with the cooperative agreement.
- Believes this agreement is framework for future cooperation.
- We have a cooperative agreement with Toiyabe; this one may prompt a review of that one to create a newer one.

Supervisor Corless:

- She fully supports this.
- Asked how this worked with the Inyo?
- This provides clarity where there hasn't been much previously.

Supervisor Stump:

- May have to consider abandoning roads due to budget issues in the future. Are we on the hook with this?
- He meant "not maintaining", "not abandoning".

Supervisor Alpers:

- Feels this is long overdue.
- Thanked Garrett for working through June Lake Roads issues.

Stacey Simon:

- Each year we can add or delete roads from schedule A.
- Our ability to abandon roads is somewhat constrained by state law – we can stop maintaining them but to close one is a bit more complicated.
- There are short term commitments in this agreement.

E. Contract Amendment with Triad-Holmes Associates for Engineering, Inspection, and Surveying Services

Departments: Public Works

(Garrett Higerd) - 2014-15 Budget Amendment to recognize Additional Revenue Sources for June Lake Streets Rehabilitation

Note

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Project and Contract Amendment with Triad-Holmes Associates.

Action: 1. Approve 2014-15 budget changes to accommodate contract change orders as follows: Amend the Fiscal Year 2014-15 State and Federal Construction Budget (fund 701) to Increase revenue in Other Government Agencies (1590) by \$174,105, increase revenues in Operating Transfers In (1810) by \$147,597 and increase expenditures in Land & Improvements: June Lake Streets (5201) by \$321,702. Also, Increase Operating Transfers Out from the June Lake Storm Drain Fund by \$83,597 and from the June Lake Major Thoroughfare Fund by \$64,000. There is sufficient fund balance in both of these funds to cover this action. 2. Amend “as-needed” contract with Triad-Holmes Associates for engineering, inspection, and surveying services to increase the contract limit from \$250,000 to \$300,000 to allow for additional work to be completed on the June Lake Streets Rehabilitation project.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-102

Garrett Higerd:

- Went over item and requested action.
- Asking for budget adjustment to recognize additional funds, including ones from Inyo National Forest.

F. Rock Creek Road Temporary Construction Closures

Departments: Public Works

(Garrett Higerd) - The Department of Public Works has received a request from the Federal Highways Administration (FHWA) to close Rock Creek Road to allow for heavy construction on five arch culverts, which is scheduled to take place on the following days:

May 27, 2015 – 8:00 AM to 12:00 PM (4 hour delay) and 1:00 PM to 5:00 PM (4 hour delay)

May 28, 2015 – 8:00 AM to 12:00 PM (4 hour delay) and 1:00 PM to 5:00 PM (4 hour delay)

May 29, 2015 – 8:00 AM to 12:00 PM (4 hour delay)

Action: Adopt Resolution No. R15-29 , “A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of Rock Creek Road.”

Stump moved; Alpers seconded

Vote: 5 yes; 0 no

R15-29

Garrett Higerd:

- Went over item; explained that Rock Creek Road is back under construction; things really need to move along.
- Bicycle Climbing Lane - contractor is asking for longer closures than

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normal.

Supervisor Stump:

- Thanked Garrett for all his work.

G. Hiring Freeze Variance - Solid Waste Maintenance Worker

Departments: Solid Waste Division of Public Works

(Tony Dublino) - Consider hiring freeze variance to fill Solid Waste Maintenance Worker position to facilitate anticipated recycling and diversion needs.

Action: Approve hiring freeze variance and authorize Solid Waste Superintendent to proceed with recruitment.

Stump moved; Fesko seconded

Vote: 5 yes; 0 no

M15-103

Tony Dublino:

- Explained the need for hiring a Solid Waste Maintenance Worker.

Supervisor Stump:

- Has seen maintenance needs and supports this request.

Supervisor Fesko:

- Agrees that this is a needed position.

H. Agreement for Special Counsel Services (Brett Price)

Departments: County Counsel, Assessor

(Marshall Rudolph, Barry Beck) - Proposed Agreement For Services of Special Counsel (Property Tax Appeals and Litigation) between the County and Norman Dowler LLP and Brett L. Price.

Action: Approve County entry into proposed Agreement For Services of Special Counsel (Property Tax Appeals and Litigation) between the County and Norman Dowler LLP and Brett L. Price. Authorize Board Chair to sign said Agreement on behalf of the County.

Corless moved; Fesko seconded

Vote: 5 yes; 0 no

M15-104

Marshall Rudolph:

- Very straight forward agreement.
- Explained history of Brett Price working with the County, he is a statewide expert.
- He's moving to a new firm so he needs a new contract, does include a \$10 per hour increase in fees.
- Other than that it's the same agreement currently in place.
- This agreement creates the ability to use this outside attorney if needed.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Benny Romero:

- Thanked Board for their effort on saving money.
- Sage Grouse issue: meeting at his place on 5/29 at 5:00 p.m. All board members are

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welcome.

- Bodie – doing a membership drive; he'd like to see Board members present. Lack of water has been good for increasing visitation to Bodie (handout).
- Supervisors mentioned Benny's Beef and Wine tasting event in summer (an invitation was given out).

11. CLOSED SESSION

There was nothing to report out of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt).
Unrepresented employees: All.

B. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

C. Closed Session - Conference With Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claim of Cynthia Diem.

D. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: personnel complaint.

E. Closed Session - Conference with Legal Counsel

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

F. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of

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Government Code section 54956.9. Number of potential cases: one.

REGULAR AFTERNOON SESSION COMMENCES AT 1:30 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Board of Supervisors Ad Hoc Emergency Medical Services Committee

Departments: Emergency Medical Services

(Rob DeForrest, EMS Manager) - The Board of Supervisors will discuss and potentially take action with respect to aspects of the recently formed Ad Hoc Emergency Medical Services Committee.

Action: Approve the membership of the Ad Hoc Emergency Medical Services Committee, with the exception of the Paramedic Association member and alternate and finalize the scope of work.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M15-105

Rob DeForrest:

- Here today to seek approval to establish the Ad Hoc Emergency Medical Services Committee.
- Names: Tim Fesko, Board of Supervisors Chair (Chair); Lynda Salcido, Public Health/EMS Director (Vice Chair); Fred Stump, Board of Supervisors Vice Chair; Dr. Rick Johnson, County Health Officer; Rob DeForrest, EMS Manager; Leslie Chapman, Mono County Director of Finance; Frank Frievalt, Mammoth Lakes Fire Chief (representing Mono County Fire Chiefs); Bob Rooks, retired paramedic, former EMS Manager; Mike Geary (representing the Paramedic Rescue Association); Jack Copeland (recommended by Supervisor Johnson); Ralph Lockhart (recommended by Supervisor Alpers) Rick Mitchell (recommended by Supervisor Stump); Dave Robbins (recommended by Supervisor Fesko); Rosemary Sachs (recommended by Supervisor Corless) nurse at Mammoth Hospital (representing Mammoth Hospital).
- He plans to notify all participants.

Supervisor Stump:

- Mike Geary is actually a chosen alternate.

Supervisor Fesko:

- Suggests that the Paramedic Rescue Association's position be a paid position.
- First meeting: May 21, 2105 at 1:00 p.m. at Lee Vining Community Center.
- There has been some concern as to where to have the meetings.
- He wants the clerk's office to see about being able to use Granicus remotely.
- We need to get a contact roster.
- Move this item to recur next week to get primary and alternate from the association.

Supervisor Johnston:

- Once approved, will all participants be notified of first meeting?

Bob Musil:

- Explained that the committee is a subset of the EMS webpage at the moment.
- Can set up link to main page.
- Granicus scheduled to go live in June.
- Asked for copy of distribution list as well.

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Kevin Smith (President Paramedic Association):

- They originally had picked a first and an alternate; can they pick another alternate?
- Can they have another discussion about who is their first choice?

Supervisor Corless:

- Rosemary Sachs—appointment to committee. Mobile Intensive Care nurse in Emergency Dept at Mammoth Hospital—officially representing Mammoth Hospital.

ADJOURN 2:15 p.m.

ATTEST

TIMOTHY E. FESKO
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD

Note

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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on May 12, 2015.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[05/12/15 Draft Mins](#)

History

Time	Who	Approval
5/13/2015 4:32 PM	County Administrative Office	Yes
5/13/2015 4:13 PM	County Counsel	Yes
5/13/2015 6:18 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 Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
May 12, 2015**

Flash Drive	#1004
Minute Orders	M15-106 to M15-114
Resolutions	R15-30 to R15-32
Ordinance	ORD15-05 not used

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

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

*Break: 10:38 a.m.
Reconvene: 10:45 a.m.
Closed Session/Lunch: 1:13 p.m.
Reconvene: 1:56 p.m.
Closed Session: 3:30 p.m.
Adjourn: 4:33 p.m.*

Pledge of Allegiance led by Supervisor Alpers.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Jeph Gundzik:

- Here to comment on Item #7a – it is scheduled item.
- Chairman Fesko pulled from consent agenda for comment.

2. APPROVAL OF MINUTES - NONE

3. RECOGNITIONS

A. Recognition of County Employees

Note

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Departments: County Administrator's Office

Present Certificates of Appreciation to Wendy Sugimura, Nick Criss, Courtney Weiche, Brent Calloway, and Greg Newbry, Gerry LeFrancois and Dr. James Paulus, recognizing their efforts on behalf of Mono County in regards to the Sage Grouse listing.

Action: Approve Certificates of Appreciation for Wendy Sugimura, Nick Criss, Courtney Weiche, Brent Calloway, Greg Newbry, Gerry LeFrancois and Dr. James Paulus.

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

M15-106

Supervisor Fesko:

- Mentioned all employees being honored.
- Asked that this be put onto next week's agenda again for presentation purposes.
- Presented Wendy Sugimura's certificate as she was in Bridgeport.

Jim Leddy:

- Explained how item came about.

Supervisor Johnston:

- Expressed gratitude for employees; feels it's important to recognize these individuals for working on Sage Grouse issue.
- Scott Burns, although not being given a certificate, deserves mention.

Wendy Sugimura:

- Appreciates the mention of Scott Burns as he certainly deserves being recognized.
- He deserves a lot of credit.
- Also wanted to recognize Tony Dublino.
- Asked to show quick video.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 5/5 - Attended the June Lake Community Advisory Committee meeting held at the JL Community Center. My special guest for the evening was District 5 Supervisor Stacey Corless. It is important that the CAC members and the residents of JL meet and acquaint themselves with ALL of the Supervisors. Garrett Higerd gave a detailed update on the JL Street Rehabilitation Project. Garrett acknowledged that this project will represent the first time the entire drainage issue for the JL Village will be addressed. Jill Stark made an impassioned argument for completing the trail system in JL and the need for the USFS to step up and be more helpful. It was suggested that the JL Trails Committee be more aggressive in seeking grant funding for projects. Wendy Sugimura distributed copies of the DRAFT June Lake Area Plan for public review. Jim Leddy presented the Mono County Strategic Planning power point presentation. Newly appointed CAC member Jeff Ronci was familiar with the process as it was used in his previous work at Palm Springs Dept. of Parks and Recreation. Paul McCahon reported that Cal Fire will be back in June Lake this coming summer to continue the fuel reduction program and property inspections. John Helm, Executive Director of ESTA, made an appearance inquiring if there were any unmet transportation needs in the JL community. He also reported that the Non-Emergency Medical Transportation Program is now available. Election of Officers for the coming year: Chairman - Patti Heinrich, Vice-Chairman - Jeff Ronci, Secretary - Ann Tozier.
- 5/8 - Held office hours in June Lake at the Tiger Bar from 11am to 1pm. A number of JL residents stopped by, however the community was consumed with snow removal all that

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- day. The major topic of discussion was the TROD issues coming before the Planning Commission this week.
- 5/9 - Attended the MHS Booster Club "Rock and Bowl" gym floor fundraiser held at the new bowling/golf complex in Mammoth. The event was held from 12 pm to 1am with half of all the business proceeds to be donated to the new gym floor fundraising effort. Including proceeds and private donations, the event raised \$4,923. Very successful indeed!
 - 5/11 - Attended the MHS Booster gym floor committee meeting held at Mammoth High School. To date, the team effort has raised \$126,000 for the new floor. However, additional funds will have to be raised to cover unexpected details that have presented themselves during the fundraising/planning effort. Items such as reinstalling bleachers and backboards, core drilling to set volleyball standards, roll-out protective floor matting, protective door overhangs will be sorted out as to school district or private responsibility. The installation timeline is quite aggressive with materials being delivered to the school beginning on June 12th. The estimated completion date is August 4th. A community floor dedication ceremony is currently being planned by school officials. The public-private team effort working toward this goal has been spectacular. Timeline is: graduation is June 12th, on that day; all materials will be stacked and delivered. 8/4 estimated completion date. Dedication ceremony to be planned by school officials.
 - Thank you to Rebecca Watkins and Jessica Horn of the Lee Vining Chamber of Commerce for their work in creating a professional communication standard with Caltrans District 9 Director Brent Green
 - Regret the passing of Lee Vining resident/businessman Mike Pinizzotto.

Supervisor Corless:

- 5/5 June CAC—strategic planning and trails discussion
- 5/6 Fisheries Commission—cleanup event, working on something for later this summer on Mammoth Creek
- TOML Council meeting, also 5/6: Supervisor Stump gave the best news of the year regarding fireworks funding! Gave presentation with CAO Leddy, focusing on strategic planning again. There was a large crowd at the meeting to hear discussion of the future of Mammoth's ice rink.
- Meeting with Lois Klein, MUSD/MHS good news about academic improvement, invited her to give presentation in June to share some very impressive statistics
- Amanda Kirkeby, MHS senior, named female CIF Scholar-Athlete of the Year award statewide. Amanda's a homegrown, Mammoth kid: Nordic skier, volleyball, runner, great student. Chosen out of 251 applicants. So proud—congratulations!
- More good news: Mammoth named #1 on the list of least polluting ski towns in the US, according to a UC Berkeley study <http://www.tetongravity.com/story/adventure/the-top-10-least-polluting-ski-towns> -- much of the focus was on public transportation, so credit is due to ESTA.

Supervisor Fesko:

- May 5th - 6th Attended the RCRC Executive Committee meeting in Sacramento. Continue to get updates on things as they move through the Legislature. Things are still fluid at this time. Will report back on items of interest as they solidify.
- May 7th Attended the Antelope Valley RPAC:
 - Several people from the public attended to engage in conversation regarding community trails.
 - As Mtn Gate Park phase 2 is nearing completion, discussion is starting to take place on phase 3.
 - Community continues to get behind the idea of a Dog Park in Walker.
 - Special THANK YOU to Gerry LeFrancois for his great support of this RPAC.
- May 11th attended the LTC meeting - Adopted a resolution for a Transit Security Grant. This grant will allow for the installation of several solar powered lights at bus stations.
- Close today's meeting in memory of Don Jones, the creator of "Meadowcliff - The Complete Resort". Don passed away a short time ago at the age of 91. Don leaves

Note

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behind his wife, Dorothy (97), along with several children, step children, grandchildren and great grandchildren.

- As a child Don and his family would travel from southern Cal to Reno annually. He would drive past a meadow with big cliffs behind. He would say to his mom, "someday I'm going to build a motel at the base of those cliffs". Many years later, in 1958, he purchased the 100 acre "Mile high ranch" and started out designing and building the motel. During construction he met Dorothy who would later become his wife. The motel opened in late November 1959. Don and Dot were married on November 27, 1959. Ironically just over the Sierra, on this exact day, Supervisor Fesko was born in San Jose. Don, Dot and Supervisor Fesko shared a unique bond because they shared this same special day. Don, Dot, and many of the children and grandchildren reunited in 2009 to celebrate their 50th wedding anniversary, Meadowcliff's 50th birthday, and Supervisor Fesko's 50th birthday. Don will be missed by everyone that knew him. Don, may you rest in peace and thank you for your small contribution to Mono County.
- Also close meeting in memory of Mike Pinizzotto, long time Lee Vining resident that suddenly passed away.
- Mentioned that today is the last board meeting for Jim Leddy; his efforts will not be forgotten. Wished him well.

Supervisor Johnston:

- Attended the Local Transportation Commission on May 11, 2015:
 - Reviewed and adopted the Unmet Transit Needs resolution
 - Approved the Overall Work Program for 2015-16
 - The Headstart building move was reported on in relation to the reconstruction of the Mammoth Elementary School parking lot
 - Caltrans presented the Strategic Management Plan and the Draft California Interregional Transportation Strategic Plan. The latter Interregional Plan is important in regard to Mono's Memorandum of Agreement with other counties which has leveraged funding from "interregional" funds for the major four lane projects on Hwy 395.

Supervisor Stump:

- Attended LAFCO - Received presentations on the Northern Inyo Hospital District and the Southern Mono Healthcare District orthopedic clinic issue in Bishop. Information only; Received requests for assistance from the Mono City and Lee Vining Fire Protection Districts about the unification process should those two districts choose to do so. LAFCO will send a letter to each district requesting what questions they need answered or what information they need to decide if they wish to pursue unification.
- 5/6: Attended parts of Town Council meeting and to remind Town Council about Fireworks Display monies, approved \$2000 for this July's fireworks. Wanted them to know of local group supporting them.
- 5-7: Attended the management meeting - Announced that Lynda Salcido will be interim CAO. Expressed that the Board was also committed to addressing the HR function. Management wants Board to focus on prioritization and the need for HR services to be addressed.
- 5-8: Worked on EMT issue with Chalfant Fire. No resolution yet.
- 5-11: Attended Local Transportation Commission - Overall work program approved, contains a work element that will for the first time address the issue of community emergency escape routes as a listed, planned activity. Cal Trans Inter-Regional Strategic Plan – recognized Sparks park as being impacted.
- 5-11: Attended a July 4th planning meeting for the Town/Crowley events and fireworks - County will see an event permit package and a resolution to close Sherwin Creek Road from 395 to the old sheriff substation and around to the 203/395 intersection to help control traffic going back to town after the fireworks show.

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5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- Thanked Board for opportunity to serve as CAO for Mono County.
- May 5th – CAC presented strategic planning.
- May 22nd Strategic Planning Special meeting: everything incorporated. There are 135 ideas at the moment, to be narrowed down.
- Mentioned the roundtables that recently occurred.
- Mentioned Supervisor's training; thanked Sarah for orchestrating it.
- Management meeting last Thursday.

6. DEPARTMENT/COMMISSION REPORTS

Bob Musil:

- Granicus – mentioned streaming of AD Hoc EMS Committee meetings and special meetings. It's possible, but not with software/hardware we currently have.
- Current configuration creating some problems for his department; will be researching this for the future.

Garrett Higerd:

- Update on Road Closure item from last week: Rock Creek. He got notification that they needed to cancel dates of closure; he'll be coming back with amended road closure dates.

Louis Molina:

- CalRecycle – presented Board with "Debris Removal" street sign.
- These signs were used with all homes that signed up for debris removal.
- Project went well.
- Supervisor Stump thanked him for his effort of being there; thank you also to Tony Dublino and Roberta Reed. There was a lot of compassion showed.

Robin Roberts:

- Mental Health Advisory Board – Supervisor Corless has stepped up to be a part of this board which will allow this board to proceed efficiently.
- Supervisor Corless: This committee is a formal board subject to the Brown Act.

7. CONSENT AGENDA

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

A. AB 1826 Organic Waste - Request for Exemption

Departments: Solid Waste Division of Public Works

Proposed resolution exempting Mono County itself, and businesses operating within its jurisdiction, from the mandatory organic recycling requirements of AB 1826.

Action: Approve proposed resolution R15-30, "A Resolution of the Mono County Board of Supervisors, Exempting Itself and Businesses Operating Within its Jurisdiction From the Requirements of AB 1826." (with adding this topic to strategic plan

Alpers moved; Stump seconded

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Vote: 4 yes; 1 no: Johnston

R15-30

Pulled for discussion

Jeph Gundzik:

- He doesn't feel an exemption solves the issues.
- This type of policy action by county is negative to the Town of Mammoth Lakes.
- He can't move forward with his projects without support.
- They have had a discussion with Tony Dublino, but not with Task Force.

Supervisor Stump:

- Have you appeared before Mono County Solid Waste Task Force to present ideas? Have you discussed this with our Solid Waste Program Manager?
- Deadline to pass this resolution? How long is exemption good for?

Supervisor Fesko:

- He would rather have this in our hands in dealing with exemption.
- This was discussed with the task force, correct?

Tony Dublino:

- Suggested timing was not right, not that his idea was not right.
- We shouldn't ignore these things; this resolution kicks the can down the road.
- Aids with the transition to organics recycling.
- Political will vs. mandate.
- Despite good ideas out there, the infrastructure currently does not exist.
- June 30th is deadline for resolutions; he's not sure about "un" exempting ourselves.

Stacey Simon:

- The board can rescind exemption at any time; even if board didn't the county could meet these requirements, regardless.

Supervisor Corless:

- Understands that we don't want to be under unnecessary pressure by the state, but does wish to support Mr. Gundzik.
- Can support resolution as long as the Gundzik's concept is moving forward.

Supervisor Johnston:

- Feels we shouldn't take action on this today. Doesn't support resolution today.
- We need to step up and show some leadership here.

Supervisor Alpers:

- Agrees with Supervisors Johnston and Corless about stepping up to the plate, but feels this resolution is needed right now.

B. Solid Waste Task Force Bylaws and Appointments

Departments: Solid Waste Division of Public Works

Consider amended bylaws of Solid Waste Task Force and appointments.

Action: Approve proposed bylaws, as revised to change membership category of representatives Mammoth Disposal and D&S Waste from voting to nonvoting members and making other conforming changes. Approve appointments to the Solid Waste Task Force (as revised), including the appointment of Delinda Briggs (as a public at large member) as recommended.

Stump moved; Johnston seconded

Vote: 4 yes; 1 no: Fesko

M15-107

Pulled for Discussion

Supervisor Johnston:

- Concern for Conflict of Interest for members of proposed committee.
- There are two that have a direct financial interest (Mammoth Disposal and DNS Waste).

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Doesn't think it's appropriate for them to be on committee.

- He understands it may not be a legal conflict of interest, but feels that recommendations can be tainted.
- When he sat on task force; the commercial enterprises sitting on this board have stated that hauling waste out of the county is the best way to do it.
- He doesn't support the commercial enterprises being on committee, ok with them being non-voting advisory members.

Stacey Simon:

- Conflict of Interest issues arise on a case by case basis.
- In certain instances it can prevent a person taking an action on a specific item.
- 1090 only applies when contract is being invoked.
- Elaborated on list, how voting members are set up.
- Even with non-voting members, if it's determined there's a conflict of interest, they will have to remove themselves from the discussion.

Supervisor Fesko:

- Because it's completely advisory he is ok with committee.
- Taking too much action can grind things to a halt.
- Cannot support amended action.

Supervisor Corless:

- Does 1090 apply?

Tony Dublino:

- He wanted this pulled so he could add Delinda Briggs to committee.
- Reminded Board why we were bringing this as an item today. May make the group unable to make progress. May need to revise again.

Supervisor Stump:

- Article #7 – questions.

C. FY14-15 RSTP Road Funding Agreement

Departments: Public Works - Road

Annual funding through the Regional Surface Transportation Program (RSTP) is a major source of revenue for Mono County's road maintenance programs. This exchange agreement allows the State to forward non-federal highway apportionments directly to the Road Fund and the County maintains total control of how the funds are expended.

Action: Approve and authorize Chairman's signature on the FY14-15 Federal Exchange and State Match Agreement for allocation of Federal Surface Transportation Program Funds through the State's regional Surface Transportation Program.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-108

D. 2015 Controlled Substance Annual Operating and Financial Plan

Departments: Sheriff's Office

This annual agreement in is support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in said activities. This is an annual agreement between the Mono County Sheriff's Office and the USDA Forest

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Service, Inyo County. This agreement is for the 2015 period (October 1, 2014 through September 30, 2015).

Action: Approve and sign the cooperative law enforcement agreement between the Mono County Sheriff's Office and the USDA Forest Service, Inyo National Forest for the 2015 Controlled Substance Annual Operating and Financial Plan.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-109

E. LEA Grant Administration Authority for Environmental Health Director

Departments: Health

Proposed resolution to authorize Louis Molina, Environmental Health Director, to apply for and administer annual LEA Grants through fiscal year 2019/2020.

Action: Adopt proposed resolution R15-31, authorizing Louis Molina, Environmental Health Director, to apply for and administer annual LEA Grants through fiscal year 2019/2020.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

R15-31

F. Help America Vote Act Polling Place Accessibility Training Program

Departments: Elections

The purpose of this agreement is to provide the County of Mono with federal reimbursement funds to assist in implementing HAVA Section 261 (Help America Vote Act). Funds will be used for required training (Polling Place Accessibility Surveyor Training), conducting accessibility surveys of polling places, purchasing mitigation supplies, and possible assistance with upgrades at polling places to meet ADA standards.

Action: Approve entry into an agreement (#14G26124) with the California Secretary of State for receipt of up to \$20,000 to be used for the HAVA Polling Place Accessibility Training Program, and authorize the Mono County Registrar of Voters in consultation with County Counsel to sign said agreement, including future amendments, if any.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-110

G. Contract for Audit Services

Departments: Finance

Contract with Gallina, LLP for audit services.

Action: Approve three year contract with Gallina LLP, Certified Public Accountants for Audit Services and authorize the Board Chairperson to sign.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

Note

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M15-111

Pulled for discussion

Supervisor Fesko:

- How long have these people been members?
- It could be a benefit to having same members for a long time, is there also a potential for not catching things?

Leslie Chapman:

- They've been members a long time.
- This is a large firm; they audit 35 counties; they rotate partners and managers.
- Every year there is a new audit team not familiar with Mono County.
- Neely was chosen in the past to do the Special Districts, at a better price.

Supervisor Stump:

- What happened to Neely?

8. CORRESPONDENCE RECEIVED (INFORMATIONAL) - NONE

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

9. REGULAR AGENDA - MORNING

A. Review of Local Emergencies

(Jim Leddy) - Review state of local emergencies, which were proclaimed by the Sheriff as Director Emergency Services on February 6, 2015, and ratified by the Board on February 10, 2015 and the second local emergency proclaimed by the Mono County Health Officer on February 11, 2015 and ratified by the Board on February 17, 2015.

Action: Approve Resolution # R15-32, terminating the state of local emergencies.

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

R15-32

Jim Leddy:

- In front of the Board today: the option to terminate the resolution.
- County counsel has prepared a resolution to terminate the state of emergency.

Marshall Rudolph:

- Handed out resolution which references both emergencies.
- You don't have to have a resolution but he figured having one would keep things consistent.

Supervisor Stump:

- Expressed his sincere appreciation for the work done on this by everyone involved.

B. Supplemental Funding for Ebola Preparedness and Response

Departments: Public Health

(Dr. Rick Johnson) - The Centers for Disease Control and Prevention (CDC) have released one-time funds to the states in the name of Ebola Viral Disease (EVD) preparedness and response. California has solicited applications from the local jurisdictions in order to build local public health capacity and capability for response to infectious diseases, with a focus on EVD, addressing the capabilities as stated in the PHEP Supplemental for Ebola Preparedness and

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Response Activities grant guidance. Priorities that we are addressing in our application include: Community Preparedness; Responder Safety and Health; Emergency Public Information and Warning/Information Sharing; and Medical Surge. These funds are one-time funds, for use during a period of 18 months beginning April 1, 2015. They are in addition to our other Emergency Preparedness grants (Public Health Emergency Preparedness – PHEP, Hospital Preparedness Program – HPP, and Pandemic Influenza – PF). All indications are that these other grants will continue to be sustained with level funding into the foreseeable future.

Action: The Board of Supervisors (1) Approve and authorize the Chair's signature on the NON-SUPPLANTATION CERTIFICATION FORM for the AGREEMENT outlined below, and (2) Authorize the Public Health Director to sign the AGREEMENT ALLOCATING FUNDS, NUMBER 15-10369, Supplemental Funding for Ebola Preparedness and Response, and any additional contract amendments, and (3) Authorize the Public Health Director to sign the CERTIFICATION REGARDING LOBBYING (Exhibit F, Attachment 1), and (4) Authorize the Public Health Director to sign the LETTER OF ACCEPTANCE.

Corless moved; Fesko seconded

5 yes; 0 no

M15-112

Dr. Rick Johnson:

- Gave history/explanation of item.
- Discussion about funding and how it will be allocated.
- Goal is to identify, isolate and protect workers and community.
- All this came as a result of meetings he had in Atlanta. We are getting approximately \$65,296.

Supervisor Fesko:

- Proves that being in front of the right people at the right time is effective.

C. Fish & Wildlife Presentation on Bear Funding

Departments: Clerk of the Board of Supervisors

(Jonathon Fusaro) - Update on \$5,000 grant from the Board of Supervisors in 2010 for the Eastern Sierra Black Bear Project.

Action: None.

Jonathan Fusaro (California Department of Fish and Wildlife):

- Here to give update on previously awarded \$5,000 grant by the Board.
- Tim Taylor couldn't be here today.

Powerpoint (Eastern Sierra Black Bear Project):

- Goals
- Objectives
- What happened to \$5,000 given the Department in 2010?
 - Mammoth Lakes Black Bear Survey (2010-2012)
 - Developed DNA-based sampling techniques
 - Obtain abundance estimates and compare densities
- Results
- Bear Preparation Policy
 - Category I: No harm, no foul

Note

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- Category 2: Habituated to humans, nuisance bear
- Category 3: Caused real property damage
- CDFW Staff
- CDFW Plans
- They need Mono County's help!
- Resources
- Questions/Comments/Suggestions?

Further Discussion:

- He has gone to the Fisheries Commission.
- He is also working on bobcat study. Preparing a presentation to public in late June/early July.

Supervisor Stump:

- Asked him to go back to Fisheries Commission and ask them about the Fish and Game Fish fine fund.
- Explained all areas in county where we have budgetary shortfalls.
- He appreciates his ideas; he doesn't see that the board can do this fiscally. He'd be happy to support the Fisheries Commission taking monies from their fund.

Supervisor Johnston:

- Thanked Jonathan; very important work.
- He encourages him going back to Fisheries Commission.
- Will be looking at budget in the future, if he came back with specific ideas that cost less money, might be able to look at it.

Supervisor Corless:

- She has bears visit her all the time in Old Mammoth.
- Agrees that the board should support the Fisheries Commission donating funds.
- Is he also working on Bobcat study?

Supervisor Alpers:

- Education is key to keeping bears from escalating categories.

Supervisor Fesko:

- Thanked him for coming; suggested he be more specific if he comes in future but agrees that Fisheries Commission is one avenue.

D. Workshop - Combined Use Highway Designation

Departments: Community Development; County Counsel

(John-Carl Vallejo) - Presentation by John-Carl Vallejo & Scott Burns regarding the potential for designating county highways as combined use highways.

Action: None.

John Vallejo:

- Introduced item; explained history, gave reading and explanation of various code sections.
- Explained what constitutes "combined use".
- Explained what constitutes an off-highway use/recreational use areas and facilities.
- What are scopes of impacts we'll have if Board approves something like this?
- Private roads are not part of the county system?
- All based off of registration requirements of vehicles; it's the ones not registered as vehicles that becomes Off-Highway.

Scott Burns:

- He has contacted members in departments, other counties - biggest issue is environmental – estimated cost of \$300,000 for EIR.
- Discussed Inyo Counties off road trails.
- They are required to report back to state in 2016, monitoring how it's going.
- It was suggested that we get early buy off from agencies and to start small.

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- Can't piecemeal project, need to put forth whole project.

Supervisor Fesko:

- Question has been what's the scope of CEQA? Still not clear on impact?
- Gave information about colors on maps.
- OHV's have to be registered with a green or red sticker so the "registration" terminology is a bit misleading.
- This comes down to an economic development thing.

Supervisor Stump:

- Asked question about maps; asked for clarification of colors.
- Private roads in county – are they available if not maintained by the county?

Supervisor Alpers:

- Sees major problems being with dirt bikes. How are the dirt bikes addressed with this?
- We'll spend a lot of money doing studies, etc. but will still have potential damage occurring.
- Asked about trailering OHV's.

Supervisor Johnston:

- Why can't OHV's just be registered to be on the highway?

Public Comments

Mike Booher:

- We need totality of outside thinking to keep communities alive and houses on the market.
- Need to keep opportunities open to try something new and think outside box.

Dave Robbins:

- Mentioned that he's taking his ATV with him on a future vacation because the location offers 700 miles of trails.
- Feels the ATV Jamboree in Walker is the biggest fundraiser they have.

Dan Love:

- He lives here and has used his Ranger in the area almost exclusively.
- At his age he doesn't hike, he and his wife appreciate being able to get on a Ranger and enjoy the area.
- Right now he uses the roads illegally to get from point A to point B and the local law enforcement haven't done anything but it would be much better if it were legal.

Pam Hennick:

- The ATV event brings people back to the area for other reasons.
- We need this combined use highway designation.

Bob Peters:

- ATV business is booming elsewhere due to the open ATV trails.
- This represents economic development and brings business here.
- This means job and wage birth. Increased TOT tax.
- Gave an example of potential numbers to be generated. He feels the monies to be generated more than covers the cost of the EIR.
- Spoke about how the ATV event in Walker has surpassed

Gene Kinum:

- Moved to Bridgeport not too long ago.
- Is concerned about all businesses closing down in Bridgeport.
- Gave Mammoth Motocross as example of OHV vehicles being all around and it working.
- It's important that the Board entertain this.

Carla (Walker Country Store):

- ATV event brings people back to the area.
- Creates a lot of income for the community.
- Thinks the ATVs are safer than the normal traffic that is allowed.
- Asks the board to support this.

Mrs. Robbins:

- We have a great opportunity here to improve our economic stability.

Note

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- Feels we need to take advantage of this opportunity.
- We need to look at the future, down the road to all the potential benefits.
- Asked for support.

Ken Reynolds:

- Feels there are more law abiding riders than not.
- Looking for access on county roads from homes, hotels, to the trails.
- Asks for support.

ADDITIONAL DISCUSSION:

Supervisor Fesko:

- What would be next step to move forward?

Scott Burns:

- Direct staff to come back with a work program.
- We don't really have funding to take this on right now.

Supervisor Stump:

- Appreciates all comments about economic development.
- Went over areas he's concerned with, namely coming up with funding.
- Wants to keep it alive but feels it should be wrapped into the strategic planning module. Then we'd need a determination how much resource, if any, county can contribute.
- The strategic plan will be discussed at 5/22.
- Suggests a group begin collecting a green sticker fund.
- Explained funding for road projects (STIP money that isn't general fund money).

Supervisor Corless:

- Supports economic development in our county.
- Key in short term may be in special events through road closures, not changing roads to combined use.
- Feels strategic planning is the place to bring this forward.
- The Federal Land Management agencies have to be addressed, not to mention the monies for all the studies.
- Feels too many steps are being asked for today; feels we need to go through proper channels and see how it fits into bigger picture for the county.
- We need to wait and see what we can learn from Inyo.
- 5/22 strategic plan meeting: strategic planning vs. tactics to get strategies accomplished.

Supervisor Alpers:

- He supports concept; thinks that the quads should have as many rights as all other "vehicles" that frequent roads.
- He agrees with Supervisors Corless and Stump and approaching it in an organized fashion.

Supervisor Johnston:

- He attended the hearing for Inyo County trails; there is a whole other side not being addressed that is a huge wall.
- He agrees that this needs to be incorporated into the strategic plan; even so, it will have a lot of controversy.
- He stands on the side of remaining an "unmotorized" county.
- Is there a misunderstanding about what the strategic planning meeting is about?

Supervisor Fesko:

- He's in support of this, feels it's a priority.
- Budget comes down to prioritizing but there will always be controversy.
- Feels Bridgeport and Walker should be next in line to be a priority for projects.
- He will fight for what his communities need.
- Gave information out about strategic plan special meeting on 5/22 at the Lee Vining Community Center from 8-11 a.m.

Jim Leddy:

- Strategic Planning meeting on 5/22: to narrow projects after all public feedback.

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- It's about choices.

E. Quarterly Investment Report

Departments: Finance

(Joanne K. Werthwein) - Quarterly Investment Report for Quarter Ended: March 31, 2015 (Transaction Summary Reports for the months of February and March 2015 included)

Action: None.

Joanne Werthwein:

- Explained item.
- Presented report.

Supervisor Johnston:

- Serves on Oversight Committee; mentioned that Joanne does a great job.
- He invited ESTA to join, doesn't know if they will.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. CLOSED SESSION

- *It was reported that Lynda Salcido will serve as the Interim CAO, while a replacement is found for Jim Leddy.*

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Manager

D. Closed Session - Conference With Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: two. Facts and circumstances: personnel complaint.

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E. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

F. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

REGULAR AFTERNOON SESSION COMMENCES AT 1:30 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Mono County Emergency Action Plan

Departments: Risk Management

(Sarah Messerlian) - Mono County Emergency Action Plan.

Action: Adopt Mono County Emergency Action Plan with minor modifications as requested and/or needed.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M15-113

Sarah Messerlian:

- Explained item and why it's important to have in place, this is the first plan of its type.
- Next phase is to have employees and department heads go over plan and then come up with future ideas i.e. fire drills, etc.
- Workplace Violence section discussed.
- Intent of this document focuses on our employees; the other piece, the EOP is the responsibility of the Sheriff.

Supervisor Johnston:

- Asked about evacuating animals (as in last fire) – is this different policy?
- Do we do fire drills with employees?
- What about a shooter from outside coming in? Is there a lockdown procedure?
- The Workplace Violence portion doesn't really cover the outside shooter thoroughly enough.
- Asked about an active shooter coming to door, we need a drill to cover this.

Supervisor Fesko:

- Asked what symbols were on document; suggested a legend.
- Asked about fire ladders.

Supervisor Stump:

- Is this an update to an existing plan or a new plan?

Supervisor Corless:

- Asked about committees that may be associated with this.

Sheriff Braun:

- Has a good training video from Los Angeles regarding shooting.

Jim Leddy:

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- Need to discuss with Trindel what's in place. Sarah to follow up with them on other counties existing plans.

B. Board of Supervisors Ad Hoc Emergency Medical Services Committee

(Rob DeForrest, EMS Manager) - The Board of Supervisors will discuss and potentially take action with respect to the recommended committee member, Brent Peterson, and alternate member, Mike Geary, from the Paramedic Association.

Action: Appoint Mike Geary as committee member and Mike Sharrar as alternate member to the Ad Hoc Emergency Medical Services Committee, with exception that the discussion of Lynda Salcido and any potential conflict with her membership on the committee will be on next week's agenda.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

M15-114

Rob DeForrest:

- Here to get approval for the last member of the Ad Hoc EMS Committee.
- The Paramedic Association recommends Brent Peterson with Mike Geary as the alternate.

Supervisor Stump:

- Worried about conflict of interest, even the appearance of a conflict of interest.
- Worries that having Brent on the committee will be an unnecessary distraction.

Supervisor Fesko:

- Is conflict with the MOU?
- Brent's statements have given him some pause.
- Agendize at next meeting – position of Lynda Salcido and potential conflict of interest in relation to her as interim CAO and serving on this committee.

Supervisor Johnston:

- Is there something wrong with Mr. Geary? Not sure why there even is an issue.
- Secondary issue is that Lynda Salcido shouldn't be on committee since she's acting CAO.

Brent Peterson:

- He feels with his experience that he brings specific knowledge and understanding to the table.
- He does understand the conflict of interest issue.
- He's chair of MLFPD – has advised all parties about his selection to the committee. They are ok with him serving, keeping in mind conflicts of interest and acting accordingly.
- For these reasons, he would appreciate board's consideration.

Supervisor Alpers:

- He thought this issue was resolved; that the board made it clear that they felt the suggested alternate would be a better fit.
- He is confused as to why this is before the board again.

Supervisor Corless:

- The appearance is there that there is a conflict of interest. He agrees with Supervisor Stump.

C. Conway Ranch Update and Emerging Opportunities

Departments: Public Works

(Tony Dublino) - Presentation by Tony Dublino, update and emerging information relating to aquaculture opportunities at Conway Ranch.

Note

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

Action: None.

Tony Dublino:

- Has been slowly and surely compiling data.
- Also mentioned annual report which has since been revised.
- New information on sustainable agriculture and education.
- Topic of re-circulating aquaculture?
- He received call from Sue Barak regarding re-circulating aquaculture.
- There is some money in the Conway ranch budget.
- Water collection discussion.

Supervisor Alpers:

- Received call from owners of Desert Springs – they had gone to international trade show.
- A lot of these discussions are strategic planning issues.
- Have Tony continue to gather all information at ranch and no RFP yet, that will depend on the strategic plan.

Supervisor Johnston:

- He has been advocating that this land use should be vetted through the Planning Commission, they should be the lead.
- Good timing for the Planning Commission as they aren't overloaded right now.

Supervisor Fesko:

- Not sure vision should be driven by the Planning Commission; should stay with the Board.

Supervisor Stump:

- The county will be fronting the project and putting itself through the planning process.
- Need a current level of awareness.

Marshall Rudolph:

- There is currently a plan in the works that will do away with the golf course; housekeeping matter that are being worked on.
- What is the consensus to staff? Status quo? Work on RFP?

Supervisor Corless:

- All components being discussed are in the operating plan; we're all agreeing.
- Glad to see that Russian Thistle will be dealt with.
- What about funding?

ADJOURN at 4:33 p.m. in memory of Don Jones, recently passed away friend of Supervisor Fesko and in memory of Mike Pinizzoto, recently passed away resident of Lee Vining.

ATTEST

TIMOTHY E. FESKO
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD

Note

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



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Board of Supervisors

TIME REQUIRED 5 minutes

**PERSONS
APPEARING BEFORE
THE BOARD**

SUBJECT Recognition of County Employees

AGENDA DESCRIPTION:

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

Present Certificates of Appreciation to Stacey Simon, Nick Criss, Courtney Weiche, Brent Calloway, Greg Newbry, and Gerry LeFrancois recognizing their efforts on behalf of Mono County in regards to the Sage Grouse listing. Certificates were already previously presented and/or sent to Dr. Paulus and Wendy Sugimura.

RECOMMENDED ACTION:

None. Certificates have already been approved. This item is to make presentation of certificates to Mammoth Lakes employees in attendance.

FISCAL IMPACT:

None.

CONTACT NAME: Bob Musil

PHONE/EMAIL: 760-932-5538 / bmusil@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Certificates](#)
- [Certificates 2](#)

History

Time	Who	Approval
5/12/2015 4:26 PM	Clerk of the Board	Yes

Certificate of Appreciation



THIS CERTIFICATE IS HEREBY AWARDED TO

STACEY SIMON

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS

THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015



TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

BRENT CALLOWAY

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS

THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015



TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

NICK CRISS

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS



THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015

TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

COURTNEY WEICHE

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS



THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015

TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

GREG NEWBRY

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS

THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015



TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

GERRY LE FRANCOIS

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS



THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015

TIM FESKO, CHAIR

Certificate of Appreciation



THIS CERTIFICATE IS HERBY AWARDED TO

JAMES PAULUS, PHD

YOUR EFFORTS ON BEHALF OF MONO COUNTY
IN REGARD TO THE SAGE GROUSE LISTING
ARE GREATLY APPRECIATED BY THE
MONO COUNTY BOARD OF SUPERVISORS

THE COUNTY OF MONO
GIVEN THIS 12TH DAY OF MAY, 2015



TIM FESKO, CHAIR



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Public Works

TIME REQUIRED

SUBJECT Confirmation of Drainage Easement:
Silver Lake Pines Subdivision #1,
June Lake

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The June Lake Streets Rehabilitation Project has made significant improvements to the June Lake Village drainage system both upstream and downstream of the drainage ditch located along privately-maintained Raymond Avenue. The ditch is currently filled in with sediment and vegetation and Public Works has engineered a solution which would replace the eastern portion of the ditch with an underground storm drain pipe, relocate it entirely within the offered right of way, and mitigate flooding along Crawford Avenue and Raymond Avenue. This item would confirm the existence of the County's drainage easement within the right-of-way for Raymond Avenue in anticipation of project implementation and affirm that Raymond Avenue itself remains a privately-maintained road.

RECOMMENDED ACTION:

Approve and Authorize the Chairman's signature on Resolution No. 15-____ "A Resolution of the Mono County Board of Supervisors Confirming its Acceptance of a Drainage Easement within the Silver Lake Pines # 1 Subdivision in June Lake and affirming the Status of Raymond Avenue as a Privately-Maintained Road."

FISCAL IMPACT:

Proposed drainage improvements within Raymond Avenue are estimated to cost approximately \$70,000 and there is adequate funding budgeted in the June Lake Streets project. There will be a long term maintenance cost to the Road fund associated with the proposed drainage improvements. However, the Road Department has historically maintained the Raymond Ditch from time to time.

CONTACT NAME: Garrett Higerd

PHONE/EMAIL: 760.924.1802 / ghigerd@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Staff Report and Exhibits](#)

History

Time	Who	Approval
5/11/2015 5:00 PM	County Administrative Office	Yes
5/12/2015 11:13 AM	County Counsel	Yes
5/12/2015 4:10 PM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: May 19, 2015
To: Honorable Chair and Members of the Board of Supervisors
From: Garrett Higerd, Assistant Public Works Director
Re: Raymond Avenue Drainage Easement Confirmation

Recommended Action:

Approve and Authorize the Chairman's signature on Resolution No. 15-____ "A Resolution of the Mono County Board of Supervisors Confirming its Acceptance of a Drainage Easement within the Silver Lake Pines #1 Subdivision in June Lake and Affirming the Status of Raymond Avenue as a Privately-Maintained Road."

Fiscal Impact:

Proposed drainage improvements within Raymond Avenue are estimated to cost approximately \$70,000 and there is adequate funding budgeted in the June Lake Streets Rehabilitation Project. Contractor payments will not impact the General Fund.

There will be a long term maintenance cost to the Road fund associated with the proposed drainage improvements. However, the Road Department has historically maintained the Raymond Ditch from time to time.

Background:

Raymond Ditch is a drainage ditch mostly paralleling Raymond Avenue. It has sometimes in the past been referred to as the "Crawford Avenue Drainage Ditch." Raymond Avenue is a private road, which was offered for dedication when the Silver Lake Pines #1 subdivision was created in 1925, but never accepted by the County.

In 1972, Caltrans reconstructed the segment of Highway 158 through the June Lake Village and added a curb and gutter and storm drain system that channelized storm runoff to a location just north of the June Lake Motel. From there, Caltrans installed approximately 425 feet of storm drain that brought the runoff down to Crawford Avenue and north-west to a discharge point at Raymond Avenue. This resulted in increased runoff coming from Highway 158 onto Raymond Avenue.

Raymond Ditch was constructed in 1974 in order to abate the nuisance created by the increased runoff. However, even following construction of the ditch (which was done with minimal engineering or planning and for a total cost of \$800), drainage problems continued to exist. In 1981 there was a significant flood in June Lake which resulted in the construction of a series of culverts and ditches downstream of the Raymond Ditch to an outfall at Gull Lake.

On multiple occasions over the years the County has cleaned out the ditch when it became clogged. This occurred at least six times of record between 1974 and 2009.

The June Lake Streets Rehabilitation Project which is currently under construction has caused Public Works to evaluate the June Lake Village drainage system as a whole. Many drainage easements have been obtained from private property owners and significant improvements have been made (costing approximately \$560,000) both upstream and downstream of the Raymond Ditch. The Ditch is currently filled in with sediment and vegetation and Public Works has engineered a solution which would replace the eastern portion of the Ditch with an underground storm drain pipe, relocate it entirely within the offered right of way, and mitigate flooding along Crawford Avenue and Raymond Avenue. This solution is expected to cost approximately \$70,000 and there is adequate funding from the June Lake Storm Drainage Fund. It is Public Works' view that these improvements would greatly increase the functioning of the drainage system.

The resolution attached as Exhibit 1, together with Exhibit A, will confirm the County's acceptance of a drainage easement within the offered right-of-way for Raymond Avenue and clarify that the County has not accepted (and does not now accept) Raymond Avenue into the County maintained road system.

This project is categorically exempt under CEQA.

Please contact me at 760.924.1802 or by email at ghigerd@mono.ca.gov if you have any questions regarding this matter.

Respectfully submitted,



Garrett Higerd, PE
Assistant Public Works Director

Attachments: Exhibit 1 – Resolution Confirming Acceptance of a Drainage Easement within Raymond Avenue
Exhibit A – Raymond Avenue Figure



RESOLUTION NO. R15-__

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS CONFIRMING ACCEPTANCE OF A DRAINAGE EASEMENT WITHIN THE SILVER LAKE PINES NO. 1 SUBDIVISION IN JUNE LAKE AND AFFIRMING THE STATUS OF RAYMOND AVENUE AS A PRIVATELY-MAINTAINED ROAD

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WHEREAS, on July 7, 1925, the Mono County Board of Supervisors approved the final tract map for the Silver Lake Pines (No. 1) Subdivision, in June Lake, California (the "Map"), which was duly recorded in the office of the Mono County Recorder; and

WHEREAS, the Map offered for dedication to the public all roads, streets, and avenues (hereinafter "roads") within the Silver Lake Pines Subdivision including Raymond Avenue -- which offer by law includes an offer of drainage and utility easements beneath the surface of (or within) the offered right-of-way; and

WHEREAS, the offer of dedication was rejected by the Board in 1925 and the County has not thereafter accepted, performed any work, maintained, or otherwise expended public monies on Raymond Avenue (or Brenner Street south of Knoll Avenue which adjoins Raymond Avenue), which roads are, and remain, privately maintained roads; and

WHEREAS, in 1972, Caltrans reconstructed the segment of Highway 158 through the June Lake Village and added a curb and gutter and storm drain system that channelized storm runoff to a location just north of the June Lake Motel. From there, Caltrans installed approximately 425 feet of storm drain that brought the runoff down to Crawford Avenue and north-west to a discharge point at Raymond Avenue. This resulted in increased runoff coming from Highway 158 onto Raymond Avenue; and

WHEREAS, to address conditions of nuisance associated with that increased runoff, the County participated in the construction of drainage facilities located mostly within the offered right-of-way of Raymond Avenue in 1974; and

WHEREAS, since 1974, the County has from time-to-time expended funds to maintain those drainage facilities and, notwithstanding the County's efforts, drainage has continued to be a problem in the area; and

WHEREAS, the County now wishes to replace the existing drainage facility with a more modern, engineered system which would replace the eastern portion of the existing drainage ditch with an underground storm drain pipe, relocate it entirely within the offered right of way, and mitigate flooding along Crawford Avenue and Raymond Avenue; and

WHEREAS, the County, prior to expending significant funds for these improvements, desires to: confirm its acceptance of a drainage easement beneath the surface and/or within the offered right-of-way for Raymond Avenue; affirm that Raymond Avenue is, and shall remain, a privately-

1 maintained road, and provide additional (and record) notice of the location of the proposed
2 improvements;

3 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO**
4 **FINDS AND RESOLVES** as follows:

5 **SECTION ONE:** Mono County hereby confirms acceptance of a 25-foot wide drainage
6 easement within and beneath the surface of the offer of dedication for Raymond Avenue, made on the
7 1925 Map of the Silver Lake Pines Subdivision (No. 1), as depicted on the figure which is attached
8 hereto as Exhibit "A" and incorporated herein by this reference.

9 **SECTION TWO:** Raymond Avenue, and Brenner Street south of Knoll Avenue, are
10 currently, and have been at all times since their creation, privately-maintained roads which are not a
11 part of the County road system. By confirming acceptance of an easement for drainage purposes
12 within the offered Raymond Avenue right-of-way, and thereafter entering Raymond Avenue to
13 construct and/or maintain said drainage easement, the Board of Supervisors expressly does not accept,
14 adopt, or otherwise take over any responsibility whatsoever for Raymond Avenue or Brenner Street
15 south of Knoll Avenue, which are and shall remain following adoption of this Resolution and until
16 such time as the Board, by Resolution, declares otherwise, privately-maintained roads.

17 **PASSED, APPROVED and ADOPTED** this 19th day of May, 2015, by the following vote, to
18 wit:

- 19 **AYES:**
- 20 **NOES:**
- 21 **ABSENT:**
- 22 **ABSTAIN:**

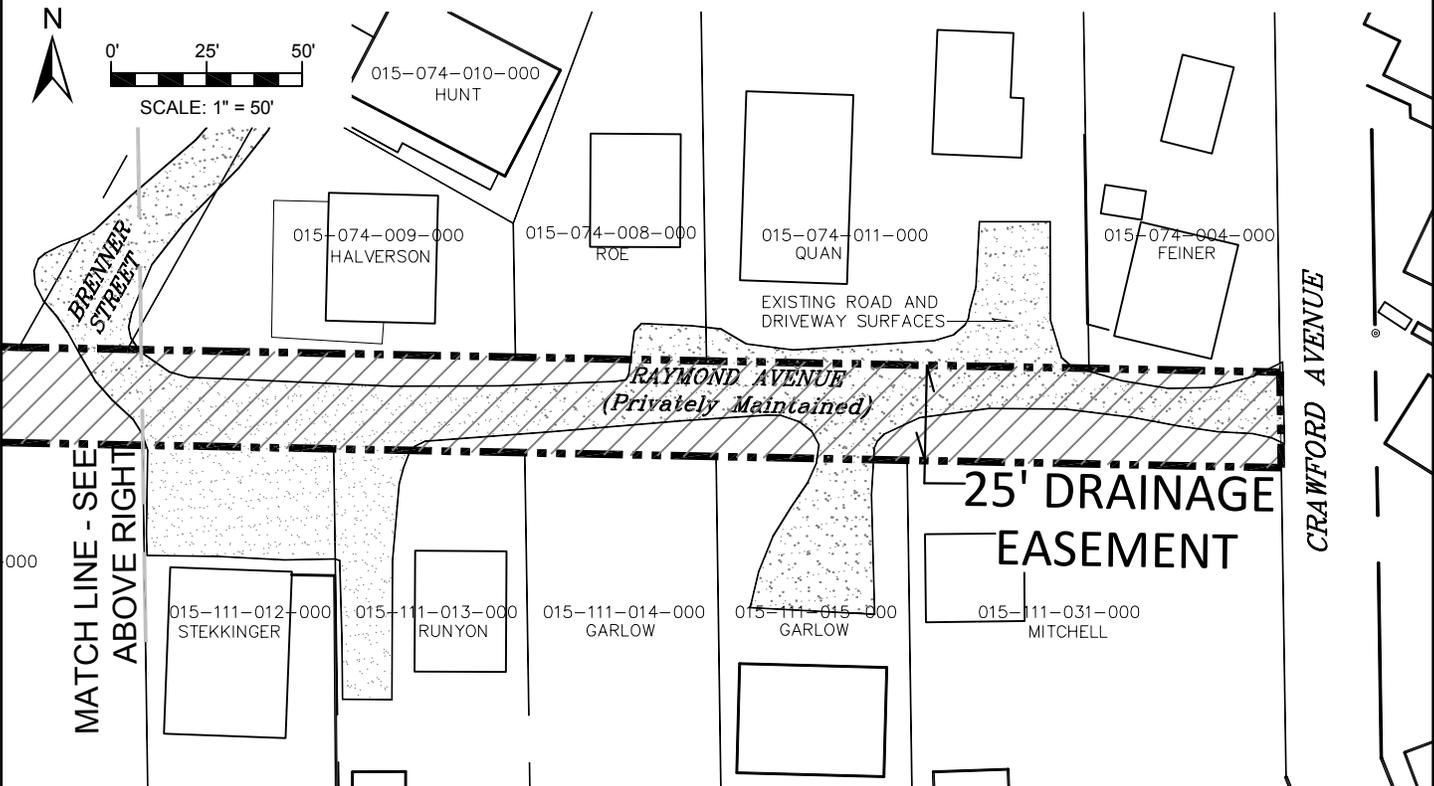
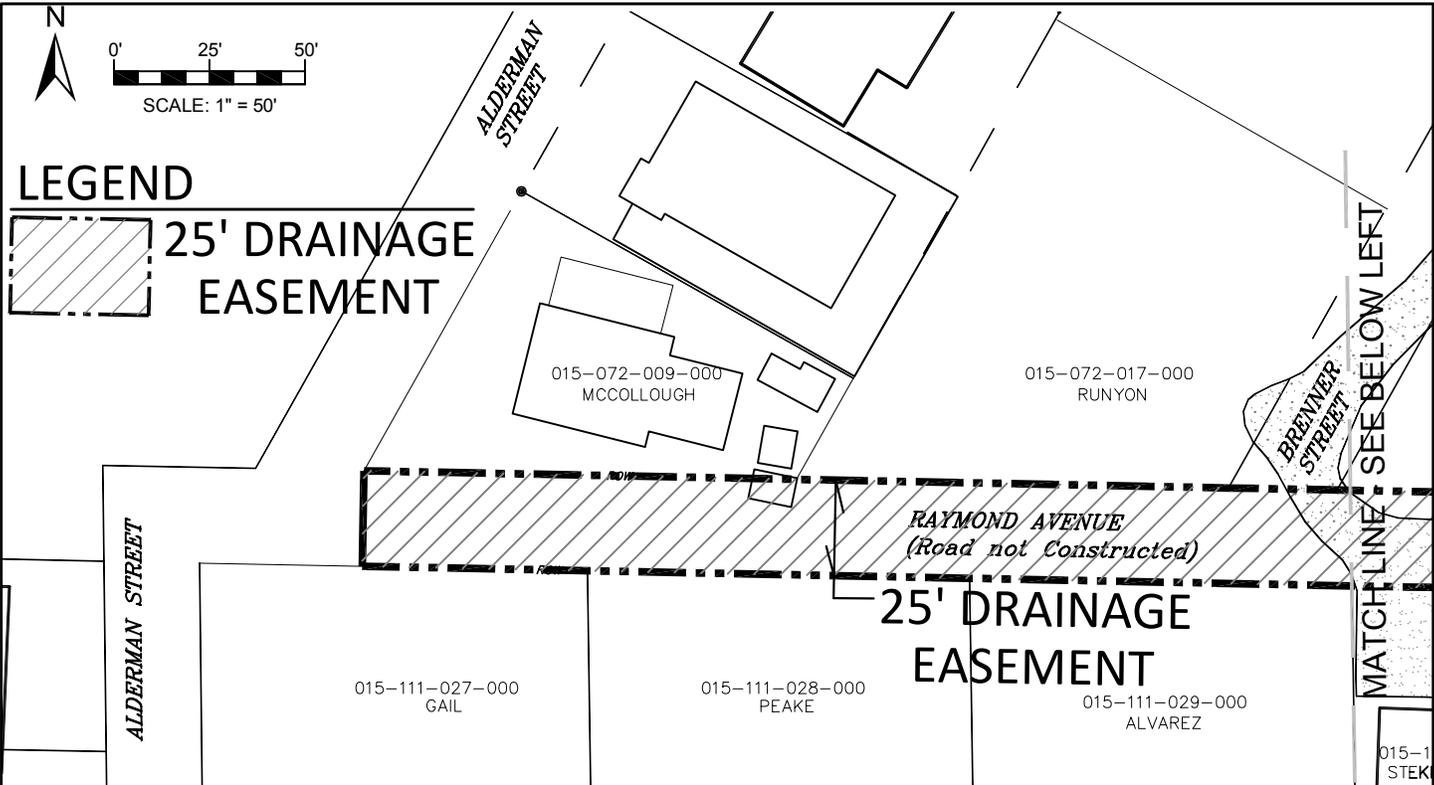
23 _____
24 Timothy E. Fesko, Chair
25 Mono County Board of Supervisors

26 ATTEST:

27 APPROVED AS TO FORM:

28 _____
Clerk of the Board

County Counsel



NOTE:
 SUBJECT PARCEL INFORMATION PER TRACT NO. 1 - SILVER LAKE PINES INCORPORATED
 RECORDED IN MAP BOOK 1, PAGE 2.

MONO COUNTY
 DEPARTMENT OF PUBLIC WORKS

RAYMOND AVENUE DRAINAGE EASEMENT
 TRACT NO. 1 SILVER LAKE PINES INC.
 JUNE LAKE, CA

EXHIBIT
A
 DATE: 2015.05.19



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Economic Development

TIME REQUIRED

SUBJECT Mono County Fisheries Commission
Appointment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Mono County Fisheries Commission Appointment.

RECOMMENDED ACTION:

That the Board consider and appoint Ms. Sue Burak to a 4 year term on the Mono County Fisheries Commission starting May 19, 2015 and ending May 19, 2019.

FISCAL IMPACT:

None.

CONTACT NAME: Jeff Simpson

PHONE/EMAIL: 760-924-4634 / jsimpson@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Application](#)

History

Time	Who	Approval
5/11/2015 4:58 PM	County Administrative Office	Yes
5/12/2015 9:35 AM	County Counsel	Yes
5/12/2015 10:55 AM	Finance	Yes



MONO COUNTY

ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

P.O. BOX 603, MAMMOTH LAKES, CALIFORNIA 93546
(760) 924-1743 • (760) 924-1701 (Fax)

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

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

STAFF REPORT

SUBJECT: Mono County Fisheries Commission Appointment

RECOMMENDATION: The Board consider and appoint Sue Burak to a 4 year term on the Mono County Fisheries Commission starting May 19, 2015 and ending May 19, 2019.

BACKGROUND: On March 2, 2015 Bob Dunn resigned from the Mono County Fisheries Commission leaving one vacancy on the commission. A Notice of Vacancy was published in local newspapers in the month of April, resulting in a total of one (1) application.

DISCUSSION: Ms. Burak is a resident of Crowley Lake and has extensive scientific background in hydrology, including research on long term flows and water quality in Mammon Creek, Upper Owens River, Pine Creek and Rock Creek watersheds. Ms. Burak has an understanding of groundwater storage, discharge and recharge to area streams and lakes including a comprehensive understanding of local geology and its influence on streamflow and water quality and quantity.

FISCAL IMPACT: None.

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

DATE	April 9, 2015	APR 14 2015
NAME	Sue Burak	
POSITION APPLIED FOR:		
Fisheries Commissioner		
MONO COUNTY CLERK		
RESIDENCE ADDRESS	6750 Crowley Lk Drive #7	
PHONE	760.935.4129	
BUSINESS ADDRESS	P.O. Box 8544	
	Mammoth Lakes, CA	
PHONE	760.935.4129	
OCCUPATION	Hydrologist, avalanche consultant	

How did you learn of the opening? Jeff Parker , Fisheries Commissioner

Please state briefly any experience of which you feel will be helpful when you serve in this appointment: Extensive scientific background in hydrology, including research on long term flows and water quality in Mammoth Creek, upper Owens River, Pine Creek and Rock Creek watersheds. Understanding of groundwater storage, discharge and recharge to area streams and lakes. Comprehensive understanding of local geology and its influence on streamflow and water quality and quantity.

Summary of background and skills: Long time observer of local water issues with limited participation in local water supply issues, specifically as a technical committee member for the Mammoth Creek EIR. Provided technical comments on the ORMAT project. Investigated tungsten concentrations in Pine Creek. Collected comprehensive water chemistry data from middle Fork of San Joaquin River, San Joaquin Ridge and Mammoth Creek

and upper Owens River watersheds from 2008 to 2011 for NPS and graduate work for Desert Research Institute, Nevada. Familiarity with Mono County lakes, streams and springs.

Professional experience: Hydrologist, streamflow measurements, water chemistry analysis, snowpack water content and relationships to runoff forecasting. Evaluation of drought indices for upper Owens River and Mammoth Creek watersheds.

Education: BS, MSc in Hydrology with emphasis on groundwater/streamflow/climate relationships.

Professional and/or community organizations: American Geophysical Union, American Avalanche Association, Western Snow Conference, Geological Association of America, American Water Resources Association.

Personal interests and hobbies: Biathlon, cross country skiing, rock climbing. Some fly fishing and fly tying experience.

Have you ever been convicted of a felony, which would disqualify you from appointment? NO

Please return application to:

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

Sue Burah

Signature

Apr. 9 2015
Date



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Finance

TIME REQUIRED

SUBJECT CSA # 5 Restoration of the Courthouse
Fence

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Use of CSA #5 funds to contract for restoration of the Bridgeport Courthouse fence.

RECOMMENDED ACTION:

Approve \$12,000 expenditure of CSA #5 funds for the restoration of the Bridgeport Courthouse fence.

FISCAL IMPACT:

The budget change for this item is included in the 3rd quarter budget item.

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5494 / lchapman@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Courthouse Fence Request](#)

History

Time	Who	Approval
5/13/2015 11:54 AM	County Administrative Office	Yes
5/14/2015 9:52 AM	County Counsel	Yes
5/12/2015 4:37 PM	Finance	Yes

CSA #5
P.O. Box 74
Bridgeport, CA 93517

Leslie Chapman
Department of Finance, County of Mono
P.O. Box 556
Bridgeport, CA 93517

May 07, 2015

RE: Request for changes in the 2014/2015 CSA Budget

Hello Leslie,

During our May 05, 2015, meeting of the CSA, we discussed and approved the restoration of the courthouse fence on US 395 and minor repair to the School Street fence for the court house beautification project. A motion was presented to the CSA board by Marlys Harper that we allocate up to \$12,000.00 for this project. The motion was seconded by Helen Nunn and was unanimously approved by the entire CSA board.

We are requesting that our 2014/2015 budget be changed to reflect this decision. Please increase our Contract Services line item (735CSA#53245) by \$12,000.00 to cover these expenses. We are also requesting that you approve a short term contract with Joe Huggans Enterprises to make the for mentioned repairs.

Attached is a copy of our board minutes.

Thank You for your assistance!



Steve R. Noble
CSA Chairman

957412

STATEMENT		DATE	TERMS
TO	Estimate for Mono County Courthouse Fencing		
ADDRESS	Repairs on the Main Street Side Only		
IN ACCOUNT WITH			
Joe Huggons Enterprises			
P.O. Box 188 #32 Bridge St (760)932-5782			
Bridgeport, CA 93517			
Repair Courthouse fencing on Main Street (395)			
including replacement of 17 rusted out bottom			
rails, and 166 broken spear points, 13 bent or damaged or missing			
short balusters, 5 long balusters, and painting of the 28			
fence panels and posts and gates = 146 hours = \$10,220.00			
Materials = 888.00			
Estimate total is = \$11,108.00			
Estimate total without the painting = \$6,740.00			
Estimated by Joe Huggons			



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Community Development

TIME REQUIRED

SUBJECT Antelope Valley Regional Planning
Advisory Committee appointment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Appoint member to the Antelope Valley Regional Planning Advisory Committee.

RECOMMENDED ACTION:

Appoint Elena "Ele" Espinosa to the Antelope Valley Regional Planning Advisory Committee, as recommended by Chairman Fesko.

FISCAL IMPACT:

None.

CONTACT NAME: Gerry Le Francois

PHONE/EMAIL: 760.924.1810 /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[staff report](#)

[Application](#)

History

Time	Who	Approval
5/12/2015 2:27 PM	County Administrative Office	Yes
5/13/2015 4:15 PM	County Counsel	Yes
5/12/2015 2:24 PM	Finance	Yes

Mono County Community Development Department

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

May 19, 2015

To: Mono County Board of Supervisors
From: Gerry Le Francois, Principal Planner
Subject: Antelope Valley Regional Planning Advisory Committee (AVRPAC) Appointment

Action Requested

Appoint Elena “Ele” Espinosa to the Antelope Valley Regional Planning Advisory Committee, as recommended by Supervisor Fesko.

Fiscal/Mandates Impact

No fiscal impacts are expected.

Discussion

Supervisor Fesko is recommending the appointment of Ele Espinosa to the AVRPAC, based on discussions at AVRPAC May 7 meeting. This appointment, if approved, will bring the current RPAC membership to 12 members. The AVRPAC by-laws allow for up to 15 members.

New member recommended for appointment: Ele Espinosa

Existing members of AVRPAC

Dan Anthony
Mike Curti
Arden Gerbig
Mark Langner
Don Morris
Orval Mosby
John Vannoy
Bruce Woodworth
Ned Welsh
Katy Buell
Judy Curti

Term to Expire – Not addressed in By Laws

This item is sponsored by Supervisor Tim Fesko. If you have any questions regarding this item, please contact Gerry Le Francois at 924.1810 or gfrancois@mono.ca.gov

MONO COUNTY
Regional Planning Advisory Committees

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

PO Box 8
Bridgeport, CA 93517
760.932.5420 phone, 932.5431 fax
www.monocounty.ca.gov

RPAC MEMBERSHIP APPLICATION

This application is for membership in the following RPAC (choose one):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Antelope Valley | <input type="checkbox"/> June Lake CAC (Citizens Advisory Committee) |
| <input type="checkbox"/> Benton/Hammil | <input type="checkbox"/> Long Valley |
| <input type="checkbox"/> Bridgeport Valley | <input type="checkbox"/> Mono Basin |
| <input type="checkbox"/> Chalfant Valley | <input type="checkbox"/> Paradise/Wheeler Crest |

Name: Elena "Ele" Espinosa

Address: 124 Hare Court

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Special interests or concerns about the community:

I'm very interested in developing open spaces for people and their pets and children.

I would like to assist in developing our community into a viable, thriving place of interest along 395.

I would like to help with the projects that are in place in creating business opportunities in our community.

Signature Elena Espinosa Date 4.23.15



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Waterfowl CEQA Draft Environmental Document

PERSONS APPEARING BEFORE THE BOARD

AGENDA DESCRIPTION:

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

Correspondence received from the California Department of Fish and Wildlife concerning the Draft Environmental Document regarding Migratory Game Bird Hunting (Waterfowl, Coots, Moorhens) in compliance with CEQA.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR **PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[CDFW Letter](#)

[Draft Environmental Document](#)

History

Time

Who

Approval

5/13/2015 4:33 PM	County Administrative Office	Yes
5/13/2015 4:13 PM	County Counsel	Yes
5/13/2015 6:20 PM	Finance	Yes



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Wildlife Branch-Waterfowl Program
1812 Ninth Street
Sacramento, CA 95811
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



May 11, 2015

Attention: Government Documents Section

The California Fish and Game Commission is the lead agency for a project to modify existing hunting regulations for migratory game birds. The Department of Fish and Wildlife has prepared a draft environmental document pursuant to the California Environmental Quality Act (CEQA).

CEQA §15087 (g) provides direction to lead agencies to deliver draft environmental documents to the public library system servicing the area involved in the proposed project. Because hunting regulations are statewide, the public in virtually all counties should have access to the review and analysis of the proposed project.

Enclosed is a copy of the Draft Environmental Document Regarding Migratory Game Bird Hunting (Waterfowl, Coots, Moorhens) prepared by the California Department of Fish and Wildlife in compliance with CEQA.

To provide the public with an opportunity to review and comment on the proposals contained in this document, please make it available for public review until **June 26, 2015**.

If you have any questions regarding this request, please contact me at the letterhead address or by telephone at (916) 445-3553.

Sincerely,

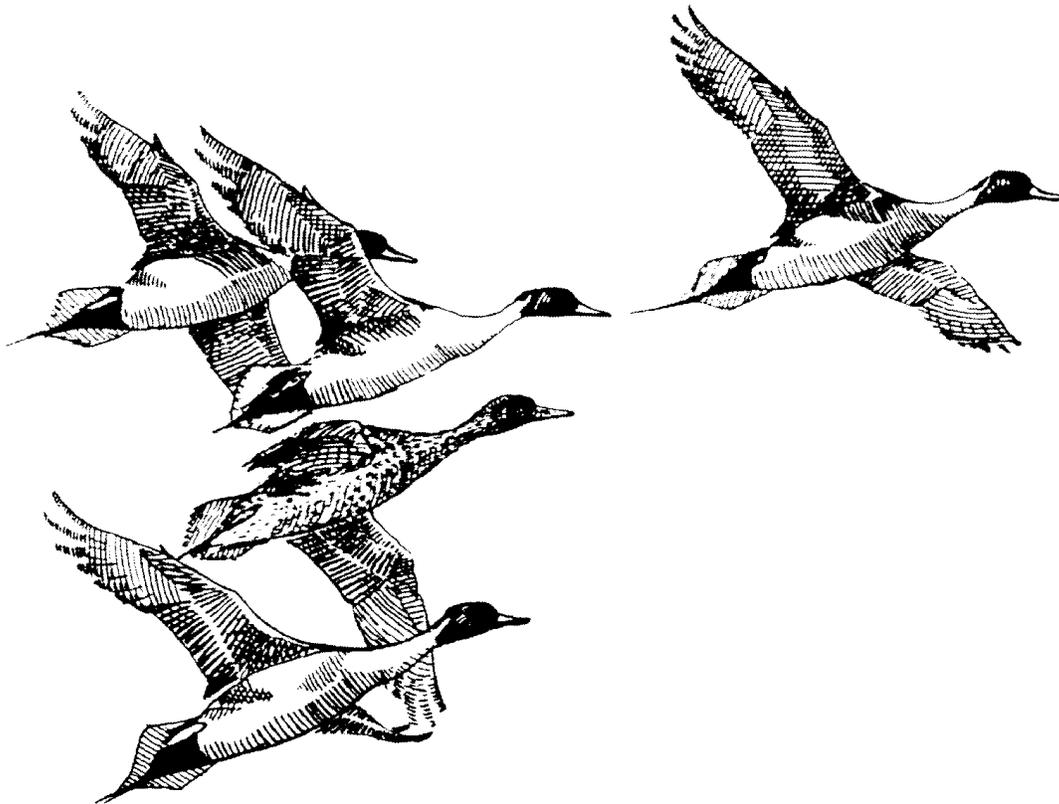
A handwritten signature in blue ink that reads "Craig Stowers".

Craig Stowers, Manager
Game Conservation Program
Wildlife Branch

Enclosure

**DRAFT
ENVIRONMENTAL DOCUMENT
Section 502, Title 14
California Code of Regulations**

**MIGRATORY GAME BIRD HUNTING
(WATERFOWL, COOTS, MOORHENS)**



May 11, 2015

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE



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CHAPTER 1 - SUMMARY

PROPOSED PROJECT AND ALTERNATIVES

The project discussed in this document (the proposed project) involves modifications to the current waterfowl hunting regulations for the 2015-16 waterfowl hunting season. Specifically, the Department is proposing to:

- Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. In addition, an increase in the bag limit for geese in the Colorado River Zone is proposed to match waterfowl regulations in neighboring Arizona. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone and with Oregon in the North Coast Special Management Area. See the table below for season and bag limit ranges.
- Provide a range of brant season lengths in the Northern Brant and Balance of State Brant special management areas to allow for a possible increase in season length.

The U.S. Fish and Wildlife Service (Service) will establish the frameworks in late July after it analyzes current waterfowl population data and considers input from the Flyway Councils and the public. The Federal frameworks specify the outside dates, total number of hunting days, bag limits, shooting hours, and methods of take authorized for migratory game birds. The Department of Fish and Wildlife (Department) will recommend specific season dates and bag limits to the Fish and Game Commission (Commission) after those frameworks are established.

The Commission may not select more liberal season dates or bag limits than those set by the Federal frameworks. Therefore, the decisions of the Commission and the recommendations of the Department to the Commission center on the question of whether to adopt the proposed changes or to consider more restrictive or protective State regulations to keep migratory game bird populations in California in a healthy and productive condition.

The Department is providing the Commission with a range of alternatives to the proposed project. Table 1 summarizes the Department findings that there are no

significant long-term adverse impacts associated with the proposed project or any of the project alternatives considered for the 2015-16 waterfowl hunting regulations.

SUMMARY OF IMPACTS AND MITIGATION

Table 1. Summary of Alternatives and Their Impacts			
Alternative	Description	Significant Impact	Mitigation
Proposed Project	<p>Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. In addition, an increase in the bag limit for geese in the Colorado River Zone is proposed to match waterfowl regulations in neighboring Arizona. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone and with Oregon in the North Coast Special Management Area.</p> <p>Provide a range of brant season lengths in the Northern Brant and Balance of State Brant special management areas to allow for a possible increase in season length.</p>	No	N/A
Alternative 1. No Project	No change from the 2014-15 hunting regulations.	No	N/A
Alternative 2. Reduced Season Lengths, Timing and Bag Limits	Reduce season lengths, timing, and/or bag limits by up to 50 percent.	No	N/A
Alternative 3. Elimination of All Mechanical Decoys.	Eliminate mechanical decoys as a method of take.	No	N/A

The Department concludes that the regulated harvest of migratory game birds within the Federal guidelines does not result in a significant adverse impact to their populations as analyzed in the 2006 Final Environmental Document for Migratory Game Bird Hunting of Waterfowl, Coots, and Moorhens (incorporated by reference, State Clearinghouse Number 2006042115, available at 1812 9th Street, Sacramento 95811). This is because the size of a wildlife population at any point in time is the result of the interaction between population (reproductive success and mortality rates) and its environment (habitat). Declines in habitat quality and quantity result in reduced carrying capacity, which results in corresponding declines in populations.

State and Federal roles in establishing waterfowl hunting regulations

Migratory birds are managed under the provisions of the Migratory Bird Treaty Act of July 3, 1918 (40. Stat. 755:16 U.S.C. 703 et seq.), Federal regulations [50 CFR 20 (K)(L)], as well as California statutes (Fish and Game Code sections 355 and 356) and regulations selected by the Commission.

The regulations governing the take of migratory game birds in California are selected by the Commission and forwarded to the Service each year. The regulations selected by the Commission must be within frameworks established by the Service through the following generalized three-step process:

1. The Service, with assistance from the states, assesses the status of migratory game bird populations.
2. The Service establishes regulatory frameworks;
3. The Commission makes and forwards season selections to the Service regarding regulations for California; and
4. The Service and the State adopt the final regulations.

The Federal frameworks specify the outside dates, total number of hunting days, bag limits, shooting hours, and methods of take authorized for migratory game birds. Proposals selected by the Commission cannot be more liberal than the frameworks established by the Service (Fish and Game Code, Section 355).

In selecting hunting regulations, the Commission is governed by the State's Conservation of Wildlife Resources Policy (Fish and Game Code, Section 1801). This policy contains, among other things, objectives to maintain sufficient populations of wildlife resources in the State and to provide public hunting opportunities through

regulated harvest where such harvest is consistent with maintaining healthy wildlife populations (Section 1801 California Fish and Game Code).

In April the Service provided notice to establish hunting regulations for the 2015-16 hunting season; see Federal Register 80 FR 19851-19863. The notice also solicits public comments and establishes the annual schedule for meetings.

The Department is recommending 2 changes to the existing hunting regulations, one of which requires a change in the existing federal frameworks. The change must be approved by both the Pacific Flyway Council at its meeting on July 24, 2015, and the Service at the July 29-30, 2015, Service Regulations Committee (SRC) meeting. The Department's proposals for the 2015-2016 hunting season for waterfowl, coots, and moorhens are based on the most current Federal frameworks, which were established for 2014-15.

The 2014-15 Federal Frameworks Pertaining to California (78 FR 58197- 58227)

Ducks, Mergansers, Coots, Common Moorhens, and Purple Gallinules

Hunting Seasons and Duck Limits: Concurrent 107 days. The daily bag limit is 7 ducks and mergansers, including no more than 2 female mallards, 2 pintail, 3 scaup (86-day season), 1 canvasback, and 2 redheads. The season on coots and common moorhens may be between the outside dates for the season on ducks, but not to exceed 107 days. *Coot, Common Moorhen, and Purple Gallinule Limits:* The daily bag limits of coots, common moorhens, and purple gallinules are 25, singly or in the aggregate. Possession limits for all species are triple the daily bag limit.

Outside Dates: Between the Saturday nearest September 24 (September 27) and the last Sunday in January (January 25).

Zoning and Split Seasons: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and Wyoming may select hunting seasons by zones. Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and Wyoming may split their seasons into two segments. Colorado, Montana, and New Mexico may split their seasons into two segments.

Colorado River Zone, California: Seasons and limits shall be the same as seasons and limits selected in the adjacent portion of Arizona (South Zone).

Geese

Season Lengths, Outside Dates, and Limits

Canada geese and brant: Except as subsequently noted, 107-day seasons may be selected with outside dates between the Saturday nearest September 24 (September

27) and the last Sunday in January (January 25). In California, the daily bag limit is 10 Canada geese. For brant, California may select a 30-day season. Days must be consecutive. California may select hunting seasons for up to two zones. The daily bag limit is 2 brant and is in addition to other goose limits. In California, the brant season must end no later than December 15.

White-fronted geese: Except as subsequently noted, 107-day seasons may be selected with outside dates between the Saturday nearest September 24 (September 27) and March 10. The daily bag limit is 10.

Light geese: Except as subsequently noted, 107-day seasons may be selected with outside dates between the Saturday nearest September 24 (September 27) and March 10. The basic daily bag limit is 20.

Split Seasons: Unless otherwise specified, seasons for geese may be split into up to 3 segments. Three-way split seasons for Canada geese and white-fronted geese require Pacific Flyway Council and U.S. Fish and Wildlife Service approval and a 3-year evaluation by each participating State.

Balance-of-State Zone (includes Southern San Joaquin Valley zone): A Canada goose season may be selected with outside dates between the Saturday nearest September 24 (September 27) and March 10. In the Sacramento Valley Special Management Area, the season on white-fronted geese must end on or before December 28, and the daily bag limit is 3 white-fronted geese. In the North Coast Special Management Area, hunting days that occur after the last Sunday in January should be concurrent with Oregon's South Coast Zone.

Shooting Hours – From One-half hour before sunrise to sunset.

AREAS OF CONTROVERSY

A public scoping session regarding the preparation of environmental documents for hunting waterfowl was held on February 3, 2015, at the Wildlife Branch office located at 1812 9th Street, Sacramento. No areas of controversy regarding migratory bird hunting were identified at the meeting. However, members of the public have expressed concern regarding the following: 1) mechanical spinning wing decoys in the use of taking waterfowl during past hunting seasons. Specifically, since 2002 about 100 letters and or public testimony has been received by the Fish and Game Commission to ban mechanically spinning wing decoys while only about 12 letters of support or public testimony in favor of mechanically spinning wing decoys during the same time period (Department files); 2) the Commission has received numerous letters both supporting and opposing the continued hunting in Morro and Tomales bays; and 3)

opposition to the continued restrictions on bag limit and season length for white-fronted geese in the Sacramento Valley Special Management Area.

Concerns about the effect of climate change since the 2006 Final Environmental Document for Migratory Game Bird Hunting of Waterfowl, Coots, and Moorhens (incorporated by reference, State Clearinghouse Number 2006042115, available at 1812 9th Street, Sacramento 95811) was published led to a discussion of this topic in Appendix F.

ISSUES TO BE RESOLVED

As provided by existing law, the Commission is the decision-making body (lead agency) considering the proposed project, while the Department has responsibility for conducting management activities such as resource assessments, preparing management plans, operating public hunting opportunities and enforcing laws and regulations. The primary issue for the Commission to resolve is whether to change waterfowl hunting regulations, within the federal framework, as an element of waterfowl management. If such changes are authorized, the Commission will specify the areas, season lengths, and bag and possession limits and other appropriate special conditions.

FUNCTIONAL EQUIVALANCY

The California Environmental Quality Act (CEQA) requires all public agencies in the State to evaluate the environmental impacts of projects they approve, including regulations, which may have a potential to significantly affect the environment. CEQA review of the proposed project will be conducted in accordance with the Commission's certified regulatory program (CRP) approved by the Secretary for the California Resources Agency pursuant to Public Resources Code section 21080.5 (See generally Cal. Code Regs., tit. 14, §§ 781.5, and 15251, subd. (b).). The Department has prepared this Environmental Document (ED) which is the functional equivalent of an Environmental Impact Report, on behalf of the Commission in compliance with this requirement. The ED provides the Commission, other agencies, and the general public with an objective assessment of the potential effects.

In addition, pursuant to Section 15087 of the CEQA Guidelines, this environmental document is available for public review for 45 days. During the review period, the public is encouraged to provide written comments regarding the environmental document to the Department of Fish and Wildlife, Wildlife Branch, 1812 9th Street, Sacramento, California 95811. Comments must be received by the Department by 5:00 p.m. on June 26, 2015.

CHAPTER 2 - THE PROPOSED ACTION

The proposed project being considered consists of the following modifications to existing migratory game bird hunting regulations:

1. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. In addition, an increase in the bag limit for geese in the Colorado River Zone is proposed to match waterfowl regulations in neighboring Arizona. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone and with Oregon in the North Coast Special Management Area.
2. Provide a range of brant season lengths in the Northern Brant and Balance of State Brant special management areas to allow for a possible increase in season length.

Table 2. Proposed Changes to Season Dates and Bag Limits for 2015 - 2016.

Species by Zone	Daily Bag Limit	Possession limit	Season Length
COOTS AND MOORHENS			
Northeastern CA	no change	no change	38-105 straight or split
So. San Joaquin Valley	no change	no change	38-105 straight or split
So. California	no change	no change	38-105 straight or split
Colorado River	no change	no change	no change
Balance of State	no change	no change	38-105 straight or split
DUCKS			
Statewide	4-7	no change	
EXCEPTIONS			
Mallard (max.)	3-7	no change	38-105 straight or split
Mallard Hen (max.)	1-2	no change	38-105 straight or split
Pintail (max.)	0-3	no change	0-105 straight or split
Redhead (max.)	0-3	no change	38-105 straight or split
Scaup (max.)	0-7	no change	0-105 straight or split
Canvasbacks (max.)	0-3	no change	0-105 straight or split
Northeastern Calif.			38-105 straight or split
So. San Joaquin Valley			38-105 straight or split
Southern California			38-105 straight or split
Colorado River			no change
Balance of State			38-100 straight or split
GEESE			
Northeastern Calif.	No change	no change	no change
EXCEPTIONS			
Large Canada Geese (max.)	no change	no change	
White-Front (max.)	no change	no change	105 straight or split
Small Canada Geese (max.)	no change	no change	
White Geese (max.)	no change	no change	105 straight or split
So. San Joaquin Valley	no change	no change	no change
EXCEPTIONS			
Large Canada Geese (max.)	no change	no change	
White-Front (max.)	no change	no change	
Small Canada Geese (max.)	no change	no change	
White Geese (max.)	no change	no change	
Southern Calif.	no change	no change	no change
EXCEPTIONS			
Large Canada Goose (max.)	no change	no change	
White-Front Geese (max.)	no change	no change	
Small Canada Geese (max.)	no change	no change	
White Geese (max.)	no change	no change	
Colorado River	no change	no change	no change
EXCEPTIONS			
White Geese (max.)	no change	no change	
Dark Geese (max.)	no change	no change	
Balance of State	no change	no change	no change
EXCEPTIONS			
Large Canada Geese (max.)	no change	no change	
White-Front (max.)	no change	no change	
Small Canada Geese (max.)	no change	no change	
White Geese (max.)	no change	no change	
Special Management Areas			
Species		Season	
North Coast	no change	no change	
Humboldt Bay South Spit	no change	no change	
Sacramento Valley (West)	no change	no change	
Morro Bay	no change	no change	
Martis Lake	no change	no change	
North Coast Brant	no change	30-37	
Balance of State Brant	no change	30-37	
Imperial County	no change	no change	

BACKGROUND AND EXISTING CONDITIONS

Background

Waterfowl, coots and moorhens are migratory game birds that use varied habitat types in different geographical areas of North America. Many individuals of these species reproduce in other states and countries and migrate in the fall and winter to California, although there are substantial resident populations of some species.

There are 36 species of migratory game birds from two of the taxonomic families that occur in California, listed below. Migratory game birds are defined by convention and law as belonging to the following taxonomic families (USDI 1988a:1):

Anatidae (ducks, geese, brant, and swans);
Columbidae (doves and pigeons);
Gruidae (cranes);
Rallidae (rails, coots, and gallinules);
Scolopacidae (woodcock and snipe);
Corvidae (crows).

The two families discussed in this ED are *Anatidae* and *Rallidae*. These families are combined herein due to similarities in basic life-history characteristics. These characteristics include: (1) the use of California as a migration and wintering area (Palmer 1976, Bellrose 1980, Zeiner *et al.* 1990); (2) the use of seasonal wetlands as roosting and foraging habitats (Bellrose 1980, Heitmeyer and Raveling 1988, USDI 1988a:31-56); and (3) for most duck species, similarities in nesting areas, habitat types, age at reproduction, and clutch sizes (Palmer 1976, Bellrose 1980, USDI 1988). Some differences among the species in these families exist. Geese and some duck species breed at an older age than do most ducks (Palmer 1976, Bellrose 1980). Deepwater and estuarine habitats are more important to some species (Palmer 1976, Bellrose 1980), and the use of dry and wet agricultural fields are more important to other species (Bellrose 1980, Zeiner *et al.* 1990).

Individuals and populations of migratory birds spend parts of the year in different geographical areas. Due to this geographic distribution and migratory nature, management for these species is based on geographic units, or flyways, (USDI 1975, USDI 1988a:63) comprised of several states (Figure 2).

These units, or flyways, incorporate populations that are generally discrete from populations in other units. Therefore, an analysis of the environmental effects of

Figure 2. Administrative Waterfowl Flyways



the proposed project in California must consider the status of the affected species at a flyway level.

Adaptive Harvest Management

In March 1995 (60 FR 15642 -15648), the Service implemented a general harvest strategy for setting duck framework regulations and the process will be used again in 2015 (80 FR 19851-19863). The regulatory process for migratory birds has evolved since the early 1900s from one that included little or no monitoring of populations and the establishment of regulations based on traditions, to today's more data-driven process (Johnson *et al.* 1993). The current process, known as Adaptive Harvest Management (AHM)(USFWS 2014a) establishes explicit harvest objectives and a single regulatory package is selected from a limited array of options. This single package is evaluated based on mathematical models, with the goal of ensuring that duck populations are healthy over the long-term while providing hunting opportunity consistent with the long-term health while learning more about the effect of hunting mortality on population parameters (See Final Environmental Document for Migratory Game Bird Hunting August 2006, incorporated by reference, State Clearinghouse Number 2006042115, available at 1812 9th Street, Sacramento 95811)

AHM balances hunting opportunities with the desire to achieve the duck population goals identified in the North American Waterfowl Management Plan (NAWMP). Currently, a set of four regulatory options, each containing flyway-specific season lengths, bag limits, and dates are being used. The selection of a specific option is recommended each year from a decision matrix based on mid-continent mallard breeding populations and habitat conditions in the current year, although the State continues to have the option to establish more restrictive regulations.

For the Pacific Flyway, the proposed regulatory packages vary primarily in season length (closed, 60, 86, or 107 days) and total duck bag limit (either four or seven ducks per day). Species- (e.g. mallard) and sex- (e.g. mallard) specific limits are contained within the AHM packages. Additionally, prescriptive regulation processes for pintail, canvasback and scaup have been adopted by the Service that determine daily bag limits depending on breeding population size, habitat conditions, and the season length established through the AHM process (see below).

In March 2008, the Pacific Flyway Council recommended that the Service set duck season frameworks in the Pacific Flyway based on a separate modeling approach that uses data from western mallards rather than mallards from the mid-continent region. This is because most of the mallards harvested in the Pacific Flyway originate from within the Flyway. The Service adopted the separate mallard model in August 2008 and plans to continue the use of that approach in 2015 (80 FR 19851-19863).

The western mallard approach uses the same regulatory packages as currently in use under continental AHM. Instead of a harvest objective constrained by the population goal in the NAWMP plan, the harvest objective for western mallards is based on a “shoulder approach”, or a proportion of maximum sustained yield. Current modeling suggests that western mallards have been harvested at about 80% of their maximum potential, compared to about 90% for mid-continent mallards under the continental AHM approach.

As in mid-continent AHM, daily bag limits and season length will be set based on the status of the mallard breeding population. Bag limits for other species, including those for which individual harvest strategies have been adopted (pintail, canvasbacks, scaup) are based on mid-continent AHM and will be used in the Pacific Flyway. The State continues to have the option to establish more restrictive regulations.

Pintail Harvest Strategy

In 1997 a prescribed harvest strategy was developed (62 FR 39721 and 50662) with several modifications since inception. The harvest strategy was revised in 2002 when Flyway-specific harvest models were updated (67 FR 40131). In 2002 and 2003, the Service set pintail regulations that deviated from the strict prescriptions of the harvest strategy (i.e., partial season), but remained true to the intent of the strategy (67 FR 53694 and 59111; 68 FR 50019 and 55786). In 2004, the harvest strategy was modified to include a partial season option (69 FR 43696 and 52971). In adopting those changes, the USFWS and others called for review of the pintail strategy (69 FR 57142) and consideration of technical modifications that could be made to improve it. As a result of this review, the strategy was revised in 2006 to include updated flyway-specific harvest models, an updated recruitment model, and the addition of a procedure for removing bias in the breeding population size estimate based on its mean latitude (71 FR 50227 and 55656). Pursuant to requests from flyways and other stakeholders, a compensatory model was added to the strategy in 2007 (72 FR 18334, 31791, and 40198) as an alternative to the existing additive harvest model, and this update made the harvest strategy adaptive on an annual basis. The current strategy was developed in 2010 (75 FR 32873) and designed to maximize long-term cumulative harvest, which inherently requires perpetuation of a viable population. Hunting will be allowed when the observed breeding population is above 1.75 million birds (based on the lowest observed breeding population size since 1985 of 1.79 million birds in 2002).

The adaptive management protocol considers a range of regulatory alternatives for pintail harvest management that includes a closed season, 1-bird daily bag limit, or 2-bird daily bag limit. The maximum pintail season length depends on the general duck season framework (characterized as liberal, moderate, or restrictive and varying by Flyway) specified by mallard AHM.

An optimal pintail regulation is calculated under the assumption of a liberal mallard season length in all Flyways. However, if the season length of the general duck

season determined by mallard AHM is less than liberal in any of the Flyways, then an appropriate pintail daily bag limit would be substituted for that Flyway. Thus, a shorter season length dictated by mallard AHM would result in an equivalent season length for pintails, but with increased bag limit if the expected harvest remained within allowable limits.

Canvasback Harvest Strategy

Since 1994 the Service has followed a harvest strategy that if canvasback population status and production are sufficient to permit a harvest of 1-bird daily bag limit nationwide for the entire length of the regular duck season, while still attaining a projected spring population objective of 500,000 birds. In 2008 (73 FR 43290), the strategy was modified to incorporate the option for a 2-bird daily bag limit for canvasbacks when the predicted breeding population the subsequent year exceeds 725,000 birds. A partial season would be permitted if the estimated allowable harvest was within the projected harvest for a shortened season. If neither of these conditions can be met, the harvest strategy calls for a closed season.

Scaup Harvest Strategy

The scaup population has experienced a significant long-term decline. The 2007 population estimate was the third lowest on record. Recent population estimates have been more than 30 percent below the 55 year average with the biggest decline occurring over the last 25 years. There is evidence that the long-term scaup decline may be related to changes in scaup habitat. Several different ideas have been proposed to explain the decline, including a change in migration habitat conditions and food availability, effects of contaminants on scaup survival and reproduction and changing conditions on the breeding grounds possibly related to warming trends in portions of northern North America. Hunting has not been implicated as a cause of the past scaup decline, but the Service is committed to ensuring that harvest levels remain commensurate with the ability of the declining population to sustain harvest. In 2008 the Service implemented a new scaup harvest strategy (73 FR 43290) that used restrictive, moderate, and liberal regulatory alternatives. The scaup harvest strategy prescribes optimal harvest levels given an observed breeding population size and an explicit harvest management objective; maximize 95% of long-term cumulative harvest.

Service Changes in the Timing of Annual Migratory Bird Hunting Adoption

Currently, the Service publishes preliminary federal frameworks in mid-August and states adopt hunting regulations in early August based on the decisions of the Service Regulation Committee (SRC) in late July. The Service then publishes final frameworks, which contain the state-selected seasons in September. The existing system is based on the current year duck breeding population and habitat surveys conducted in May and early June and harvest data from the past season is available in

July. These data are used in the management models described above. Under the current system, the biological information used to establish hunting seasons does not become available until approximately the same time that recommendations by the Flyway Councils must be made in the existing process. This schedule leaves limited time for consultation and deliberation, and restricts the amount of time allowed for public comment and for States to conclude their own regulatory process (USDI 2013). The Service implemented the 2013 Final Supplemental Environmental Impact Statement (FSEIS 2013) by adopting the preferred alternative of combining early and late season regulations processes and modifying the AHM framework to allow development of regulatory recommendations based on predictions of waterfowl population status utilizing biological data from the previous year.

Beginning with the 2016 hunting seasons (79 FR 56864), a new schedule will be used for setting annual migratory bird hunting regulations. The current early and late season regulatory actions will be combined into a single process that will establish migratory bird hunting seasons much earlier than the current system. Under the new process, proposed hunting season frameworks for a given year will be developed in the fall of the prior year. Those frameworks will be finalized a few months later, thereby enabling the state agencies to select their seasons by late April and the Service will publish final frameworks in early summer.

Biological data for the following year will not be available in the fall, when the Flyway Councils and the Service will be developing hunting regulations for the next year. Thus, regulation development will be based on predictions derived from long-term biological information and established harvest strategies (as described above). This process will continue to use the best science available and will balance hunting opportunities with long-term migratory game bird conservation, while fulfilling all administrative requirements. Existing individual harvest strategies have been modified using either data from the previous year(s) or model predictions to fit this new schedule. Many existing regulatory prescriptions used for Canada Goose, Sandhill Cranes, Mourning Doves, and American Woodcock currently work on this basis. Uncertainty associated with these population status predictions has been accounted for and incorporated into the decision-making process. The Service concluded (Boomer, *et al.* 2015) that this uncertainty should not result in a disproportionately higher harvest rate for any stock, nor substantially diminish harvest opportunities, either annually or on a cumulative basis.

There will be a one-time overlap in the regulatory processes for the 2015-16 and 2016-17 hunting seasons. The regulatory schedule for the 2016-17 seasons will begin in mid-June 2015 with the first SRC meeting. Flyway technical committees and Councils will meet in September and early October of 2015 following the release of the 2015 population status reports (breeding population surveys) and harvest reports in mid-August and the 2015 AHM report in early September. After Flyway Council meetings, the SRC and Flyway Council Consultants will meet in late October to review

information on the status of migratory birds and develop recommendations for the 2016–17 seasons. Proposed season frameworks, a 30-day public comment period, and final season frameworks will then follow with ultimate publication of all 2016-17 migratory game bird hunting seasons in late May to mid-June of 2016.

Existing Conditions

Northeastern Zone: In that portion of California lying east and north of a line beginning at the intersection of Interstate 5 with the California-Oregon line; south along Interstate 5 to its junction with Walters Lane south of the town of Yreka; west along Walters Lane to its junction with Easy Street; south along Easy Street to the junction with Old Highway 99; south along Old Highway 99 to the point of intersection with Interstate 5 north of the town of Weed; south along Interstate 5 to its junction with Highway 89; east and south along Highway 89 to Main Street in Greenville; north and east to its junction with North Valley Road; south to its junction of Diamond Mountain Road; north and east to its junction with North Arm Road; south and west to the junction of North Valley Road; south to the junction with Arlington Road (A22); west to the junction of Highway 89; south and west to the junction of Highway 70; east on Highway 70 to Highway 395; south and east on Highway 395 to the point of intersection with the California-Nevada state line; north along the California-Nevada state line to the junction of the California-Nevada-Oregon state lines west along the California-Oregon state line to the point of origin.

Ducks: From the first Saturday in October extending for 105 days, 7/day which may include 7 mallards, 2 hen mallard, 2 pintail, 1 canvasback, 2 redheads, 3 scaup during the 86-day season. Possession limit triple the daily bag.

Geese: From the first Saturday in October extending for 100 days, 25/ day, up to 15 white geese and up to 10 dark geese, but not more than 2 Large Canada geese. Possession limit triple the daily bag.

Coots and Moorhens: Concurrent with Duck Season. 25/day. Possession limit triple the daily bag.

Youth Hunting Days: The Saturday fourteen days before the opening of waterfowl season extending for 2 days.

Falconry Take of Ducks: Open concurrently with duck season extending for 105 days. 3/day. Possession limit triple the daily bag.

Southern San Joaquin Valley Zone: All of Kings and Tulare counties and that portion of Kern County north of the Southern California Zone.

Ducks: From the third Saturday in October extending for 100 days, 7/day which may include, 7 mallards, 2 hen mallards, 2 pintail, 1 canvasback, 2 redheads, 3 scaup during the 86-day season. Possession limit triple the daily bag.

Geese: From the third Saturday in October extending for 100 days, 25/ day, up to 15 white geese and up to 10 dark geese. Possession limit triple the daily bag.

Coots and Moorhens: Concurrent with Duck Season, 25/day. Possession limit triple the daily bag.

Youth Hunting Days: The Saturday following the closing of waterfowl season extending for 2 days.

Falconry Take of Ducks: Ducks only, concurrent with duck season and January 31 – February 1, 2015. 3/day. Possession limit triple the daily bag.

Southern California Zone: In that portion of southern California (but excluding the Colorado River zone) lying south and east of a line beginning at the mouth of the Santa Maria River at the Pacific Ocean; east along the Santa Maria River to where it crosses Highway 166 near the City of Santa Maria; east on Highway 166 to the junction with Highway 99; south on Highway 99 to the crest of the Tehachapi Mountains at Tejon Pass; east and north along the crest of the Tehachapi Mountains to where it intersects Highway 178 at Walker Pass; east on Highway 178 to the junction of Highway 395 at the town of Inyokern; south on Highway 395 to the junction of Highway 58; east on Highway 58 to the junction of Interstate 15; east on Interstate 15 to the junction with Highway 127; north on Highway 127 to the point of intersection with the California-Nevada state line.

Ducks: From the third Saturday in October extending for 100 days, 7/day which may include, 7 mallards, 2 hen mallards, 2 pintail, 1 canvasback, 2 redheads, 3 scaup during the 86-day season. Possession limit triple the daily bag.

Geese: From the third Saturday in October extending for 100 days, 18/day, up to 15 white geese, up to 3 dark geese. Possession limit triple the daily bag.

Coots and Moorhens: Concurrent with duck season, 25/day. Possession limit triple the daily bag.

Youth Hunting Days: The Saturday following the closing of waterfowl season extending for 2 days.

Falconry Take of Ducks: Concurrent with duck season and January 26 – January 30, 2015. 3/day. Possession limit triple the daily bag.

Colorado River Zone: In those portions of San Bernardino, Riverside, and Imperial counties lying east of the following lines: Beginning at the intersection of Highway 95 with the California-Nevada state line; south along Highway 95 to Vidal Junction; south through the town of Rice to the San Bernardino-Riverside county line on a road known as “Aqueduct Road” in San Bernardino County; south from the San Bernardino-Riverside county line on road known in Riverside County as the “Desert Center to Rice Road” to the town of Desert Center; east 31 miles on Interstate 10 to its intersection with the Wiley Well Road; south on this road to Wiley Well; southeast along the Army-Milpitas Road to the Blythe, Brawley, Davis Lake intersections; south on the Blythe-Brawley paved road to its intersection with the Ogilby and Tumco Mine Road; south on this road to Highway 80; east seven miles on Highway 80 to its intersection with the Andrade-Algodones Road; south on this paved road to the intersection of the Mexican boundary line at Algodones, Mexico.

Ducks: From the third Friday in October extending for 101 days, 7/day which may include 7 mallards, 2 hen mallards or Mexican-like ducks, 2 pintail, 1 canvasback, 2 redheads, 3 scaup during the 86-day season. Possession limit triple the daily bag.

Geese: From the third Friday in October extending for 101 days, 10/day, up to 10 white geese, up to 4 dark geese. Possession limit triple the daily bag.

Coots and Moorhens: Concurrent with Duck Season, 25/day, 25 in possession.

Youth Hunting Days: The Saturday following the closing for waterfowl season.

Falconry Take of Ducks: Ducks only. Concurrent with duck season and from January 26 – 29, 2015. 3/day. Possession limit triple the daily bag.

Balance of State Zone: That portion of the state not included in Northeastern California, Southern California, Colorado River or the Southern San Joaquin Valley zones.

Ducks: From the third Saturday in October extending for 100 days, 7/day which may include 7 mallards, 2 hen mallards, 2 pintail, 1 canvasback, 2 redheads, 3 scaup during the 86-day season. Possession limit triple the daily bag.

Geese: Early Season: Large Canada only from the Saturday closest to October 1 for a period of 5 days EXCEPT in the North Coast Management Area where Large Canada geese are closed during the early season. Regular Season: Dark and white geese from the third Saturday in October extending for 100 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season will close after December 21. Late Season: White-fronted geese and white geese from the third Saturday in February extending for a period of 5 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted geese is closed. During the Late Season, hunting is not permitted on wildlife areas listed in Sections 550 – 552 EXCEPT on Type C wildlife areas in the North Central Region. Possession limit triple the daily bag.

Coots and Moorhens: Concurrent with Duck Season, 25/day. Possession limit triple the daily bag.

Youth Hunting Days: The Saturday following the closing of waterfowl season extending for 2 days.

Falconry Take of Ducks: Open concurrently with duck season and January 31 – February 1, 2015. 3/day. Possession limit triple the daily bag.

North Coast Special Management Area: All of Del Norte and Humboldt counties.

All Canada Geese: From the last Friday in October extending for a period of 87 days (Regular Season) and from the third Saturday in February extending for a period of 18 days (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions of Section 2016. Up to 10/day Canada geese of which only 1 may be a Large Canada goose, EXCEPT during the Late Season the bag limit on Large Canada geese is 0/day. Possession limit triple the daily bag.

Falconry Take of Ducks: Geese only. Concurrent with Small Canada goose season. 3/day. Possession limit triple the daily bag.

Humboldt Bay South Spit (West Side) Special Management Area: Beginning at the intersection of the north boundary of Table Bluff County Park and the South Jetty Road; north along the South Jetty Road to the South Jetty; west along the South Jetty to the mean low water line of the Pacific Ocean; south along the mean low water line to its intersection with the north boundary of the Table Bluff County Park; east along the north boundary of the Table Bluff County Park to the point of origin.

All species: Closed during brant season

Sacramento Valley (West) Special Management Area: Beginning at the town of Willows; south on Interstate 5 to the junction with Hahn Road; east on Hahn Road and the Grimes-Arbuckle Road to the town of Grimes; north on Highway 45 to its junction with Highway 162; north on Highway 45-162 to the town of Glenn; west on Highway 162 to the point of beginning.

White-fronted geese: Closed after Dec 21, 3/day. Possession limit triple the daily bag.

Morro Bay Special Management Area: Beginning at a point where the high tide line intersects the State Park boundary west of Cuesta by the Sea; northeasterly to a point 200 yards offshore of the high tide line at the end of Mitchell Drive in Baywood Park; northeasterly to a point 200 yards offshore of the high tide line west of the Morro Bay State Park Boundary, adjacent to Baywood Park; north to a point 300 yards south of the high tide line at the end of White Point; north along a line 400 yards offshore of the south boundary of the Morro Bay City limit to a point adjacent to Fairbanks Point; northwesterly to the high tide line on the sand spit; southerly along the high tide line of the sand spit to the south end of Morro Bay; easterly along the Park boundary at the high tide line to the beginning point.

All species: Open in designated areas only

Martis Creek Lake Special Management Area: The waters and shoreline of Martis Creek Lake, Placer and Nevada counties.

All species: Closed until Nov 16

Northern Brant Special Management Area: Del Norte, Humboldt and Mendocino Counties.

Black Brant: From November 7 extending for 30 days. Possession limit triple the daily bag.

Balance of State Brant Special Management Area: That portion of the state not included in the Northern Brant Special Management Area.

Black Brant: From the second Saturday in November extending for 30 days. Possession limit triple the daily bag.

Imperial County Special Management Area: Beginning at Highway 86 and the Navy Text Base Road; south on Highway 86 to the town of Westmoreland; continue through

the town of Westmoreland to Route S26; east on Route S26 to Highway 115; north on Highway 115 to Weist Rd.; north on Weist Rd. to Flowing Wells Rd.; northeast on Flowing Wells Rd. to the Coachella Canal; northwest on the Coachella Canal to Drop 18; a straight line from Drop 18 to Frink Rd.; south on Frink Rd. to Highway 111; north on Highway 111 to Niland Marina Rd.; southwest on Niland Marina Rd. to the old Imperial County boat ramp and the water line of the Salton Sea; from the water line of the Salton Sea, a straight line across the Salton Sea to the Salinity Control Research Facility and the Navy Test Base Road; southwest on the Navy Test Base Road to the point of beginning.

White geese: From the first Saturday in November extending for a period of 86 days (Regular Season) and from the first Saturday in February extending for 16 days (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions of Section 2016. Up to 15 geese. Possession limit triple the daily bag.

Proposed Changes and Analysis

- Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. In addition, an increase in the bag limit for geese in the Colorado River Zone is proposed to match waterfowl regulations in neighboring Arizona. Federal regulations require that California’s hunting regulations conform to those of Arizona in the Colorado River Zone and with Oregon in the North Coast Special Management Area. See the table below for season and bag limit ranges.

The existing waterfowl hunting regulations establish specific season dates and daily bag limits for each zone. This proposal provides ranges for the season dates and daily bag limits. These ranges are necessary as the specific opening and closing dates and daily bag limits cannot be proposed until the California Waterfowl Breeding Population Survey is completed in May and the Service has established federal regulation “frameworks” for the 2015/16 waterfowl hunting season. The Service will establish the frameworks in late July after the analysis of current waterfowl population survey, other data, and input from the Flyway Councils and the public.

- Provide a range of brant season lengths in the Northern Brant and Balance of State Brant special management areas to allow for a possible increase in season length.

Allow for an increase of 7 days onto the current 30 day season in both special

management areas.

The existing brant season lengths in the above mentioned special management areas are 30 days. This proposal provides a possible season length increase of 7 days. Approval is needed from the Flyway Council and the Service. To liberalize hunting regulations for brant, the Pacific Flyway Management Plan for the Pacific population of brant requires a 3 year average exceeding 135,000 based on the midwinter survey (Pacific Flyway Council 2002). Predicting the harvest for a 7 day increase is problematic given the low numbers of brant hunters. In addition, there are many factors that may influence harvest including weather, migration timing and hunter skill. Based on the Service's parts collection survey data from November and December, long term (1989 – 2012) average daily harvest statewide (based on a bag limit of 2 birds per day) is approximately 66 birds per day, with a range of 0 to 300 per day. However this trend varies by special management area and has decreased significantly through time. Brant daily harvest rates have decreased from the long term average of 37 per day in the Balance of State Special Management Area (BOS) and 29 in the Northern Brant Special Management Area (NB) to an average of 10 per day in the BOS and 15 in the NB (current 3 year average). For both special management areas combined, this is a decrease from 66 brant per day to 25. Based on this data we predict the addition of a 7 day season may result in an increase between 170 (current 3 year average) and 464 brant harvested (long-term average).

POLICY CONSIDERATIONS

The legislature formulates laws and policies regulating the management of fish and wildlife in California. The general wildlife conservation policy of the State is to encourage the conservation and maintenance of wildlife resources under the jurisdiction and influence of the State (Section 1801, Fish and Game Code). The policy includes several objectives, as follows:

1. To provide for the beneficial use and enjoyment of wildlife by all citizens of the State;
2. To perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to man;
3. To provide for aesthetic, educational, and non-appropriative uses of the various wildlife species;
4. To maintain diversified recreational uses of wildlife, including hunting, as proper uses of certain designated species of wildlife, subject to regulations consistent with public safety, and a quality outdoor experience;
5. To provide for economic contributions to the citizens of the State through the recognition that wildlife is a renewable resource of the land by which economic return can accrue to the citizens of the State, individually and collectively, through regulated management. Such management shall be consistent with the maintenance of healthy and thriving wildlife resources and the public ownership status of the wildlife resource;
6. To alleviate economic losses or public health and safety problems caused by wildlife; and
7. To maintain sufficient populations of all species of wildlife and the habitat necessary to achieve the above-state objectives.

With respect to migratory game birds, Sections 355 and 356 of the Fish and Game Code provides that the Commission may adopt migratory game bird hunting regulations as long as they are within the federal frameworks.

The Department has concluded that the proposed project will not have a significant adverse effect on the environment. No mitigation measures or alternatives to the proposed project are needed.

POTENTIAL FOR SIGNIFICANT EFFECTS

Previous reviews of other potential environmental effects were analyzed extensively in previous environmental documents. The analysis of these fifteen factors regarding migratory game bird hunting were examined in the prior year environmental document (incorporated by reference, August 2006, State Clearinghouse Number 2006042115, available at 1812 9th Street, Sacramento 95811) and certified by the Fish and Game Commission. The modifications proposed are to increase hunter opportunity and reduce depredation of some goose populations that winter in California. The Department concludes that the proposed project and existing hunting regulations will not cause significant adverse effects on the factors analyzed in the 2006 FED and summarized below.

EFFECTS OF HABITAT DEGRADATION

Breeding Areas

The 2006 analysis was presented on page 100 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The primary impacts on breeding waterfowl from agriculture are the cultivation or tillage of nesting cover (Higgins 1977, Kirsch 1969, Milonski 1958). A secondary effect of the agricultural process is the tillage of lands right up to the edges of ponds or other water sources, which effectively eliminates brood rearing habitat. These activities in the prairies are especially prevalent in years of drought where farmers are able to intensively farm all of a wetland basin.

In the primary duck production areas of Canada, there is greater opportunity during drought periods for intensive farming and greater demand for available forage for cattle. Unfortunately, waterfowl must compete for the same resources. Agriculture does not generally impact breeding habitats for the majority of goose populations, because most goose nesting occurs in undeveloped areas of the arctic.

Wintering Areas

The 2006 analysis was presented on page 101 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Wetland habitats in California have been reduced from an estimated five million acres to less than 450,000 acres at present. Most of these wetlands have been converted to agricultural uses, but urban developments have also reduced the wetland acreage in California. In the critically important Central Valley,

about 70 percent of the remaining acreage is in private ownership and managed primarily as duck hunting clubs.

Some of the agricultural areas continue to provide habitat of value to waterfowl through the availability of waste grains and the provision of nesting cover. However, certain agricultural activities, such as fall plowing, can reduce food availability for waterfowl.

Habitat conversions by humans have reduced the habitat available for waterfowl. These conversions take place over a period of time, such that substantial habitat losses during the period of the proposed project are not likely to occur and act in a cumulative manner with the hunting of waterfowl, coots and moorhens in California that would result in significant adverse effects to the environment.

EFFECTS OF DISEASES, PESTICIDES, AND OTHER CONTAMINANTS

The 2006 analysis was presented on page 101 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Diseases, pesticides and other contaminants will likely cause the death of waterfowl, coots, moorhens, and common snipe in California. Even though some losses to disease can be in the tens of thousands of individual birds, these losses are small relative to the populations present in the State. Accordingly, the Department concludes that the combination of the proposed project and existing regulations and potential losses to diseases and other contaminants will not result in a significant adverse impact to waterfowl, coot and moorhen populations in California in 2014-15.

EFFECTS OF ILLEGAL HARVEST

The 2006 analysis was presented on pages 110 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The Department currently has a staff of about 350 game wardens stationed throughout the State. The Department analyzed waterfowl-related citations to estimate the extent of waterfowl mortality occurring as a result of illegal take of waterfowl in California. The level of illegal harvest is difficult to determine (USDI 1988a:29-30). In an attempt to model the possible extent of illegal harvest, the Service compared known survival rates of mallards against known hunting mortality (USDI 1988a). Estimated average annual survival rates are 66 percent and estimated hunting mortality is 18 percent (based on recoveries of banded birds), all other forms of mortality would thus equal 16 percent of the population. Since other mortality factors are known to exist (disease, predation, starvation, weather), it would seem that illegal harvest is considerably less than 16 percent and is probably not a significant portion of the annual mortality of mallards (USDI 1988a).

EFFECTS OF SUBSISTENCE HARVEST

The 2006 analysis was presented on page 112 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Native and nonnative peoples living in remote areas of Alaska and Canada are dependent on migratory birds and other wildlife for subsistence. They take birds and eggs during spring and summer for food (USDI 1988a:26). These levels of harvest do not appear to be acting as a cumulative effect in conjunction with current hunting, because in general, the populations of migratory birds that are being monitored continue to increase. In particular, goose populations affected by this project are growing and some are at or near record levels.

EFFECTS OF HARVEST OUTSIDE UNITED STATES

The 2006 analysis was presented on page 113 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The harvest of waterfowl in areas outside of California is easier to quantify than to determine what specific effects it has on California's migratory and resident populations because of mixing of different populations on the winter grounds. Harvest in two areas, Canada, where the majority of California's waterfowl originate, and Mexico, where segments of some populations winter, could act in addition to the harvest in California.

This information identifies the need for migratory game bird management to be conducted on a flyway, multi-flyway, or population basis. The total harvest of waterfowl throughout North America results in a decrease in the number of waterfowl in that year. Issues, such as subsistence harvest in Alaska and Canada and the harvest of birds outside the United States, clearly identify the need for a comprehensive perspective. The establishment of framework regulations by the Service addresses this issue by modifying hunting regulations in response to long-term population fluctuations. The Department concludes that the combination of the increased California harvest from this proposed project and harvest outside the State will not result in significant adverse impacts to migratory bird populations.

EFFECTS OF MAJOR DEVELOPMENT PROJECTS

The 2006 analysis was presented on page 115 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Migratory game bird habitat will continue to be altered in California as the human population increases. However, strong enforcement of State and Federal laws, such as the Clean Water Act, as well as Commission policy of no net

loss of wetlands, will help to minimize any adverse effect. Changes in agricultural policies at the national level may also affect the quantities of waste grain available to some species of migratory game birds. Competitive urban needs for water, especially as it relates to rice production, may affect waterfowl food supplies in the future. This will be especially prevalent when drought conditions return.

EFFECTS ON LISTED SPECIES

The 2006 analysis was presented on page 91 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The Department is charged with the responsibility to determine if any hunting regulations will impact threatened and endangered species. It complies with this mandate by consulting internally and with the Commission when establishing migratory game bird regulations to ensure that the implementation of the proposed project and existing hunting regulations do not affect these species. The Department has concluded that, based on conditions of the proposed project and existing hunting regulations, differences in size, coloration, distribution, and habitat use between the listed species and legally harvested migratory game birds, the proposed project will not jeopardize these species.

EFFECTS ON MIGRATORY BIRD HABITATS

Habitat Protection Effects

The 2006 analysis was presented on page 93 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Waterfowl, coot and moorhen hunting in California provide a positive incentive for private individuals to acquire, develop, and maintain habitat that might otherwise be converted to other uses. Habitat provided by hunters is entirely available at night as a roosting site and is partially available during the day during hunting season (during days when private wetlands are not hunted or on portions of private wetlands that are not hunted). Long-term vegetative changes may occur in areas that are managed specifically for wintering waterfowl foods. This may affect species more dependent upon climax vegetation than waterfowl, coots and moorhens, which favor early successional stages of vegetation.

Short-term Effects on Habitat

The 2006 analysis was presented on pages 93 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Some short-term impacts of the proposed project, and existing hunting regulations such as vegetative trampling and litter in the form of spent shell

casings, occur. These impacts are considered minor, and the effects on vegetation are generally reversed in the next growing season (USDI 1975:205).

EFFECTS ON RECREATIONAL OPPORTUNITIES

The 2006 analysis was presented on page 96 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The implementation of the proposed project and existing regulations will result in the presence of hunters, their vehicles, and their dogs in migratory bird habitats throughout the State. The enjoyment of observing waterfowl by those opposed to hunting may be reduced by some degree by the knowledge or observation of hunters in the field. Because the proposed project and existing regulations occurs for no more than 107 days in largely unpopulated areas of the State, this will not result in significant adverse environmental impacts.

EFFECTS OF METHODS OF TAKE AND IMPACTS ON INDIVIDUAL ANIMALS

The 2006 analysis was presented on page 88 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Section 20.21, subpart C, of Part 20, Title 50, CFR, and Section 507, Title 14, CCR, stipulate the methods of hunting that are allowed by the Service for migratory game birds. The Commission, in concert with Federal law, has authorized the use of shotguns 10-gauge or smaller, muzzle-loading shotguns, falconry, bow and arrow and crossbows, and dogs for retrieval or take. Historically, these methods of take have been used on a variety of migratory game birds throughout North America. In previous regulation-setting processes, both the Service and the Commission have stipulated restrictions on equipment and methods of take which attempt to provide for reasonably efficient and effective taking of waterfowl, coots and moorhens.

EFFECTS FROM DROUGHT

Drought cycles are part of the ecological system in California and waterfowl are well adapted to dealing with low water years e.g., delaying nest initiation, re-nesting capability, and reduced clutch size. Still, multi-year droughts can reduce waterfowl populations on a local scale and a much broader continental scale. Drought conditions impact waterfowl in a variety of ways including: degraded habitat quality which creates poor breeding habitat conditions (McLandress *et al.* 1996), lower food production (both natural and agricultural) which can limit the ability of birds to migrate and breed successfully (McWilliams *et al.* 2004), as well as expose large

portions of waterfowl populations to disease. This section summarize potential impacts that drought may have on waterfowl throughout the annual cycle in California.

California is an area of continental importance for waterfowl during various annual life history events (CVJV 2009). Winter is more significant than breeding due to the abundance of waterfowl that migrate here from northern breeding areas (Bellrose 1980). Stresses encountered on wintering areas can have carry over effects during spring migration or the breeding season, which ultimately can limit populations (Klaassen 2002, Inger *et al.* 2008). It is critical that adequate habitat for waterfowl is provided during winter.

Breeding

Female ducks find a mate on wintering areas and breed where they were hatched because of high natal fidelity (Rowher and Anderson 1988). Critical components to when and where a hen will nest are available brood water and adjacent upland habitat. In dry years females may leave their natal area and migrate to areas with better quality habitat (Johnson and Grier 1988). Females need time in a location to build energy stores such as protein which is typically associated with aquatic invertebrates (Krapu 1974). Egg formation and laying will be delayed until conditions are adequate (Ankney and Alisauskas 1991). Early in the breeding season many species of ducks delay nest-initiation in response to drought. During periods of severe drought many species of waterfowl may not breed at all. If a rapid decline in water levels occurs midway into nesting or during incubation females may desert their nests (Smith, 1971). By not breeding when conditions are poor, birds enhance their survival and their probability of reproducing later when habitat conditions improve (Krapu *et al.* 1983).

Reduced recruitment can occur when ducks travel great distances to find adequate habitat conditions for nesting or re-nesting because energy reserves have been depleted. Reduced recruitment can result from: choosing not to nest, smaller clutch sizes, a lower likelihood of laying a second clutch (Grand and Flint 1991) and later laying date which has been shown to reduce nest success and brood survival in some species (Dzus and Clark 1998). Further, females that migrate out of their natal area may also have a higher mortality rate due to increase susceptibility to predation in unfamiliar areas. Reduced recruitment and adult survival could decrease short-term population levels and if poor habitat conditions persist for subsequent years, reduce long term population levels. An adaptation to drought is in years of good habitat conditions, hens can raise numerous broods giving waterfowl populations the ability to recover quickly (McLandress *et al.* 1996).

Critical breeding areas for ducks in California as identified by the Department's breeding population survey for waterfowl (Figure 3-A) are the Sacramento Valley, San Joaquin Valley Grasslands, Suisun Marsh and high desert region of Northeastern California. Figures are for mallards because they make up the majority of the breeding duck population in California (see Figure D-4). Breeding population numbers in the Central Valley (i.e. Sacramento and San Joaquin valleys) are correlated to precipitation as well as recruitment from previous years (Figure 3-

B and C). Breeding mallard populations in northeastern California however, do not follow precipitation trends (Figure 3-D) indicating that other factors may be impacting duck production and breeding population trends in that region. The statewide breeding population of mallards has remained relatively stable except for northeastern California where the population trends are decreasing. The cause of this decline is unknown but speculated to be the lack of adequate brood water in early spring and the increase in invasive plant species (e.g. *Lepidium sp.*) throughout the area (Dave Mauser, Klamath Basin NWR personal communication).

Another breeding population indicating a decline is Canada geese that nest in northeastern California. Historically, Canada geese nested in this region in larger numbers but have declined considerably (Figure 4). Climate change is speculated (i.e. dry conditions over the long term; NOAA unpublished data) to play a significant role in the decline but no analysis or studies has been conducted (Melanie Weaver CDFW personal communication). The Department will include an analysis of possible climate change impacts as well as a survival analysis from Department leg banding data in an upcoming management plan for this population.

Molting

During late July, male ducks will typically migrate to a large permanent water marsh to molt while females follow soon after nesting in August. Like nest site fidelity, ducks will molt in the same location as previous years (Yarris *et al.* 1994). One study has indicated that 60 percent of mallards that breed in the Central Valley will migrate 280 miles to northeastern California to molt while 25% molt in marshes in the Central Valley (Yarris *et al.* 1994). Molt is an extremely vulnerable time for ducks because they become completely flightless for 30 – 40 days. Marsh water levels are critically important during the molting period and must be maintained or birds could be subject to depredation by mammalian and avian predators (Arnold *et al.* 1987).

Avian botulism

Botulism outbreaks typically occur in marshes with warm water, little flow, high organic load (rotting vegetation) and high amounts of algae (Rocke and Samuel 1999). Botulism is a bacterium that naturally occurs in wetland environments and persists in marshes with histories of outbreaks due to the release of spores into the environment. Ducks are infected by ingesting the bacterium and become paralyzed, eventually dying. Duck carcasses attract flies which lay eggs that produce maggots that in-turn eat the flesh of the carcass and consume botulism spore. Maggots drop into the water and are eaten by ducks in the marsh thereby escalating mortality events (Rocke and Samuel 1999). Outbreaks of avian botulism (Fleskes *et al.* 2010) often coincide with the molt cycle of ducks and the brood rearing stages of late nesting duck species. Many studies have been conducted to better understand the cycle of botulism and inform managers of how to prevent or minimize outbreaks

In California botulism outbreaks have been reported in every region of the state however, frequency is not well known due to reporting inconsistencies (Figure 5;

USGS National Wildlife Health Center personal communication). A robust analysis on this disease data is not possible because of the reporting inconsistencies and the numerous factors possible that may have caused the outbreaks. In some years die-offs can be quite severe (Figure 5). Botulism outbreaks can kill large numbers of hens, broods and molting ducks (Fleskes *et al.* 2010).

During drought summer water allocation is reduced for managed wetlands in the Central Valley and the Klamath Basin in northeastern California. Decreasing the number of flooded wetlands increases concentrations of waterfowl, thus raising the chance of an outbreak and more birds being affected. Breeding mallards throughout California molt in the Klamath Basin. The Klamath Basin experiences botulism annually, even during normal water years (Figure 5-C). During drought years the potential for a high mortality event is great.

Wintering Waterfowl

Waterfowl migrate from northern latitudes to California beginning in August. Multiple stopover sites are used during migration to rebuild energy reserves. The Klamath Basin in northeastern California is one of the most important waterfowl stopover sites during fall and spring for waterfowl in the Pacific Flyway (Bellrose 1980). Peak numbers of waterfowl are seen on major wintering areas south of the Klamath Basin by December.

During early January, the Department and the Service and conduct the Midwinter Waterfowl Survey. This survey has been conducted since 1953 and has provided managers with midwinter indices of waterfowl species. During midwinter California supports 66 percent of all ducks (excluding mergansers; based on long term average 1955 – 2014) in the Pacific Flyway, 40 percent of which occur in the Sacramento Valley. Of total waterfowl in the Pacific Flyway (i.e. geese, ducks, swans, coots and cranes), California supports 73 percent, the Sacramento Valley alone supports 43 percent (Olson 2014, Department unpublished data). California waterfowl distribution based on this survey indicates the Sacramento Valley harbors 60 percent of total waterfowl, the San Joaquin has 20 percent, and the Delta, Suisun Marsh, northeastern California combined hold 10 percent of total waterfowl.

Sensitive wintering populations

Sensitive waterfowl subspecies also occur in California during winter. Tule greater white-fronted geese are monitored by the Department and Service through telemetry and population surveys throughout the winter in the Sacramento Valley, the Delta and northeastern California. This subspecies of white-fronted goose uses permanent marshes early in winter and begins to feed in rice fields during midwinter. The bulk of the Tule population overwinters (November to February) adjacent to and on the Sacramento National Wildlife Refuge Complex. A special management area that has a reduced season length and bag limit has been maintained in the Sacramento Valley for this population compared to the rest of the state. Department staff monitor harvest by actively measuring all greater white-fronted geese at check stations on the Sacramento National Wildlife Refuge Complex.

This population could be negatively impacted by poor body condition caused by limited habitat, particularly reduced rice decomposition flooding.

Wintering waterfowl habitat

Since the implementation of the NAWMP (USFWS 1986) and the subsequent initiation of the Central Valley Joint Venture (CVJV 1990), the wetlands of the Central Valley have fluctuated in size and quality (Fleskes *et al.* 2005, CVJV 2009). Wetland acres as of 2006 were estimated to be 205,900. Current wetland acres are being calculated as there have been a number of large easement properties acquired since 2006. The amount of wetland acres as well as the quality have increased since the last update (i.e. moist soil management and infrastructure).

Additionally, since 1996 changes in post-harvest rice straw decomposition have added an estimated 209,000 acres of flooded rice for wintering waterfowl in the Sacramento Valley (Garr 2014). Increased post-harvest flooded rice and increased wetland area is speculated to be the cause for the increasing densities of waterfowl seen in the Sacramento Valley relative to other areas on the midwinter survey (Fleskes and Yee 2005). Recent body condition studies of numerous wintering waterfowl species have improved significantly (Ely and Raveling 1989, Miller 1986, Thomas *et al.* 2008, Skalos *et al.* 2011) particularly within the Sacramento Valley. Numerous duck and goose species have changed their roosting and feeding habits considerably because of the increase in water on the landscape (Fleskes *et al.* 2005). For example, prior to post-harvest flooded rice Pacific greater white-fronted geese traveled an average of 17.5 miles from roost to forage areas. This distance has been reduced to 15 miles (14%) because the proximity of undisturbed roost areas (Ackerman *et al.* 2006). Increased body condition (Skalos *et al.* 2011) combined with undisturbed roost areas (Ackerman *et al.* 2006) has probably been a major contributor to the recovery of Pacific greater white-fronted geese since the record low in the mid 1970's (USFWS 2014b; Pacific greater white-fronted goose population indices). Waterfowl and non-game waterbird species have been known to use flooded agriculture in the Sacramento/San Joaquin Delta region (Shuford 1998) as well as the Tulare Basin in the San Joaquin Valley (Fleskes *et al.* 2013). Reduction of post-harvest agricultural field flooding because of drought in these regions could have a large impact on wintering waterfowl populations because most of the natural marsh habitat has been eliminated (Gilmer *et al.* 1982).

The CVJV has modeled the food resource needs of wintering ducks in California. The CVJV estimated that California currently has an adequate supply of food resources for all waterfowl species during winter. The drought model scenario decreased the total winter flooded wetlands from an estimated 197,200 to 148,000 acres and flooded rice from 305,000 to 135,000 acres in the Central Valley. Flooding rice for decomposition was assumed to be limited and at least 136,000 acres of the dry acreage would be harvested and not deep tilled post-harvest (therefore accessible). In this scenario energy available to ducks would be reduced to below adequate levels by mid-January (CVJV 2014).

Waterfowl can make up energetic shortfalls from limited food resources (Skalos et al. 2011) on wintering areas during migration if the adequate food resources are provided on stopover sites (Bauer et al. 2008). If the Central Valley has limited food resources for waterfowl, the CVJV speculates that further stress would be applied to waterfowl populations migrating through the Klamath Basin during spring due to the ongoing water allocation issues in that region (CVJV 2014).

Avian cholera

Avian cholera (*Pasturella multocida*) is a common winter bacterial infection in waterfowl. This disease agent occurs naturally in waterfowl populations and particular species (e.g. Lesser snow geese, Ross's geese, mute swans) tend to be reservoirs for cholera (Samuel et al. 2005, Pedersen et al. 2014). Environmental and physiological conditions that stress (e.g. prolonged cold temperatures, wind, precipitation, inadequate food resources and injury) birds tend to influence the expression of this disease. Blanchong et al. (2006) found that highly eutrophic water conditions are correlated to cholera abundance in wetlands. These conditions would be promoted in years of drought due to slow flow-through in wetlands. Eutrophic conditions would also be exacerbated by large concentrations of waterfowl defecating in wetlands, agricultural runoff (i.e. cattle and fertilizer) or other upstream sources of nutrients. This study also cited the increased abundance of cholera in wetlands with higher protein concentrations. Increased protein concentrations were correlated with the number of dead bird carcasses found emphasizing the need for monitoring and removal to stem outbreaks.

Figure 6 indicates the frequency and intensity of avian cholera mortality events in California as reported to the USGS Wildlife Health Center. Cholera outbreaks tend to be more common in the Sacramento Valley and northeastern California. This may be from colder temperatures experienced during winter but more likely from the high densities of waterfowl (particularly *Chen sp.*) at the time of the outbreak. Cholera outbreaks have the potential to be very severe; an outbreak in the Salton Sea during 1991 claimed an estimated 155,000 birds.

Concerning sensitive waterfowl populations Greater white-fronted geese (i.e. Tule geese) seem to be resistant to outbreaks of avian cholera (Blanchong 2006).

Hunter harvest impacts on waterfowl populations

Wintering numbers of mallards are relatively low compared to other wintering species and the population of mallards that breed in the state. A ten year average from the California midwinter survey indicate 1,217,000 Northern pintail, 575,500 Northern shoveler, 471,700 American wigeon, 415,000 American green-winged teal, compared to 298,800 mallards counted on the survey. Nonetheless, mallards are the most sought after species by hunters by proportion of population (USFWS 2014c).

Currently, little evidence supports hunter harvest having an additive effect on duck population trends (Afton and Anderson 2001). Rather, available breeding habitat (i.e. nesting habitat and brood habitat) is the driving factor behind most duck

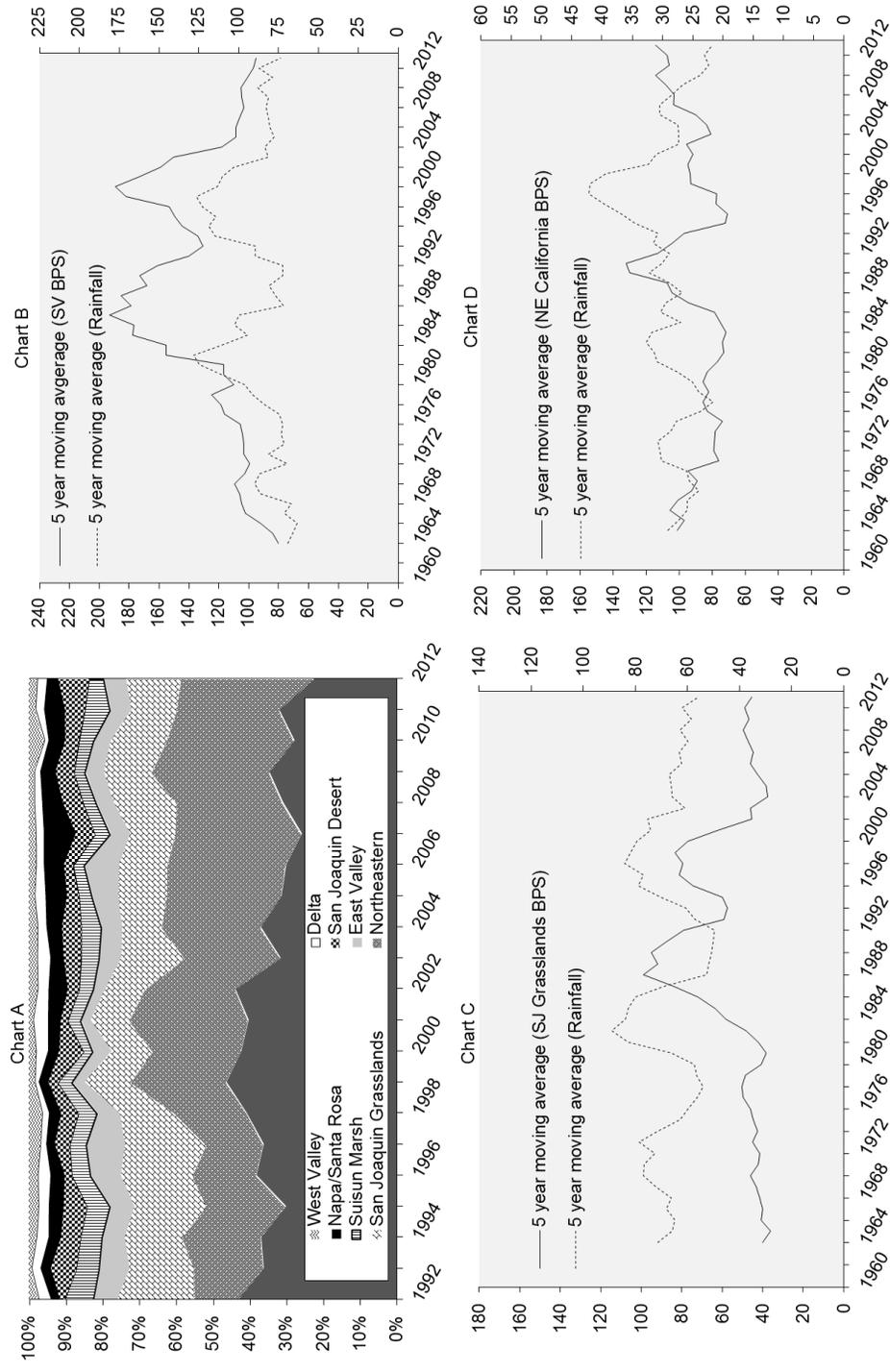
population changes. Even in absence of hunter or other mortality factors, density dependent factors on breeding areas (available habitat, predator response etc.) drive duck populations (Newton 1994, Clark and Shulter 1999, Viljugrein et al. 2005). Figure 7 compares hunter harvest in relation to the breeding population of mallards in California. Harvest has very little correlation (Chart A; $R^2=0.06$, Chart B; $R^2=0.05$, respectively) with subsequent breeding population levels.

A number of goose populations have increased substantially in the Pacific Flyway in recent years, with continued hunting and more liberal season and bag limits. Examples are the Pacific greater white-fronted goose and the Ross's goose. Pacific greater white-fronted geese have increased from 75,000 in 1978 to and 650,000. Surveys conducted in the 1960's estimated Ross's geese at 10,000 while the current population estimate is 700,000. When goose populations are low they are vulnerable to over exploitation by sport hunting. Ducks can breed successfully at age one while geese will breed at age two to three (refer to "K selection"). In the past, goose populations have been subject to overexploitation by predators (e.g. Aleutian goose; PFC 2006^b) or overharvest by subsidence or sport hunting (Pacific greater white-fronted goose; Pamplin 1986). Recovery actions have successfully increased these populations.

The Service implemented a general harvest strategy for setting duck framework regulations that regularly occur in California and are sought after by hunters (as explained in the Adaptive Harvest Management Section under Background and Existing Conditions). These harvest management strategies ensure duck populations are healthy over the long-term while providing hunting opportunity consistent with the long-term health. As a participant of the Pacific Flyway Council, the Department reviewed and voted to adopt these management strategies for establishing seasons and bag limits. In addition, the Department participates in the monitoring of various populations, both wintering and breeding. If defined populations goals are not met than bag or season limit reductions are triggered. For example the California Breeding Population Survey is used in the Adaptive Harvest Management strategy that establishes regulatory packages for most duck species for all 11 states in the Pacific Flyway.

The Pacific Flyway is currently working on revising the management plan for Tule white-fronted geese. The plan will incorporate population estimates derived from Department ground surveys, telemetry data and public hunt area harvest from check station measurements. These management actions will ensure that population levels of waterfowl species in California are being monitored and hunter harvest is sustainable over the long term.

Figure 3. Proportion of California breeding population by area (Chart A) and area specific mallard BPS estimates with total rainfall (Charts B-D, mallard on left Y axis in thousands; precipitation on right Y axis in inches)



-Total rainfall amounts based on 5 year average from January to April.
 -SV total rainfall from Woodland, Willows and Red Bluff weather stations.
 -SJ Grasslands total rainfall from Stockton and Merced weather stations.
 -NE total rainfall from Tule Lake and Alturas weather stations.

Figure 4. California Department of Fish and Wildlife, Northeastern California Canada Goose Survey 1950-2013.

CAGO traditional survey - pairs

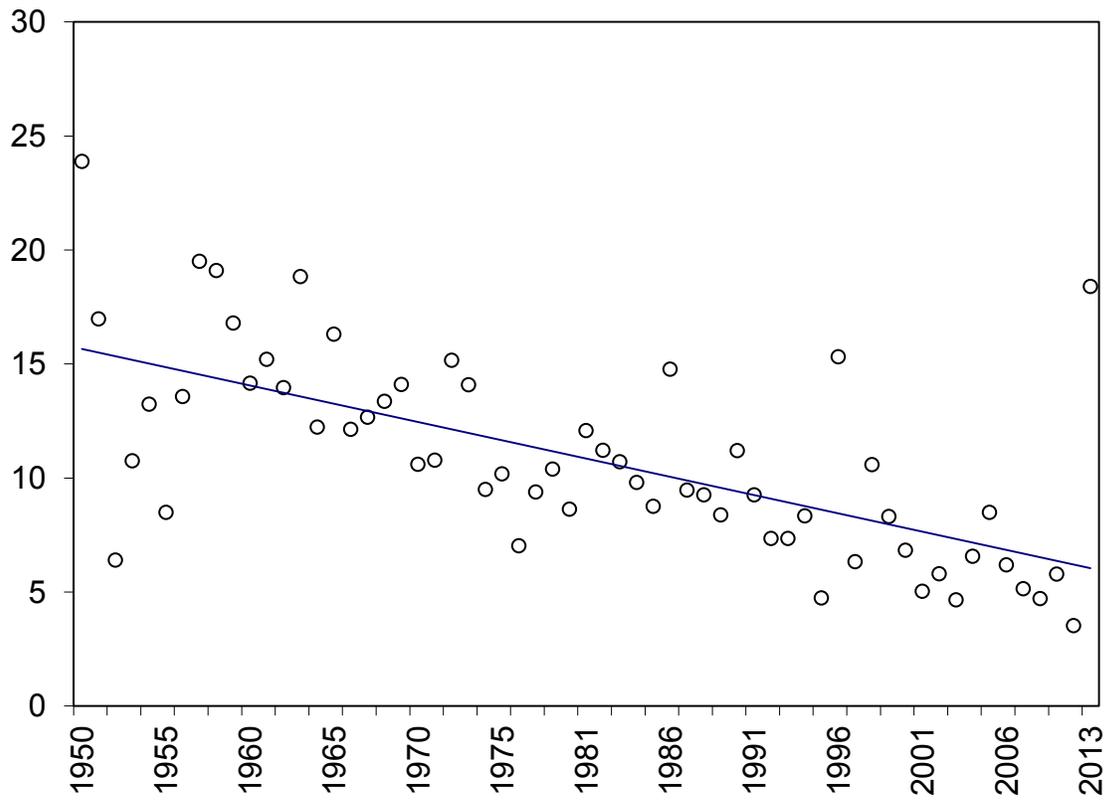
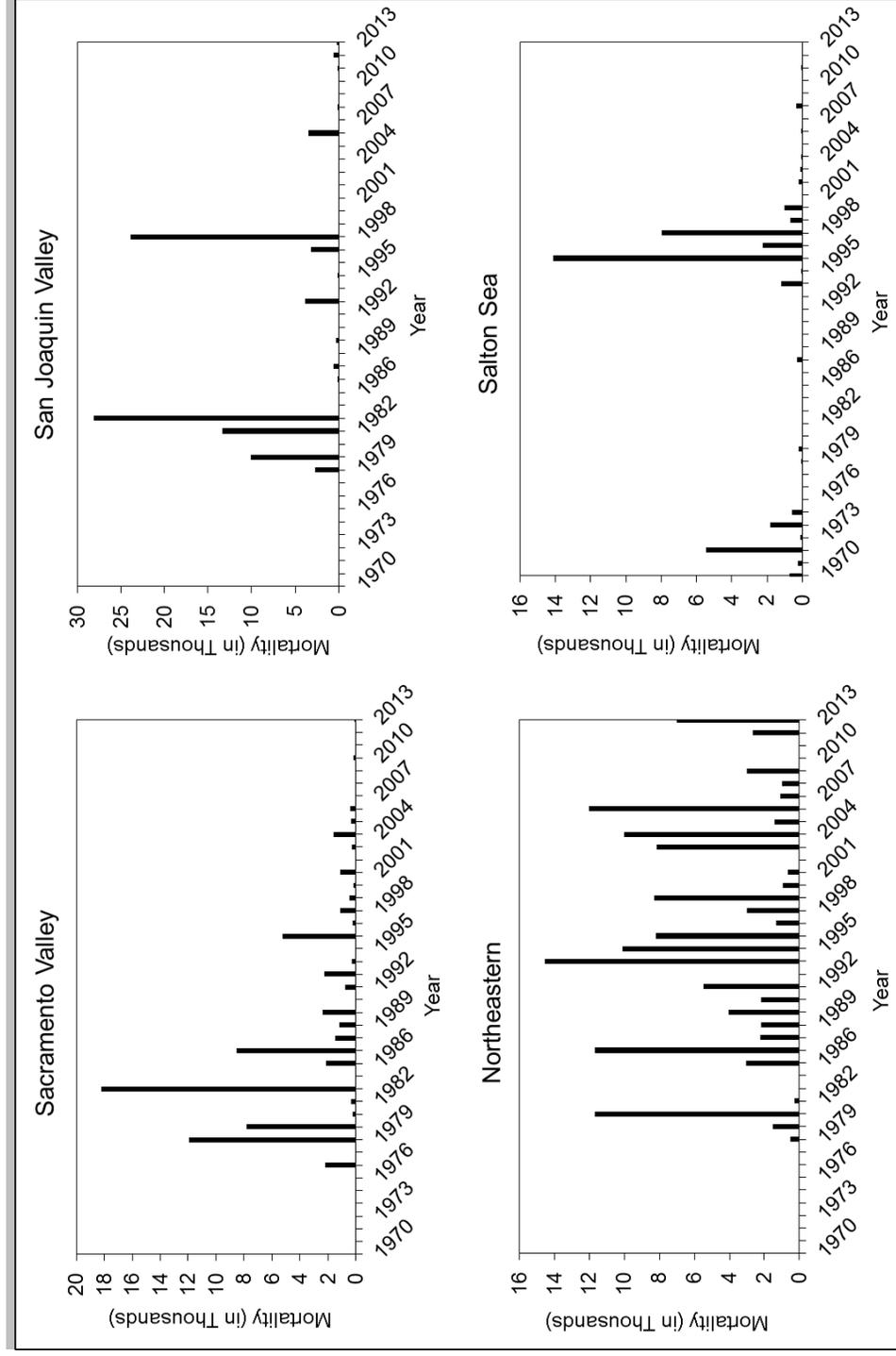


Figure 5. Waterfowl mortality from botulism by area, California 1970-2014

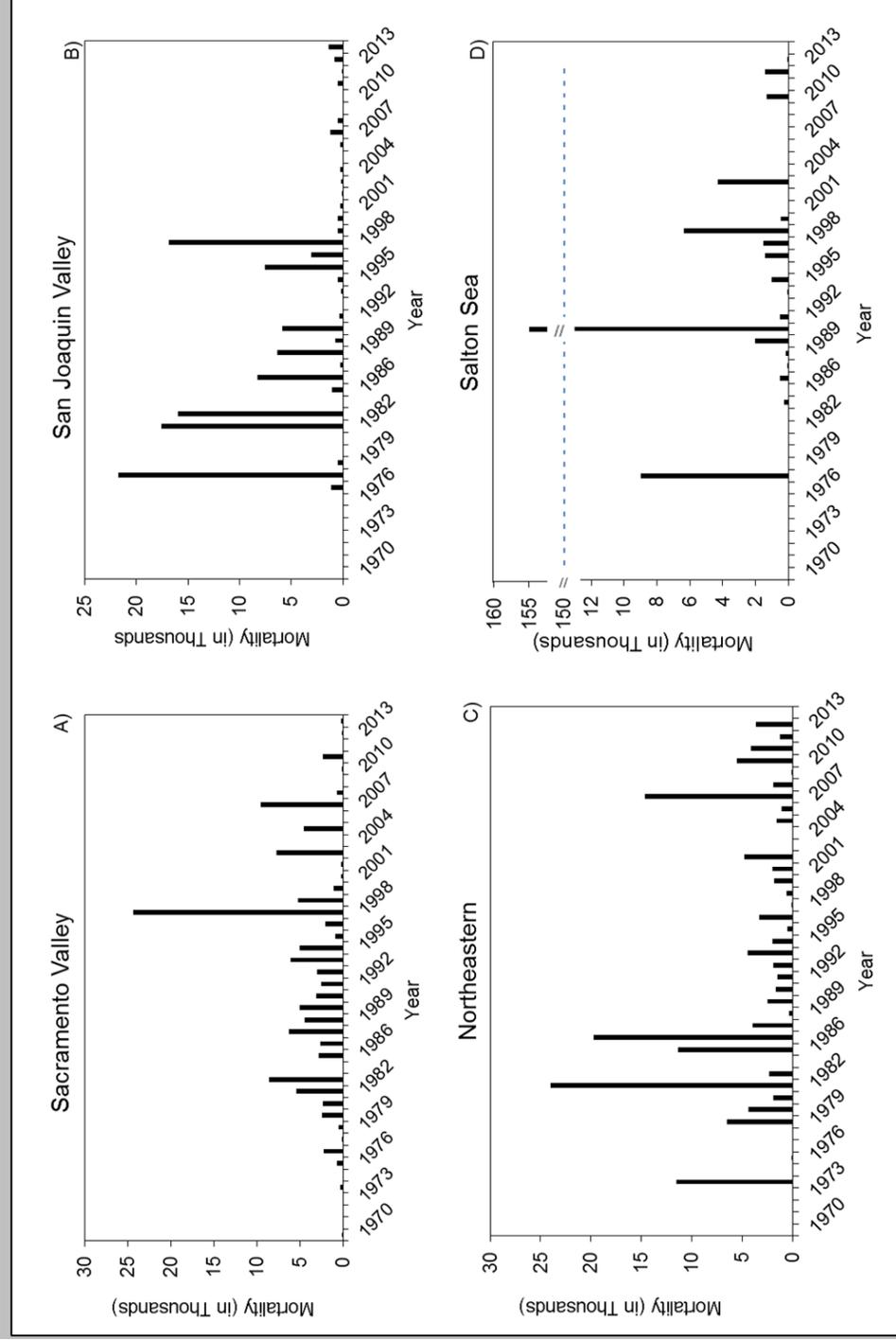


¹All waterfowl species combined.

²Mortality represent total number reported to the USGS Wildlife Health Center.

³No data collected during 1985 due to federal government shutdown.

Figure 6. Waterfowl mortality from avian cholera by area, California 1970-2014.

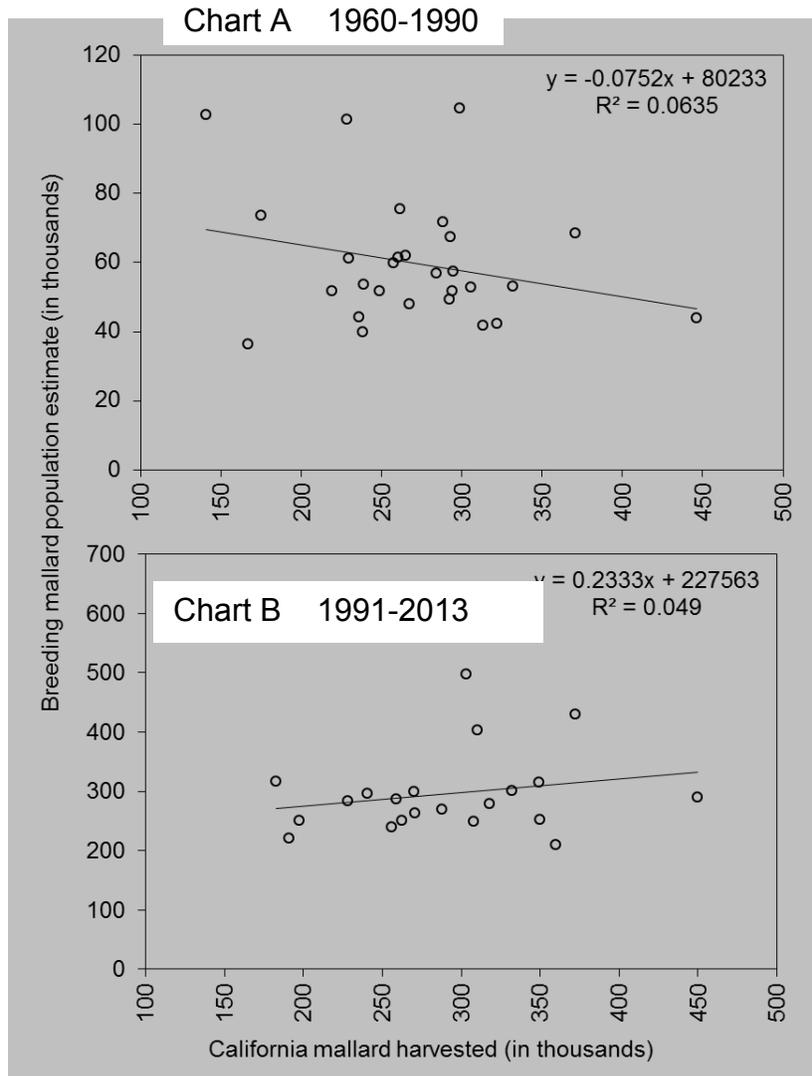


¹All waterfowl species combined.

²Mortality represent total number reported to the USGS Wildlife Health Center.

³No data collected during 1985 due to federal government shutdown.

Figure 7. California breeding mallard populations estimates vs hunt harvest



CUMMULATIVE IMPACTS

Short-term uses and Long-term Productivity

The 2006 analysis was presented on page 97 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The proposed project and existing hunting regulations will result in the temporary reduction of waterfowl, coot and moorhen populations and the use of nonrenewable fuels by hunters and the Department in the assessment of migratory game bird populations and the enforcement of the regulations. On the other hand, the Service concluded (USDI 1975:215) that the issuance of annual hunting regulations contributes significantly to the long-term productivity of the migratory game bird resource and their habitats, because hunting is allowed for only a few species of migratory birds for a limited period of time, and the revenues from hunting are important in the acquisition and management of migratory game bird habitats. Therefore, the project and existing regulations actually enhances long-term productivity of migratory game birds and results in no significant adverse impact on long-term productivity.

Growth Inducing Impacts

The 2006 analysis was presented on page 98 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). Because the hunting of migratory game birds is undertaken for a limited period of time and generally occurs in sparsely populated regions of the State, it is not likely to add to the growth in population in California or result in large-scale developments in any particular city or area. Overall numbers of migratory game bird hunters are declining, and because these numbers are declining, there is not likely to be an additional demand for housing in the specific areas in which hunting will occur. Therefore, the project and existing hunting regulations will not result in significant adverse impacts through growth.

Significant Irreversible Environmental Changes

The 2006 analysis was presented on page 98 (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115, available at 1812 9th Street, Sacramento 95811). The proposed project and existing hunting regulations would result in the continued commitment of energy resources by biologists and wardens in data collection, regulation promulgation, and law enforcement, and by hunters traveling to hunting areas. Therefore, the project will not result in significant adverse environmental impacts through irreversible changes.

The 2006 analyses and document referenced (incorporated by reference, August 2006 Final Environmental Document, SCH#2006042115) is located and available upon request from California Department of Fish and Game, Wildlife Branch, 1812 9th Street, Sacramento, CA 95811.

CHAPTER 3 – ALTERNATIVES

The three California project alternatives evaluated herein are: (1) no project – no change from the 2014-15 hunting regulations; (2) reduced season lengths and bag limits; and (3) elimination of all mechanical decoys.

Alternative 1. No project – no change from the 2014-15 hunting regulations

This alternative provides identical season and bag limit regulations as the 2014-15 seasons. Under this alternative, an increase in the brant season length would not occur.

Advantages of This Alternative

Waterfowl regulations are inherently complicated and any changes may result in confusion for some members of the public. Maintaining the 2014-15 regulations for the 2015-16 season may result in less confusion to some members of the public.

Disadvantages of This Alternative

The no change alternative provides less hunting opportunity compared to the proposed project because an increase of the brant season length would not be allowed. In addition, the no change alternative may not be current with yet to be established federal frameworks for the 2015-16 season.

Conclusion Regarding Alternative 1

It is unlikely that significant irreversible impacts would occur immediately or statewide as a result of selecting the no change alternative. However, this alternative was not recommended and may conflict with Federal frameworks.

Alternative 2. Reduced Season Lengths, Season Timing and Bag Limits

This alternative provides a suite of restrictions that when taken alone or in combination are expected to reduce harvests. This alternative could be selected by the Commission based on changes in Federal frameworks or a conclusion by the Commission that reduced harvests are a better alternative than the project or existing regulations. Under this alternative, for a generalized analysis, the length of each migratory bird season could be reduced by about 50 percent. For ducks, more conservative Adaptive Harvest Management regulatory alternatives (86 or 60 days) could be used. For brant, the 30-day season would be reduced to 15 days and for most other geese the season would be reduced from either 107 or 100 days to 51 days.

The AHM alternatives for the Pacific Flyway include total duck bag limits that range from 4 to 7 with differing restrictions on mallards and hen mallards. Other bag limit reductions considered in this alternative include a reduction from as many as 10 to as few as 3 geese depending on zone; a reduction in brant from two to one; and a reduction in the coot limit from 25 to 12 birds per day. Additionally, species-specific regulations, for pintail, redheads, canvasback or scaup could be further reduced under this alternative.

Advantages of This Alternative

Selection of Alternative 2, reduced season lengths, timing and bag limits, would reduce total harvest, although the magnitude of this reduction is not precisely predictable. This alternative has advantages only if the levels of harvest are suppressing populations. In 2013-14, the estimated retrieved harvest in California was 1,062,360 ducks, 162,150 geese and 13,200 coots. If harvest regulation restrictions cause a larger than expected decline in hunter participation, harvests might be reduced by more than 50 percent. If, as experienced in the 1989-90 season, there is a drop in hunter participation but fall flights are larger or contain higher percentages of juveniles than are expected, harvests would probably not decline by 50 percent. If harvests declined by exactly 50 percent; approximately 531,180 ducks, 81,075 geese, and 6,600 coots would not be harvested in California. If waterfowl, coots and moorhens have access to habitat of sufficient quality and quantity and these populations are being suppressed due to the levels of harvest previously experienced, populations might increase in following years as a result of the selection of this alternative. This alternative would provide recreational opportunity for hunters and meet one of the goals of the Conservation of Wildlife Resources Policy (Fish and Game Code, Section 1801), which is to include hunting as part of maintaining diversified recreational uses of wildlife.

Non-consumptive opportunities to view migratory birds would not differ substantially from the proposed project, because while this would increase non-conflicting viewing days on hunting areas, these areas are a small percent of

total waterfowl habitat. Reduction in possible conflicts between non-consumptive and consumptive users would be a likely result of this alternative.

Disadvantages of This Alternative

Harvest restrictions for waterfowl, coots and moorhens would probably be a disincentive for many of those private landowners who provide habitat through flooding of seasonal wetlands and agricultural lands during the fall and winter. These habitats form the majority of available wintering habitat for waterfowl and wetland dependent wildlife in California (Heitmeyer et al. 1989). Habitat provided only during the hunting season would be available for a shorter time. For many of these private landowners, the short period of time allowed for hunting may be judged to be not worth the high costs associated with providing water and managing this habitat. This would reduce the amount of habitat available for waterfowl and other wetland dependent wildlife. Overcrowding, and as a result, reduced food resources and increased losses to diseases, would be expected.

Conclusion Regarding Alternative 2

Selection of this alternative might lead to a greater decline in participation by hunters. The reductions in the number of days that waterfowl, coots and moorhens could be hunted might not be deemed to be worth the costs of licenses, stamps, travel, and entry fees. A change in season timing is not likely to significantly affect the number of active hunters. A reduction in hunter participation would result in reduced revenues to the Department and the Service which are used to acquire, manage, and maintain vital habitats. If the reduced season length resulted in a lower hunting harvest and hunting mortality was additive to natural mortality, an increase in some populations of waterfowl would be possible. However, the Department concludes that this alternative alone would not result in a significant increase in waterfowl numbers in future years.

Alternative 3. Elimination of all mechanically- and artificially-powered spinning wing decoys as a method of take.

The use of mechanical or electronic duck decoys (also known as spinning wing decoys (SWDs), “rotoducks”, “motoducks”, motion wing decoys, etc.) may lead to increases in harvest beyond those anticipated by existing bag limits and season length. Some hunters and other members of the public are opposed to the use of these devices because they believe that the devices exceed the bounds of “fair chase” and eliminate the emphasis on traditional hunting skills needed to successfully hunt ducks, and the advantages detract from the experience and dedication needed to sustain the hunting tradition.

This alternative would eliminate the use of all mechanical and artificially powered spinning wing decoys as a method of take. The Department analyzed several

sources of information relative to the possible effects of spinning wing decoys and these analyses are provided in Appendix D.

Advantages of This Alternative

The evidence seems clear that spinning blade and spinning wing decoys increase harvest at the individual hunt level, and level of observed increases in harvest at the individual hunt level are not reflected in overall estimates of harvest (Appendix E). However, the role of harvest in duck population dynamics is not clearly understood and the effect of reducing harvest success at the individual hunt level may or may not result in observable changes in population parameters. Some members of the hunting public have expressed concerns that continual advances in technology ultimately detract from the traditional hunting experience and potentially may lead to a reduction in the support for waterfowl hunting. This is thought to be due to hunters becoming less dedicated to developing skills and investing in the activity to a level that generates support for conservation and potentially increasing the negative view of hunting by those that are currently not opposed to hunting. As technology continues to improve, debates such as the one over spinning blade and spinning wing devices would continue. A new debate over each new technological advance would seem likely. Resources would continually be re-directed to assess each new technological advance.

Disadvantages of This Alternative

As detailed in Appendix D, existing analyses do not clearly establish an effect of harvest on duck population dynamics. To some unmeasured extent, the use of SWD may influence more hunters to join or remain in hunting, thereby providing support for wetland and waterfowl conservation. Commercial enterprises that develop and market these devices would likely be opposed to their regulation. There is no information regarding other duck attracting devices currently in use and there is no basis to conclude that these devices increase duck harvest. Commercial enterprises exist or may be developed to increase technological improvements for attracting ducks.

Conclusions Regarding Alternative 3

The selection of this alternative would not result in a significant adverse environmental impact. As reported in Appendix D, to date, the Department is unable to scientifically associate observed changes in duck population status, except perhaps for certain cohorts of local mallards, with the use of SWDs. The selection of this alternative would be viewed favorably by those hunters and other members of the public who are opposed to the use of non-traditional methods, but would be viewed unfavorably by those hunters who are not opposed to their use. Those commercial enterprises that develop and market these devices would likely be opposed to their regulation.

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Appendix A. 2014-15 Regulations Related to Migratory Waterfowl, Coot, Moorhen, (Common Gallinule).

§502. Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule).

(a) Definitions.

(1) Dark geese. Dark geese include Canada geese, cackling geese, Aleutian geese and white-fronted geese (“specklebelly”).

(2) Large Canada geese. Large Canada geese include western Canada geese (“honker”) and lesser Canada geese (“lessers”).

(3) Small Canada geese. Small (about the size of a mallard) Canada geese include cackling geese and Aleutian geese. Both are white-cheeked geese nearly identical in appearance to Large Canada geese. Aleutian geese have a thin white neck ring and Cackling geese have dark breasts. Both species have a high-pitched cackle as opposed to the deeper “honking”.

(4) White geese. White geese include Ross' geese, snow geese and blue phase of both species.

(b) Waterfowl Hunting Zones.

(1) Northeastern California Zone: In that portion of California lying east and north of a line beginning at the intersection of Interstate 5 with the California-Oregon state line; south along Interstate 5 to its junction with Walters Lane south of the town of Yreka; west along Walters Lane to its junction with Easy Street; south along Easy Street to the junction with Old Highway 99; south along Old Highway 99 to the point of intersection with Interstate 5 north of the town of Weed; south along Interstate 5 to its junction with Highway 89; east and south along Highway 89 to Main Street in Greenville; north and east to its junction with North Valley Road; south to its junction of Diamond Mountain Road; north and east to its junction with North Arm Road; south and west to the junction of North Valley Road; south to the junction with Arlington Road (A22); west to the junction of Highway 89; south and west to the junction of Highway 70; east on Highway 70 to Highway 395; south and east on Highway 395 to the point of intersection with the California-Nevada state line; north along the California-Nevada state line to the junction of the California-Nevada-Oregon state lines west along the California-Oregon state line to the point of origin.

(2) Southern San Joaquin Valley Zone: All of Kings and Tulare counties and that portion of Kern County north of the Southern California Zone.

(3) Southern California Zone: In that portion of southern California (but excluding the Colorado River zone) lying south and east of a line beginning at the mouth of the Santa Maria River at the Pacific Ocean; east along the Santa Maria River to where it crosses Highway 166 near the City of Santa Maria; east on Highway 166 to the junction with Highway 99; south on Highway 99 to the crest of the Tehachapi Mountains at Tejon Pass; east and north along the crest of the Tehachapi Mountains to where it intersects Highway 178 at Walker Pass; east on Highway 178 to the junction of Highway 395 at the town of Inyokern; south on Highway 395 to the junction of Highway 58; east on Highway 58 to the junction of Interstate 15; east on Interstate 15 to the junction with

Highway 127; north on Highway 127 to the point of intersection with the California-Nevada state line.

(4) Colorado River Zone: In those portions of San Bernardino, Riverside, and Imperial counties lying east of the following lines: Beginning at the intersection of Highway 95 with the California-Nevada state line; south along Highway 95 to Vidal Junction; south through the town of Rice to the San Bernardino-Riverside county line on a road known as "Aqueduct Road" in San Bernardino County; south from the San Bernardino-Riverside county line on road known in Riverside County as the "Desert Center to Rice Road" to the town of Desert Center; east 31 miles on Interstate 10 to its intersection with the Wiley Well Road; south on this road to Wiley Well; southeast along the Army-Milpitas Road to the Blythe, Brawley, Davis Lake intersections; south on the Blythe-Brawley paved road to its intersection with the Ogilby and Tumco Mine Road; south on this road to Highway 80; east seven miles on Highway 80 to its intersection with the Andrade-Algodones Road; south on this paved road to the intersection of the Mexican boundary line at Algodones, Mexico.

(5) Balance of State Zone: That portion of the state not included in Northeastern California, Southern California, Colorado River or the Southern San Joaquin Valley zones.

(6) Special Management Areas

(A) North Coast. All of Del Norte and Humboldt counties.

(B) Humboldt Bay South Spit (West Side). Beginning at the intersection of the north boundary of Table Bluff County Park and the South Jetty Road; north along the South Jetty Road to the South Jetty; west along the South Jetty to the mean low water line of the Pacific Ocean; south along the mean low water line to its intersection with the north boundary of the Table Bluff County Park; east along the north boundary of the Table Bluff County Park to the point of origin.

(C) Sacramento Valley. Beginning at the town of Willows; south on Interstate 5 to the junction with Hahn Road; east on Hahn Road and the Grimes-Arbuckle Road to the town of Grimes; north on Highway 45 to its junction with Highway 162; north on Highway 45-162 to the town of Glenn; west on Highway 162 to the point of beginning.

(D) Morro Bay. Beginning at a point where the high tide line intersects the State Park boundary west of Cuesta by the Sea; northeasterly to a point 200 yards offshore of the high tide line at the end of Mitchell Drive in Baywood Park; northeasterly to a point 200 yards offshore of the high tide line west of the Morro Bay State Park Boundary, adjacent to Baywood Park; north to a point 300 yards south of the high tide line at the end of White Point; north along a line 400 yards offshore of the south boundary of the Morro Bay City limit to a point adjacent to Fairbanks Point; northwesterly to the high tide line on the sand spit; southerly along the high tide line of the sand spit to the south end of Morro Bay; easterly along the Park boundary at the high tide line to the beginning point.

(E) Martis Creek Lake. The waters and shoreline of Martis Creek Lake, Placer and Nevada counties.

(F) Northern Brant. Del Norte, Humboldt and Mendocino counties.

(G) Balance of State Brant. That portion of the state not included in the Northern Brant Special Management Area.

(H) Imperial County. Beginning at Highway 86 and the Navy Test Base Road; south on Highway 86 to the town of Westmoreland; continue through the town of Westmoreland to Route S26; east on Route S26 to Highway 115; north on Highway 115 to Weist Rd.; north on Weist Rd. to Flowing Wells Rd.; northeast on Flowing Wells Rd. to the Coachella Canal; northwest on the Coachella Canal to Drop 18; a straight line from Drop 18 to Frink Rd.; south on Frink Rd. to Highway 111; north on Highway 111 to Niland Marina Rd.; southwest on Niland Marina Rd. to the old Imperial County boat ramp and the water line of the Salton Sea; from the water line of the Salton Sea, a straight line across the Salton Sea to the Salinity Control Research Facility and the Navy Test Base Road; southwest on the Navy Test Base Road to the point of beginning.

(c) Seasons and Bag and Possession Limits for American Coots, and Common Moorhens.		
(1) Statewide Provisions		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
American Coot and Common Moorhen	Concurrent with duck season(s)	Daily bag limit: 25, either all of one species or a mixture of these species. Possession limit: triple the daily bag limit
(d) Seasons and Bag and Possession Limits for Ducks and Geese by Zone.		
(1) Northeastern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	From the first Saturday in October extending for 105 days. (Oct 4 – Jan 16) Scaup: from the first Saturday in October extending for a period of 58 days (Oct 4 – Nov 30) and from the third Saturday in December extending for a period of 28 days. (Dec 20 – Jan 16)	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 2 pintail (either sex). • 1 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.

Geese	<p>Regular Season: Dark geese from the first Saturday in October extending for 100 days. (Oct 4 – Jan 11) White geese from the last Friday in October extending for 73 days. (Oct 31 – Jan 11)</p> <p>Late Season: White-fronted geese from the first Friday in March extending for 5 days. (Mar 6 – Mar 10) White geese from the first Saturday in February extending for 32 days. (Feb 7 – Mar 10) During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions of Section 2016, Fish and Game Code.</p>	<p>Daily bag limit: 25 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 15 white geese. • 10 dark geese but not more than 2 Large Canada geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>
(2) Southern San Joaquin Valley Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	<p>From the third Saturday in October extending for 100 days. (Oct 18 – Jan 25) Scaup: from the first Saturday in November extending for 86 days. (Nov 1 – Jan 25)</p>	<p>Daily bag limit: 7 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7 mallards, but not more than 2 females. • 2 pintail (either sex). • 1 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>
Geese	<p>From the third Saturday in October extending for 100 days. (Oct 18 – Jan 25)</p>	<p>Daily bag limit: 25 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 15 white geese. • 10 dark geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>
(3) Southern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR		

SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	From the third Saturday in October extending for 100 days. (Oct 18 – Jan 25) Scaup: from the first Saturday in November extending for 86 days. (Nov 1 – Jan 25)	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 2 pintail (either sex). • 1 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	From the third Saturday in October extending for 100 days. (Oct 18 – Jan 25)	Daily bag limit: 18 Daily bag limit may include: • 15 white geese. • 3 dark geese (see definitions 502(a)). Possession limit: triple the daily bag limit.
(4) Colorado River Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers).	From the third Friday in October extending for 101 days. (Oct 17 – Jan 25) Scaup: from the first Saturday in November extending for 86 days. (Nov 1 – Jan 25)	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females or Mexican-like ducks. • 2 pintail (either sex). • 1 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	From the third Friday in October extending for 101 days. (Oct 17 – Jan 25)	Daily bag limit: 10 Daily bag limit may include: • 10 white geese. • 4 dark geese (see definitions: 502(a)).

		Possession limit: triple the daily bag limit.
(5) Balance of State Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers).	From the third Saturday in October extending for 100 days. (Oct 18 – Jan 25) Scaup: from the first Saturday in November extending for 86 days. (Nov 1 – Jan 25)	Daily bag limit: 7 Daily bag limit may include: <ul style="list-style-type: none"> • 7 mallards, but not more than 2 females. • 2 pintail (either sex). • 1 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	Early Season: Large Canada geese only from the Saturday closest to October 1 for a period of 5 days EXCEPT in the North Coast Special Management Area where Large Canada geese are closed during the early season. (Oct 4 – Oct 8) Regular Season: Dark and white geese from the third Saturday in October extending for 100 days (Oct 18 – Jan 25) EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season will close after December 21. (Oct 18 – Dec 21) Late Season: White-fronted geese and white geese from the second Saturday in February extending for a period of 5 days EXCEPT in the Sacramento Valley	Daily bag limit: 25 Daily bag limit may include: <ul style="list-style-type: none"> • 15 white geese. • 10 dark geese EXCEPT in the Sacramento Valley Special Management Area where only 3 may be white-fronted geese (see definitions: 502(a)). Possession limit: triple the daily bag limit.

	Special Management Area where the white-fronted goose season is closed. During the Late Season, hunting is not permitted on wildlife areas listed in Sections 550-552 EXCEPT on Type C wildlife areas in the North Central and Central regions. (Feb 14 – Feb 18)		
(6) Special Management Areas (see descriptions in 502(b)(6))			
	<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
1. North Coast	All Canada Geese	From the last Friday in October extending for a period of 87 days (Oct 31 – Jan 25) (Regular Season) and from the third Saturday in February extending for a period of 18 days (Feb 21 – Mar 10) (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions Section 2016, Fish and Game Code.	Daily bag limit: 10 Canada Geese of which only 1 may be a Large Canada goose (see definitions: 502(a)), EXCEPT during the Late Season the bag limit on Large Canada geese is zero. Possession limit: triple the daily bag limit.
2. Humboldt Bay South Spit (West Side)	All Species	Closed during brant season.	
3. Sacramento Valley	White-Fronted Geese	Open concurrently with the goose season through December 21, and during Youth Waterfowl Hunting Days. (Oct 18 – Dec 21)	Daily bag limit: 3 white-fronted geese. Possession limit: triple the daily bag limit.
4. Morro Bay	All species	Open in designated area only from the opening day of brant season through the remainder of waterfowl season.	

5. Martis Creek Lake	All species	Closed until November 16.		
6. Northern Brant	Black Brant	From November 7 extending for 30 days. (Nov 7 – Dec 6)	Daily bag limit: 2 Possession limit: triple the daily bag limit.	
(7) Balance of State Brant	Black Brant	From the second Saturday in November extending for 30 days. (Nov 8 – Dec 7)	Daily bag limit: 2 Possession limit: triple the daily bag limit.	
(8) Imperial County	White Geese	From the first Saturday in November extending for a period of 86 days (Nov 1 – Jan 25) (Regular Season) and from the first Saturday in February extending for a period of 16 days (Feb 7 – Feb 22) (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions of Section 2016, Fish and Game Code.	Daily bag limit: 15 Possession limit: triple the daily bag limit.	

(e) Youth Waterfowl Hunting Days Regulations (NOTE: To participate in these Youth Waterfowl Hunts, federal regulations require that hunters must be 15 years of age or younger and must be accompanied by a non-hunting adult 18 years of age or older.)

(1) Statewide Provisions.

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag Limit</i>
Ducks (including Mergansers), American Coot, Common Moorhen, Black Brant, Geese	1. Northeastern California Zone: The Saturday fourteen days before the opening of waterfowl season extending for 2 days. (Sept 20 – 21) 2. Southern San Joaquin Valley Zone: The Saturday following the closing of waterfowl season extending for 2 days. (Jan 31 – Feb 1)	Same as regular season.

	<p>3. Southern California Zone: The Saturday following the closing of waterfowl season extending for 2 days. (Jan 31 – Feb 1)</p> <p>4. Colorado River Zone: The Saturday following the closing of waterfowl season extending for 2 days. (Jan 31 – Feb 1)</p> <p>5. Balance of State Zone: The Saturday following the closing of waterfowl season extending for 2 days. (Jan 31 – Feb 1)</p>	
(f) Falconry Take of Ducks (including Mergansers), Geese, American Coots, and Common Moorhens.		
(1) Statewide Provisions		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers), Geese, American Coot and Common Moorhen	<p>1. Northeastern California Zone. Open concurrently with duck season. (Oct 4 – Jan 18)</p> <p>2. Balance of State Zone. Open concurrently with duck season and January 31-February 1, 2015, EXCEPT in the North Coast Special Management Area where the falconry season for geese runs concurrently with the season for Small Canada geese (see 502(d)(6)). (Oct 18 – Jan 25 & Jan 31 – Feb 1)</p> <p>3. Southern San Joaquin Valley Zone. Open concurrently with duck season and January 31-February 1, 2015. Goose hunting in this zone by means of falconry is not permitted. (Oct 18 – Jan 25 & Jan 31 – Feb 1)</p> <p>4. Southern California Zone. Open concurrently with duck season and January 26-30, 2015 EXCEPT in the</p>	<p>Daily bag limit: 3 Daily bag limit makeup: • Either all of 1 species or a mixture of species allowed for take.</p> <p>Possession limit: 9</p>

	<p>Imperial County Special Management Area where the falconry season for geese runs concurrently with the season for white geese. (Oct 18 – Jan 30)</p> <p>5. Colorado River Zone. Open concurrently with duck season and January 26-29, 2015. Goose hunting in this zone by means of falconry is not permitted. Federal regulations require that California's hunting regulations conform to those of Arizona, where goose hunting by means of falconry is not permitted. (Oct 17 – Jan 29)</p>	
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Note: Authority cited: Sections 202 and 355, Fish and Game Code. Reference: Sections 202, 355 and 356, Fish and Game Code.

Appendix B. Estimated Retrieved Harvest of Geese in California

Year	White-					TOTAL
	Canada	Front	Snow	Ross'	Brant	
1962	53,532	50,088	28,826	0	9,433	141,879
1963	99,888	56,694	66,810	0	8,008	231,400
1964	77,920	51,735	55,151	0	3,748	188,554
1965	49,685	42,211	33,771	0	10,735	136,402
1966	72,415	65,321	155,543	1,022	7,155	301,456
1967	8,756	62,819	72,413	533	6,929	151,450
1968	72,935	47,345	53,308	0	8,298	181,886
1969	72,613	68,443	72,545	2,514	10,056	226,171
1970	95,112	70,639	112,614	5,114	393	283,872
1971	74,008	34,216	94,123	3,646	2,524	208,517
1972	148,888	51,813	41,998	0	13,698	256,397
1973	69,701	44,615	106,721	4,398	2,161	227,596
1974	72,166	40,682	50,764	8,464	1,693	173,769
1975	62,002	30,193	81,993	6,968	0	181,156
1976	58,444	44,044	127,678	7,726	515	238,407
1977	42,610	33,572	77,771	3,395	9,700	167,048
1978	46,530	34,719	28,578	2,360	674	112,861
1979	31,373	21,399	26,179	4,419	0	83,370
1980	26,950	18,693	28,459	2,795	0	76,897
1981	52,089	21,781	28,591	6,316	0	108,777
1982	46,418	15,004	26,263	7,298	0	94,983
1983	56,384	16,157	43,223	6,789	3,573	126,126
1984	38,004	6,686	49,609	8,373	0	102,672
1985	40,313	15,157	65,085	8,913	0	129,468
1986	21,999	7,542	31,839	3,477	0	64,857
1987	1,348	9,634	28,601	2,375	0	41,958
1988	26,296	4,707	30,571	884	0	62,458
1989	24,486	9,519	30,263	5,106	566	69,940
1990	32,691	7,003	8,104	2,438	475	50,711
1991	9,474	9,828	25,839	3,253	211	48,605
1992	28,546	11,705	26,407	3,076	1,810	71,544
1993	21,066	12,311	46,461	7,430	2,368	89,636
1994	28,469	12,597	21,847	7,476	2,774	73,163
1995	21,119	11,476	30,679	4,833	328	68,435
1996	25,487	16,530	46,849	12,405	2,639	103,910
1997	23,659	22,448	27,628	8,058	4,029	85,822
1998	23,299	21,984	38,371	6,049	12,097	101,800
1999	14,017	23,925	35,563	23,545	2,639	99,689
2000	25,877	21,184	31,721	6,749	1,800	87,331
2001	30,228	27,080	33,167	13,015	4,100	107,590
2002	37,762	31,497	30,279	15,662	1,100	116,300
2003	41,946	24,685	32,851	16,333	2,300	118,115
2004	44,492	39,924	35,355	10,329	800	130,900
2005	49,182	42,156	46,653	7,729	900	146,620
2006	41,381	52,492	43,296	5,875	2,900	145,944
2007	50,484	59,416	52,038	7,961	1,800	171,699
2008	49,252	110,523	70,946	13,779	1,000	245,500
2009	53,865	56,101	30,693	8,740	900	150,299
2010	68,666	67,810	54,548	14,974	541	206,539
2011	51,870	55,760	43,718	14,635	750	166,733
2012	47,877	41,842	45,261	14,886	1,093	150,959
2013*	44,071	65,071	38,747	13,310	952	162,151
Averages:						
1962-2012	46,301	35,015	48,968	6,643	2,888	139,814
1962-65	70,256	50,182	46,140	0	7,981	174,559
1966-70	64,366	62,913	93,285	1,837	6,566	228,967
1971-75	85,353	40,304	75,120	4,695	4,015	209,487
1976-80	41,181	30,485	57,733	4,139	2,178	135,717
1981-85	46,642	14,957	42,554	7,538	715	112,405
1986-90	21,364	7,681	25,876	2,856	208	57,985
1991-95	21,735	11,583	30,247	5,214	1,498	70,277
1996-00	22,468	21,214	36,026	11,361	4,641	95,710
2001-05	40,722	33,068	35,661	12,614	1,840	123,905
2005-12	52,100	63,465	48,842	10,528	1,256	176,191
% Change from:						
2012	-7.9%	55.5%	-14.4%	-10.6%	-12.9%	7.4%
1962-2012	-4.8%	85.8%	-20.9%	100.4%	-67.0%	16.0%
% State's Total Goose Harvest:						
2013	19.5%	28.8%	17.1%	5.9%	0.4%	
1962-2012	33.1%	25.0%	35.0%	4.8%	2.1%	
*Preliminary Data						

Appendix C. 2014 Pacific Flyway Fall and Winter Goose Surveys

Fall	White-fronted Geese	Cackling Canada Geese				Snow/Ross' Geese		
		Oregon-Wash.*	Calif. & Elsewhere	Total	Total**	Skagit-Fraser	Calif. & Elsewhere	Total
1979	73,100	200	63,900	64,100		35,600	492,500	528,100
1980	93,500	200	127,200	127,400		22,400	181,800	204,200
1981	116,500	1,100	86,000	87,100		48,600	711,300	759,900
1982	91,700	0	54,100	54,100		26,100	328,000	354,100
1983	112,900	0	26,200	26,200		24,500	523,100	547,600
1984	100,200	4,000	21,800	25,800		26,600	439,700	466,300
1985	93,800	7,400	24,700	32,100	46,776	46,200	503,600	549,800
1986	107,100	12,000	39,400	51,400	45,232	39,900	481,800	521,700
1987	130,600	11,000	43,800	54,800	66,735	47,700	477,600	525,300
1988	161,500	19,100	50,800	69,900	81,964	43,800	397,200	441,000
1989	218,800	13,000	63,800	76,800	85,341	32,200	431,700	463,900
1990	240,800	34,700	75,500	110,200	106,393	31,700	676,800	708,500
1991	236,500	27,900	76,700	104,600	96,624	39,100	651,000	690,100
1992	230,900	60,700	88,600	149,300	148,593	34,300	605,000	639,300
1993	295,100	65,700	98,600	164,300	153,259	49,100	520,100	569,200
1994	324,800	75,900	76,600	152,500	217,820	42,600	435,600	478,200
1995	277,500	114,000	47,400	161,400	234,125	37,000	464,400	501,400
1996	344,100	123,600	11,000	134,600	249,823	45,800	320,500	366,300
1997	319,000	188,900	16,200	205,100	294,860	47,000	369,400	416,400
1998	413,100	139,000	9,600	148,600	216,413	47,100	307,200	354,300
1999	393,400	--	--	--	241,780	28,600	550,400	579,000
2000	352,700	--	--	--	251,223	56,300	600,500	656,800
2001	438,900	--	--	--	253,327	52,000	396,200	448,200
2002	359,700	--	--	--	168,126	73,100	523,700	596,800
2003	422,000	--	--	--	234,054	66,800	521,000	587,800
2004	374,900	--	--	--	172,157	68,141	682,128	750,269
2005	443,900	--	--	--	219,371	80,040	630,686	710,726
2006	509,262	--	--	--	241,150	79,891	719,810	799,701
2007	604,706	--	--	--	248,409	94,859	978,622	1,073,481
2008	627,035	--	--	--	283,641	57,000	900,403	957,403
2009	536,746	--	--	--	225,904	73,964	827,055	901,019
2010	649,840	--	--	--	275,343	63,641	800,156	863,797
2011	604,270	--	--	--	180,227	69,964	1,027,887	1,097,851
2012	664,201	--	--	--	202,323	56,973	824,432	881,405
2013	579,902	--	--	--	312,220	75,313	1,275,890	1,351,203
2014	637,221	--	--	--	281,300	***	***	
Most recent 3-yr average:	627,108				265,281	67,417	1,042,736	1,110,153
Population objective:	300,000				250,000	>35,000		
Stop hunting if below 3-yr avg. threshold of:	95,000				80,000			
Resume hunting if above 3-yr avg. threshold of:	120,000				110,000			

*Lower Columbia River, Willamette Valley, and Summer Lake, only.

**Population indices are based new methodology, adopted in 2011, and equal (Total Indicated Birds)*3.35, which is the ratio of fall estimates based on observations of neck-banded birds and spring Yukon-Kuskokwim Delta breeding estimates.

***Survey to be conducted in Fall.

Appendix D. Possible Effects of Spinning Wing Decoys in California

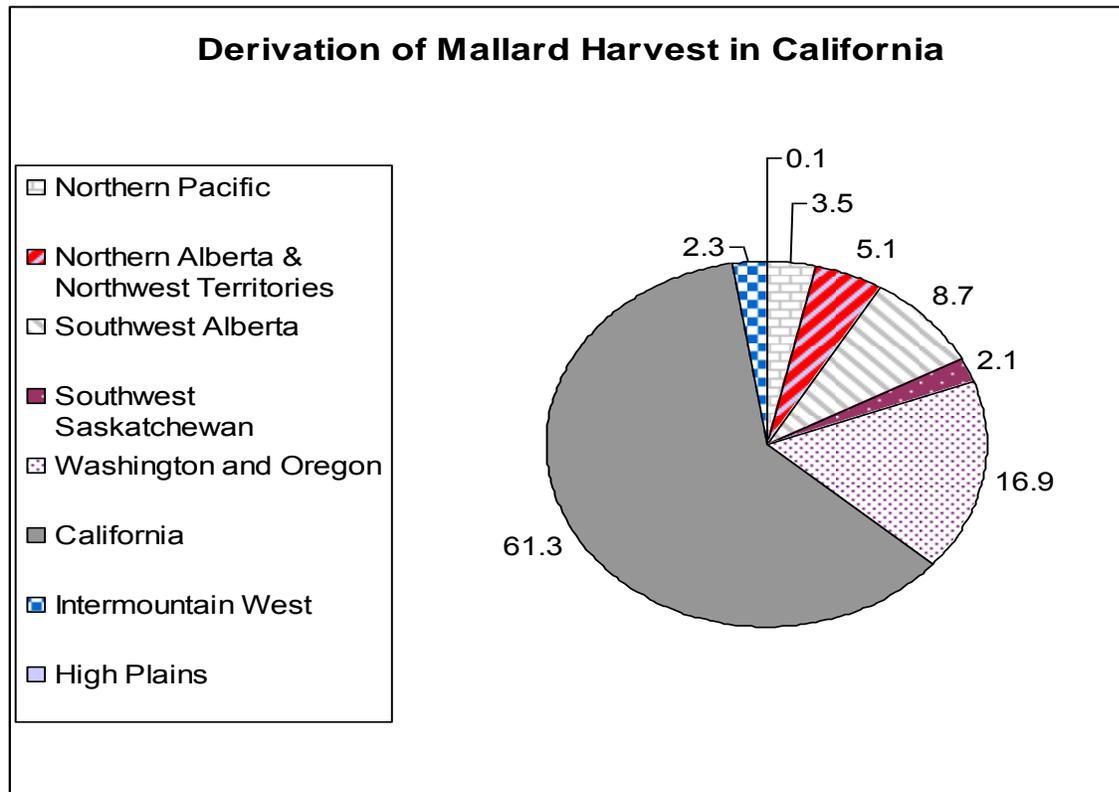
Introduction

The use of mechanical or electronic duck decoys (also known as spinning wing decoys (SWDs), “rotoducks”, “motoducks”, motion wing decoys, etc.) may lead to increases in harvest beyond those anticipated by existing bag limits and season length. Some hunters and other members of the public are opposed to the use of these devices because they believe that the devices may lead to excessive harvest or exceed the bounds of “fair chase” and eliminate the emphasis on traditional hunting methods.

The Department examined the results of studies, existing monitoring programs, and initiated additional analyses to assess the potential effects of SWDs on the harvest of ducks. Monitoring programs (i.e. estimates of breeding populations, total harvests) are not designed to measure the effectiveness of a single harvest method, such as a SWD.

These analyses mostly focus on mallards because mallards are the most abundant breeding duck in the State, are the most frequently occurring duck species in the harvest (Appendix E) and, unlike other species of ducks, are mostly derived from within California (62%; J. Dubovsky, USFWS, unpub data, Figure D-1).

Figure D-1. Derivation of Mallard Harvest in California.



Department Surveys on the Use and Effectiveness of SWDs

The widespread use of SWDs in California began in 1998. The Department compared the daily harvest of hunters on public hunting areas who said they used SWDs to those that said they did not during the 1999-00 to 2001-02 seasons.

Hunters were sampled on five public hunting areas (Delevan National Wildlife Refuge, Upper Butte Basin Wildlife Area, Grizzly Island Wildlife Area, Los Banos Wildlife Area, and Mendota Wildlife Area) on 10 randomly-selected dates during the 1999-00 hunting season and again on five areas (Sacramento National Wildlife Refuge, Upper Butte Basin Wildlife Area, Grizzly Island Wildlife Area, Los Banos Wildlife Area, and Mendota Wildlife Area) on 14 random days during the 2000-01 hunting season. During the 2001-02 hunting season, sampling occurred on 10 days picked at random on the Delevan National Wildlife Refuge, Upper Butte Basin Wildlife Area, Grizzly Island Wildlife Area, Los Banos Wildlife Area, and Mendota Wildlife Area.

The results from nearly 23,000 hunter-days from the three year survey are summarized in Table D-1. Use of SWDs generally increased in the second year of study, especially in the Sacramento Valley, but use declined on some areas during the third year of study on some areas. SWD use varied from 16 to 59 percent of hunters. There were no other differences between years. Total ducks harvested was significantly greater for hunters using SWDs on all five areas, and the overall average increase was about 1 bird per hunter.

Although the average number of mallards taken by hunters using mechanical duck decoys trended higher, harvest on only one of the five areas was higher at a statistically significant level in one year. The overall average increase in mallards bagged for hunters using SWDs was about 0.5 mallards per hunter-day.

Although average numbers of ducks taken by hunters using SWDs were higher than the averages by hunters that did not use the devices, and use of the devices was common, overall duck harvest on the public hunting areas in 1999 (201,000); 2000 (165,000); and 2001 (157,000); was lower than in 1998 and the overall ducks per hunter per day was essentially unchanged.

Effectiveness of December 1st Regulation

Beginning in 2001, the Commission adopted a prohibition on the use of electronic or mechanically operated spinning-wing decoys from the beginning of the waterfowl season until November 30th. Before and after the regulation change, a variety of changes have occurred with mallard harvest regulations (i.e. opening days, bag limits, season length). The Department analyzed public hunt results to see if any changes have occurred with mallard harvest in relation to the regulation change. Mallards were chosen for this analysis, since the December 1st regulation was created when the

Table D-1. Use and success of hunters using SWD on selected public hunting areas.

Area	Year	% Who Used Decoy	Total Duck Harvest	Percent Mallard	Avg Mallards per Hunter	Avg Ducks per Hunter	Sample Size	Total Annual Hunter Visits
Little Dry Creek	1999-00	52 - YES	2431	36	1.4	3.9	1197	5030
		48 - NO	1610	34	1	2.8		
	2000-01	59 - YES	2707	47	1.4	2.9	1550	4650
		41 - NO	1006	51	0.8	1.6		
	2001-02	52 - YES	2697	42	1.86	4.42	1165	4188
		47 - NO	1553	47	1.32	2.79		
Delevan	1999-00	52 - YES	1643	17	0.5	2.6	1210	7061
		48 - NO	1177	18	0.4	2		
	2000-01	not sampled						
	2001-02	45 - YES	1831	30	1.09	3.55	1132	5941
		54 - NO	1251	30	0.6	2.02		
Sacramento	1999-00	not sampled						
	2000-01	57 - YES	1271	24	0.5	1.8	1212	8656
		43 - NO	904	32	0.6	1.7		
	2001-02	not sampled						
Grizzly Island	1999-00	29 - YES	1129	14	0.3	2	1978	8658
		71 - NO	1998	18	0.3	1.4		
	2000-01	36 - YES	1508	28	0.5	1.8	2305	7176
		64 - NO	1852	26	0.3	1.2		
	2001-02	39 - YES	699	17	0.24	1.42	1250	5880
		60 - NO	652	17	0.14	0.85		
Los Banos	1999-00	24 - YES	416	31	0.6	1.8	981	4314
		76 - NO	786	28	0.3	1.1		
	2000-01	41 - YES	802	31	0.7	2.1	914	4698
		59 - NO	448	35	0.3	0.9		
	2001-02	34 - YES	454	16	0.32	2	654	4427
		65 - NO	502	23	0.26	1.17		
Mendota	1999-00	16 - YES	790	16	0.4	2.4	2133	9886
		84 - NO	3179	13	0.2	1.8		
	2000-01	24 - YES	1224	29	0.6	2	2638	10196
		76 - NO	2716	20	0.3	1.3		
	2001-02	28 - YES	1842	12	0.33	2.59	2497	11132
		71 - NO	3056	12	0.22	1.71		

breeding population of mallards in California was declining. Beginning in December, a larger percentage of migrant mallards start appearing in the harvest.

A mallard per hunter visit was calculated for all public hunt areas. Although waterfowl zones and other issues exist (e.g. delay due to rice harvest), these were controlled for by computing an average mallard take per hunter day on all areas before and after December 1st (including this date). Additionally, for analysis, data from 1992 – 2006 was partitioned into three categories: 1992-1997, 1998-2000, and 2001-2006). Use of SWDs began during the 1998-1999 hunting season in California, and continued without restriction until the December 1st restriction starting with the 2001-02 waterfowl hunting season, therefore we have a five year buffer (before and after restriction) on each side of their uncontrolled use on public hunting areas (Figure D-2). Also Included are past years (2007 – 2013) average mallard take per day on public areas.

Based on statistical tests (ANOVAs), there was no difference in mallard harvest per hunter day during the three time periods after December 1st ($P = 0.617$). However, there were significant differences in hunter harvest per day among the three time periods before December 1st ($P = .005$). On average, the mallard harvest per hunter-day was 33% larger from 1998-2000 than 1992-1997 before December 1st. The mallard harvest per hunter day was 26% larger for the same period when compared to 2001-2006 seasons. Based on public hunt results, it appears that the December 1st restriction has significantly decreased the before December 1st harvest on mallards on public hunt areas (on a hunter-day basis).

Studies and Scientific Literature on Spinning Wing Decoys (SWDs)

University of California Davis Study

A more rigorous study during the 1999-00 hunting season by the University of California, Davis, also indicated an increase in harvest, particularly early in the season. In this study, hunters were observed during alternating 30 minute periods with SWDs in use and not in use. A total of 37 hunts were conducted. Overall, when hunters used a mechanical duck decoy, they shot about 2.5 times as many ducks as when they didn't use one. Early in the season, hunters using the device shot nearly 7 times more ducks than when the same hunters didn't use the device (Eadie *et al.* 2001). Summary information from this study is provided in the Figure D-3.

Arkansas Study

In Arkansas, as study was conducted during 2 years (2001-02 and 2002-03) to evaluate their effectiveness. Overall, 272 hunters killed 537 ducks during 101 hunts. Mallards comprised 57% of the harvest. Of ducks taken, 64 percent were harvested during periods when decoys were on and only 36 percent when off. Results of paired observations indicate that kill per hunter was 1.8 times greater with decoys on versus off. Similarly, 1.3 times as many flocks were seen per hunt, 1.8 times as many shots were fired per hunter and 1.2 times as many cripples were lost during periods when SWDs were on versus off. Age ratios of harvested mallards were similar with decoy

use (Imm./Adult ratio = 0.26 when ON and Imm./Adult ratio = 0.23 when OFF), however, adult mallards were 2 times more likely to be shot during periods with a robo" decoy on than off. Body mass was similar for mallards shot and retrieved during both treatments (ON and OFF) (M. Checkett, Arkansas Game & Fish Commission, unpub. data).

Figure D-2. Mallard harvest on the public hunting areas relative to December 1, 1992-2014 hunt seasons.

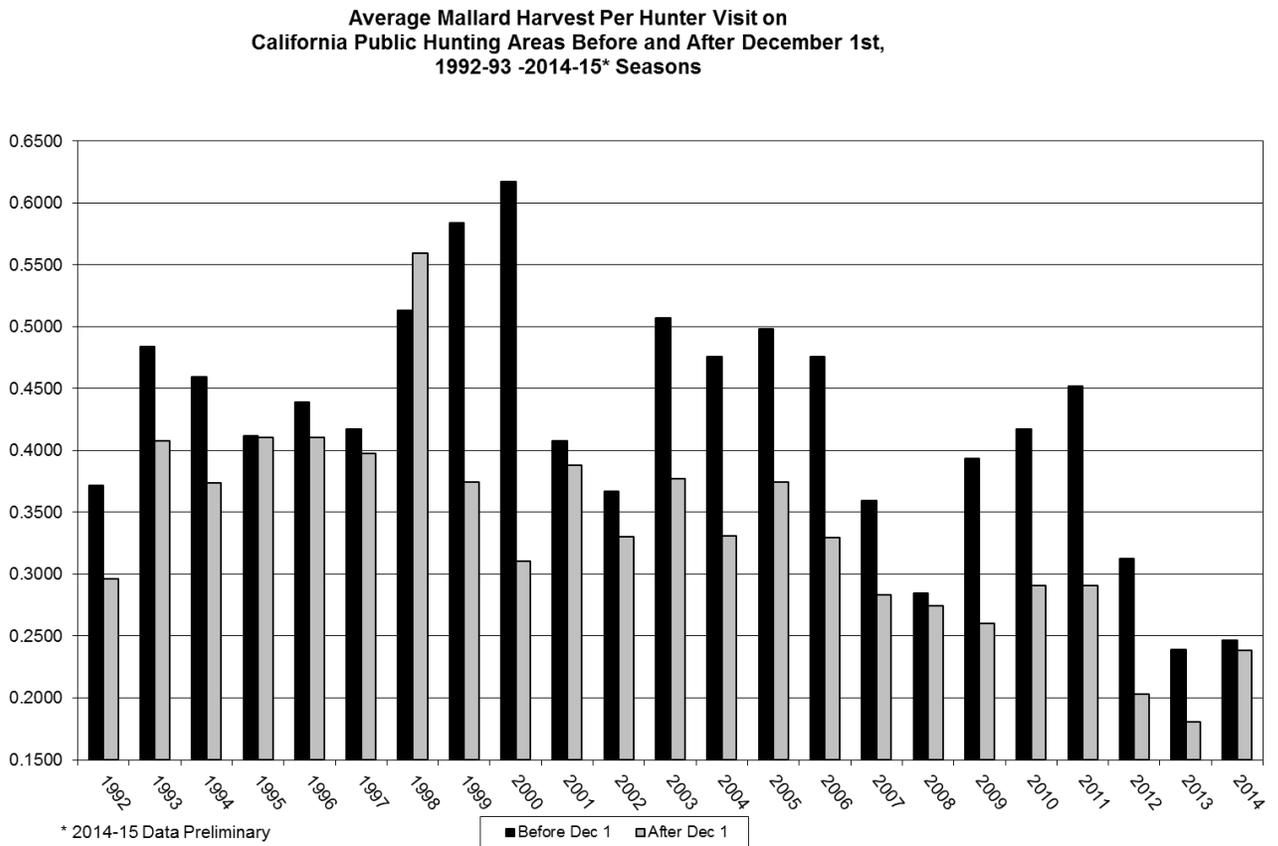
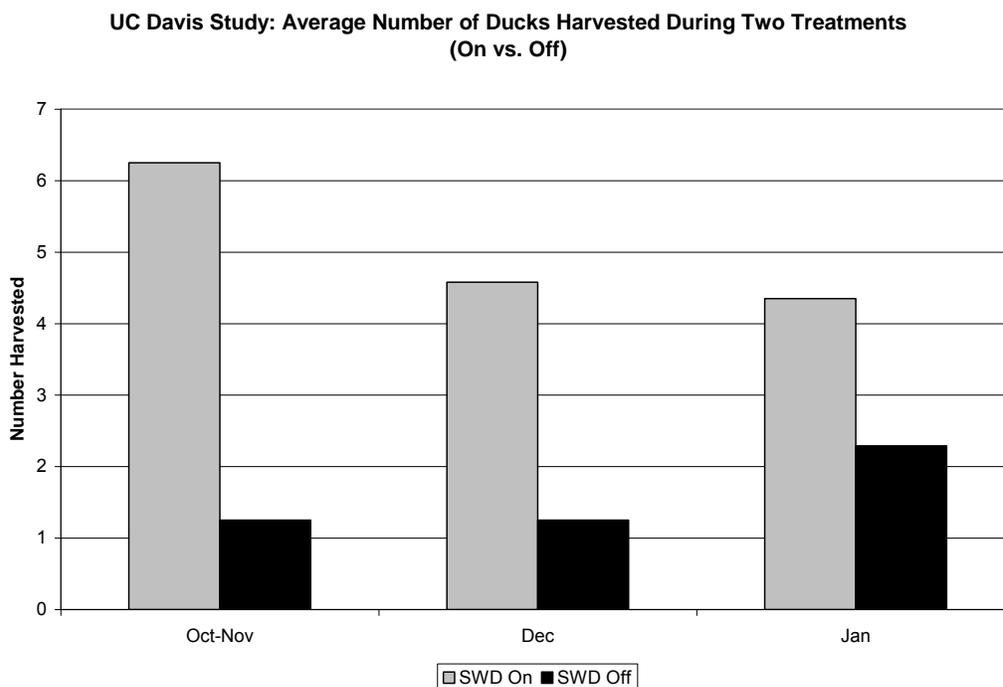


Figure D-3. Summary results from University of California, Davis Study



Manitoba, Canada, Study

In Manitoba, Canada, during the falls of 2001 and 2002, 99 experimental marsh and 55 experimental field hunts were conducted. Each hunt consisted of a series of equal and alternating 15-minute experimental (SWD on) and control (SWD off) periods, separated by a 3-minute buffer. Duration of total hunts ranged from 1.0 to 3.0 hours with an average of 1.4 ± 0.5 hours. Experimental marsh hunts indicated that mallards were 1.9 times more likely to fly within gun range, the kill rate was 5.0 times greater, size adjusted body mass of harvested mallards was greater, and the crippling rate was 1.6 times lower in experimental than control periods. Field hunts indicated that mallards were 6.3 times more likely to fly within gun range, kill rate was 33 times greater, and crippling rate was 2.2 times lower in experimental than control periods. A SWD activity*age interaction indicated that adult males harvested during experimental periods had higher size adjusted body mass than that of juveniles mallards harvested during experimental periods. However, body condition of harvested adult and juvenile mallards did not differ significantly during control periods (Caswell and Caswell 2004).

Minnesota study

In Minnesota, due to concerns about the potential increased harvest of local mallards, 219 experimental hunts with 367 volunteer hunters were conducted during 1,556 sampling periods (both ON and OFF treatments) during the 2002 waterfowl season. When using a SWD, mallards were 2.91 times more likely to respond to the decoy (within 40 m) as compared to when off. Flock size was larger when the decoy was on,

as compared to off. The number of mallards killed/hour/hunter was 4.71 times higher when the SWD was on. There was no difference in crippling loss in treatment types (ON vs. OFF). Age ratios of mallards were 1.89 (HY/AHY birds) versus 0.61 when ON and OFF, respectively. Overall, the study predicted an increase in mallard harvest, if SWDs became widely used in Minnesota (Szymanski and Afton 2004).

Missouri Study

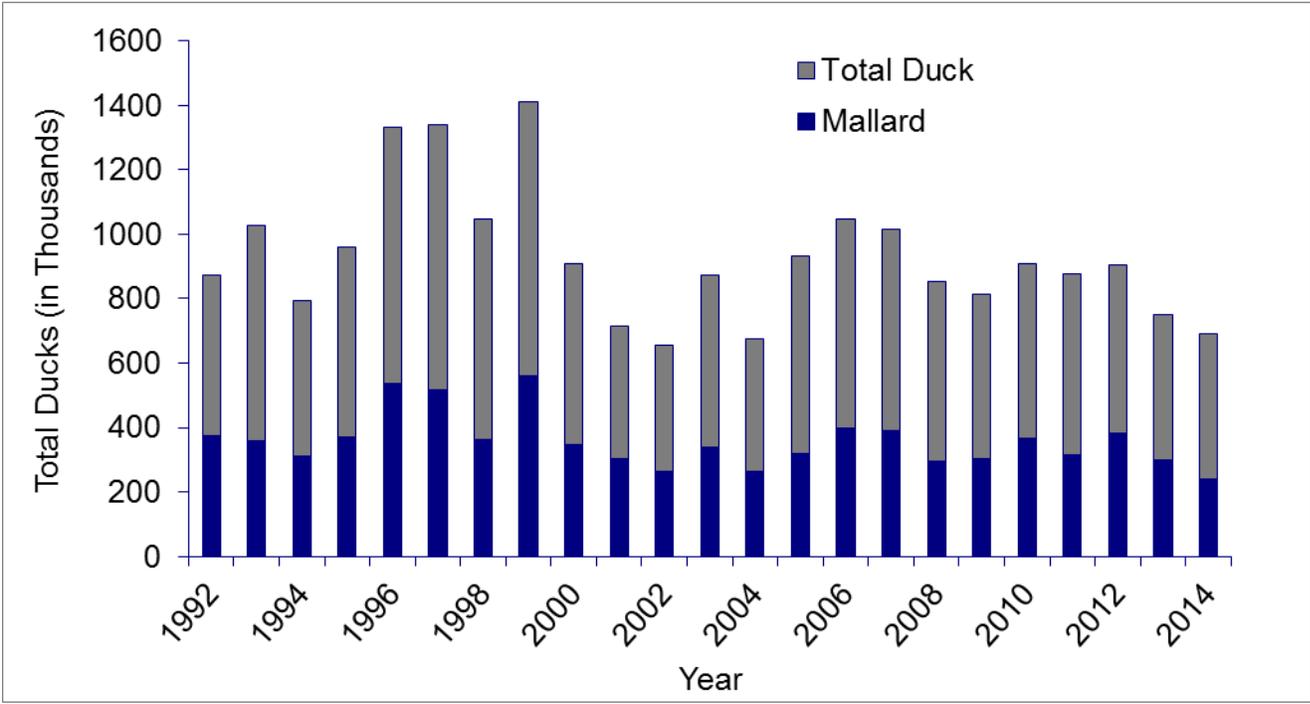
In Missouri, efforts to evaluate the use and attitudes regarding SWD were completed in 2000 and 2001. Hunters using SWDs shot and retrieved 1.28 more total ducks per hunting party (2-3 hunters) and 0.82 more male mallards than when not using a SWD. Missouri waterfowl hunters hunting on public areas were more successful in 2000 when using SWDs than hunters who did not use SWDs. The overall difference in success rate between users and non-users was 0.78 ducks per hunter trip; however, about half of this difference was attributed to factors other than SWDs, such as greater hunting skills. The remaining increase in hunting success, between 0.32 and 0.45 ducks/ hunter trip (13%-19% increase in success rate), was attributed to SWDs (A. Raedecke, Missouri Department of Conservation, unpub. data).

These brief summaries of the additional results and other studies (Nebraska) were summarized in Ackerman et al (2006). Overall, 70.2% of all ducks were harvested when the SWDs were used, as compared to 29.8% when the decoy was not in use. Significant results indicated that the probability of being shot increased with latitude (study location) and annual survival rates of species. These results support that fact that ducks may be more naïve at the beginning of migration (i.e. Manitoba), as compared to late in migration (i.e. Arkansas). Ackerman et al. (2006) suggested that these studies “only measured the effect of SWDs on kill rates of ducks and these rates will not necessarily translate into overall changes in population harvest rates.”

California breeding populations

The Department annually estimates the breeding population of ducks in California. Results of the current year breeding population survey are not usually available until June of each year. Based on the mallard breeding population, a decline was observed following the 1999 waterfowl season, but this trend was not statistically significant because the annual estimates have large confidence intervals. More recent mallard breeding population levels are similar to the mid 1990s levels when SWDs were not being used for duck hunting. Furthermore, breeding populations of mallards and total ducks have remained relatively stable since 2008 (Figure D-4).

Figure D-4. California Duck Breeding Population Estimates, 1992- 2014



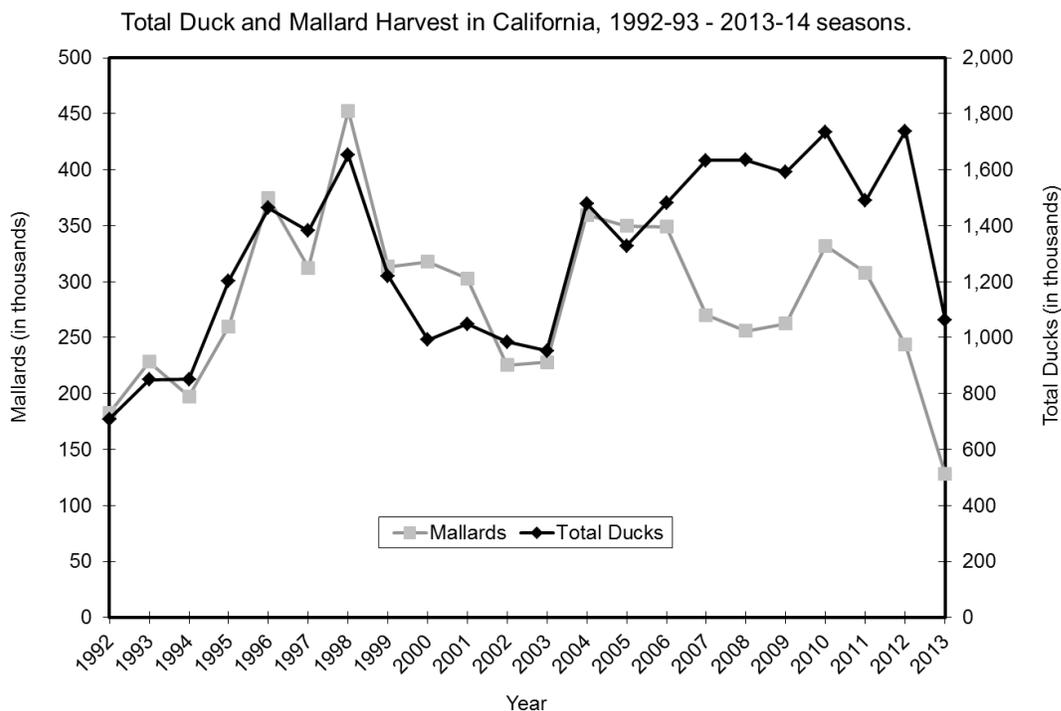
Total estimated duck harvest

The Service annually estimates the harvest of ducks in California and though out the United States. However, the most recent year of harvest is not available until July of the following year. For example, at this time, harvest information from the 2013-14 season is available but harvest estimates from 2014-15 will not be available until July, 2015. This information will be updated in the Final Environmental Document. There remain many factors (e.g. regulations, weather, hunter participation, age ratios in duck populations, etc.) besides the use SWDs that may impact hunter success on an individual hunt, which may transfer to decreased or increased total statewide duck harvest.

Relationships Among Survival & Harvest in Mallards: Issues in Findings

The studies cited above indicate that the use of SWDs increases harvest at the individual hunt level, however, despite the widespread use of SWDs (at least when last measured) overall estimates of harvest have not changed at the same magnitude as indicated in the individual hunt studies (Appendix E, Figure D-5). To have a biological effect at the population level, SWDs would have to be shown to lead to increased harvests and those increased harvests would have to be shown to lead to decreased annual survival rates. Other unmeasured variables act on populations during and after hunting seasons and it is not possible to unequivocally attribute potential population level effects due to SWDs through existing monitoring programs. However, banding data are the most likely of these monitoring programs that provide any inference on the role of SWDs on population parameters of ducks.

Figure D-5. Mallard and Total Duck (all species combined) harvest in California.



Numerous scientific studies have attempted to improve the understanding of the relationship among harvest rates and annual survival rates of waterfowl (Anderson and Burnham 1976, Nichols *et al.* 1984, Nichols and Hines 1982, Burnham and Anderson 1984, Johnson *et al.* 1986, Trost 1987, Raveling and Heitmeyer 1989, Nichols 1991, Smith and Reynolds 1992, Conn and Kendall 2004). Most of these studies have relied on banding data. As an example, Smith and Reynolds (1992) concluded that survival rates increased in response to restrictive regulations, and they rejected the completely compensatory model of population dynamics. Conversely, Sedinger and Rextad (1994) contested those conclusions because Smith and Reynolds pooled data and their analyses had low statistical power. Thus, there is still debate whether existing harvest levels affect survival rates in mallard populations. Partially due to this debate and uncertainty, the Service implemented Adaptive Harvest Management in 1995 to help reduce the uncertainty about the role of harvest and survival rates in population dynamics of mid-continent mallards.

The ability to detect significant changes in estimates of mallard recovery and survival rates in California, and relate these changes solely to the use of SWDs, is difficult if not impossible for several reasons.

First, survival and recovery rates are calculated through modeling using data from banded ducks. The data from these banded ducks consists of the number of birds banded (categorized by age, sex, date and location of banding) and reports of encountered bands (usually through hunting for game birds). The number of birds encountered divided by the number of birds banded is the recovery rate. However, not all bands encountered are reported, and an estimate of reporting rate is needed. The product of the recovery rate and the reporting rate is the harvest rate.

Reporting rates have been estimated because this rate is necessary to estimate the harvest rate and harvest rate is necessary to understand the relationship between harvest and population dynamics. Reporting rates vary widely due to band type and even geography (Nichols *et al.* 1991, 1995, Royle and Garretson 2004). Band types (i.e. their inscriptions) have changed over time. Before the 1990s, "avise" bands were used. These bands were inscribed with "AVISE BIRD BAND, WRITE WASHINGTON DC USA". Later, "address" bands were introduced with the inscription "WRITE BIRD BAND LAUREL MD 20708". These bands were replaced beginning in 1995, but not entirely until about 1999, with "toll-free" bands that were inscribed with "CALL 1 800 327 BAND and WRITE BIRD BAND LAUREL MD 20708 USA". The adoption and widespread advertising of this new reporting method greatly increased reporting rate and apparent recovery rates. Due to the overlap of band types and the timing and duration of research into reporting rates, harvest rates can not be calculated for all areas in all years.

Secondly, changes in basic hunting regulations (e.g. season length and bag limits) occurred before and after the use of SWDs began. For instance, in 2001 (the first year of the December 1 regulation), the season was 100 days long with a 7 mallard (2 hen) daily bag limit whereas in 2002, the season was 74 days long with a 5 mallard (1 hen) daily bag limit. Thus, changes in harvest and survival rates due to basic regulations could be confounded with any changes to these parameters due to the use of SWDs.

More inferences could be made from the standard monitoring programs with stabilized regulations over a period of time.

Third, duck (and presumably mallard) harvest varies annually due to non-regulatory effects (weather, hunter participation, etc.) and survival rates vary due to variation in natural mortality (disease, etc.) (Miller et al. 1988).

With these caveats in mind, the Department calculated recovery rates and survival rates for mallards banded in California between 1988 and 2005. These ducks were banded by the Department, the California Waterfowl Association, and the U.S. Fish and Wildlife Service. Only normal, wild mallards banded from June to September with standard USFWS bands were used in this analysis. The Department examined the data by age class (adult and hatch-year or immature) and sex. Survival and recovery rates were calculated using Brownie models (Brownie *et al.* 1985) in Program MARK (White and Burnham 1999). Harvest rates were calculated from recovery rates by incorporating reporting rates (Nichols *et al.* 1995, Royle and Garretson 2004). For comparison purposes, the Department summarized harvest rates for mid-continent mallards during liberal seasons (1979-1984) (Smith and Reynolds 1992) and for mallards from eastern Washington (1981-198) (Giudice 2003).

For data from mallards banded in California, the data were portioned into 4 time periods (Table D-3): Period 1 (Restrictive season lengths and bag limits, no SWD); Period 2 (Liberal season lengths and bag limits, no SWD); Period 3 (Liberal regulations with SWD, but no December 1 regulation) and, Period 4 (Liberal regulations with December 1 regulation). If SWD affected harvest and survival rates, harvest rates should be highest and survival rates lowest during Period 3. If regulations by themselves change these parameters, harvest rates should be higher and survival rates lower in Period 2 compared to Period 1. If SWD had an effect, survival rates should be lower and harvest rates higher in Period 3 compared to Period 2. If the December 1 regulation had an effect, harvest rates should be lower and survival rates higher during Period 4 compared to Period 3.

Table D-3. Time periods used to summarize basic regulations, SWD use, and the December 1 regulation.

Time Period	Starting Season	Ending Season	Regulations	Pre or Post-SWD	Dec 1st Restrictions
1st	1988	1994	Conservative	Pre-SWD	No
2nd	1995	1997	Liberal	Pre-SWD	No
3rd	1998	2000	Liberal	Post-SWD	No
4th	2001	2004	Liberal	Post-SWD	Yes

Unfortunately, due to the introduction of “toll-free” bands and the increasing and changing reporting rates, harvest rate estimates are only available for Periods 1 and 4. Harvest rates for adults between Period 1 and Period 4 were unchanged and lower than those rates for eastern Washington and mallards from the mid-continent region (Table D-4). However, harvest rates of immature mallards banded in California have increased between periods 1 and 4 by 62 and 30 percent for males and females, respectively. Thus, the combination of regulation changes and use of SWD did not change harvest rates of adults, but the combination of more liberal regulations and the use of SWD did change harvest rates of immature mallards. The combination of liberalized regulations and SWD appears to have increased the harvest rate of mallards banded in California to higher levels than occurred in the mid-continent region or eastern Washington (Table D-4).

Table D-4. Harvest rates for mallards banded in California (restrictive and liberal periods), eastern Washington (liberal period) and the mid-continent region (liberal period).

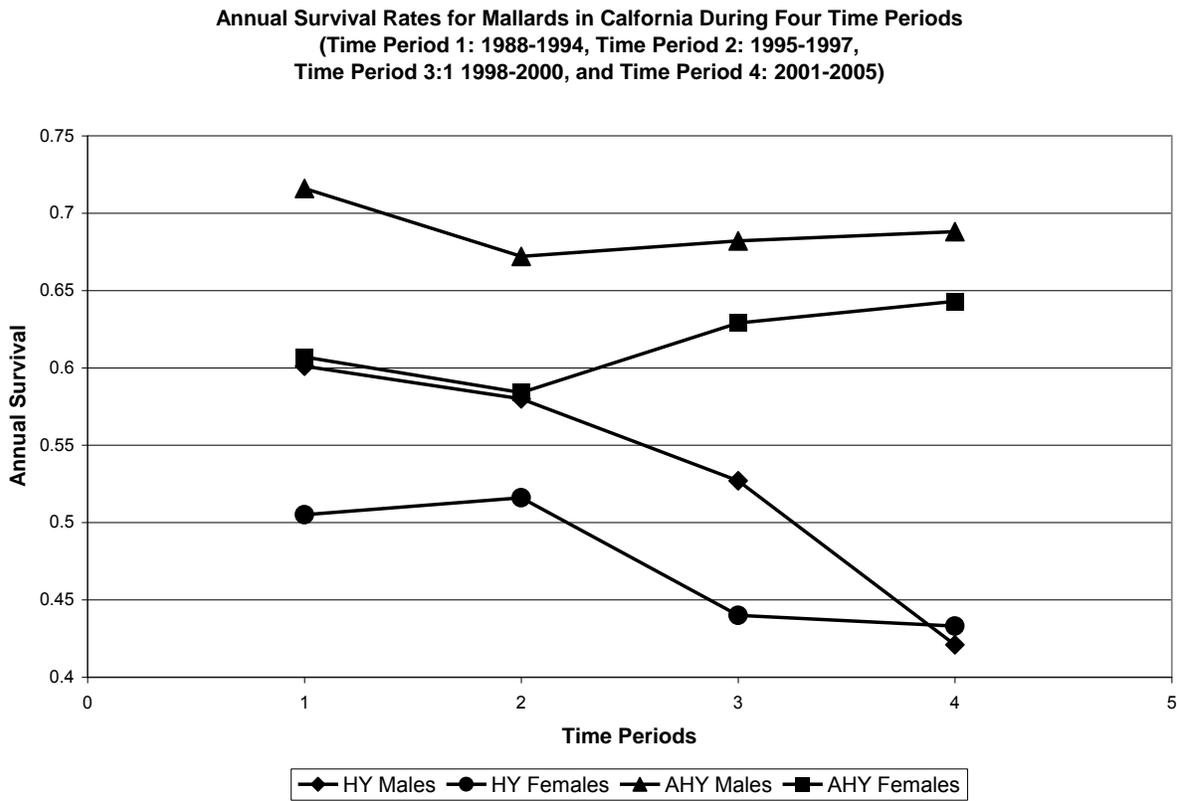
	California (restrictive)	California (liberal)	Eastern Washington	Mid- Continent (liberal)
Adult Males	0.138	0.138	0.172	0.150
Hatch-Year Males	0.202	0.327	0.286	0.228
Adult Females	0.058	0.058	0.100	0.097
Hatch-Year Females	0.143	0.186	0.172	0.157

Survival rates could be calculated for each cohort (age and sex) for each period (Figure D-6) since recovery and survival rate are not conditional on each other. Covariance among recovery and survival rates must be addressed to understand the impact of harvest on survival rates. Although recovery rates may have increased during these periods, it would not have as large an impact on survival rates, as compared to computed harvest rates. Furthermore, the grouping into time periods also correlates with the introduction of different band types.

Survival rates were constant for adult birds of sexes irrespective of harvest regulations, the use of SWD or the December 1 regulation (Figure D-6). However, survival rates for immature birds declined but only for males was the decline statistically significant ($P=0.048$).

From these analyses, it appears that adult mallard recovery, harvest and survival rates have not changed despite changes in regulations, the use of SWDs, or the imposition of the December 1 regulation. In contrast, immature mallard harvest rates have increased and survival rates have declined, but these changes may have been due to changing basic regulations, the use of SWDs, both, or other unmeasured variables.

Figure D-6. Annual survival rates of Mallards banded in California.



Public Perception of SWDs

The findings of this section have concentrated on biological information as related to the SWD in California. However, since past public views to the Commission has demonstrated different views on “fair chase”, public opinion information has been added to this review of this topic. In 2005, D. J. Case & Associates, as commissioned by the Association of Fish and Wildlife Agencies, released the findings of the National Duck Hunter Survey. According to this study, 55% of California duck hunters stated that SWDs should be allowed, whereas 26% opposed their use and 19% had no opinion on the subject. Other surveys have shown a wide variety of responses to their opinions on SWDs. For instance, California Waterfowl Association’s (CWA) 2006 survey indicated that a majority of hunters opposed electronic decoys, but accepted wind driven decoys (CWA, pers. comm.).

Summary of Findings

There is substantial evidence that SWDs can/have increased harvest and harvest potential on an individual hunt basis. Although SWDs have been shown to increase potential harvest, total harvest estimates have not increased at the same magnitude. Furthermore, SWDs have not increased harvest rates nor decreased survival rates on adult mallards. In hatch-year mallards, harvest rates have increased over 60 percent

on males, and survival rates have significantly declined. However, this is not a cause-and-effect relationship because other unmeasured variables were likely occurring simultaneously. The implementation of the December 1 regulation appears to have reduced daily harvest rates of mallards on public hunt areas when compared to unrestricted use of SWDs (1998-2000).

There is no clearly explicit link detectable through existing monitoring programs (or population level measures) between the introduction of SWDs and changes in measured population parameters. There remains no substantial evidence either for or against their large-scale effect on waterfowl populations. There are strongly held opposing positions on the “fair-chase” and other aspects of SWDs. For this reason, the Department has provided an alternative in Chapter 3.

Appendix E. Estimated Retrieved Harvest of Certain Ducks in California, 1962-2013

Year	Mallard	Gadwall	American Wigeon	G-w Teal	B-w/Cin. Teal	Northern Shoveler	Pintail	Wood Duck	Red-head	Canvas-back	All Other Species	TOTAL
1961	197.0	19.2	183.9	153.3	28.9	108.4	299.3	7.3	0.8	0.4	49.3	1,047.8
1962	167.0	17.5	128.5	145.1	48.8	86.8	285.3	12.1	1.0	0.0	70.1	962.2
1963	267.5	42.3	159.2	242.5	59.5	182.3	415.7	14.7	4.3	0.0	72.0	1,460.0
1964	249.0	40.5	166.3	214.6	49.4	77.2	342.0	17.0	7.8	9.2	74.2	1,247.3
1965	295.0	41.7	202.2	216.2	59.1	139.6	373.0	34.7	10.6	8.3	79.9	1,460.3
1966	288.4	51.5	215.2	267.1	36.6	162.3	563.0	13.1	8.6	39.9	97.5	1,743.2
1967	446.0	85.3	311.8	363.1	73.1	194.2	798.5	24.3	9.8	15.5	133.6	2,455.2
1968	236.2	34.2	169.6	262.5	42.6	111.5	381.1	11.3	5.5	10.5	68.3	1,333.4
1969	331.7	43.3	229.9	332.2	49.2	197.4	900.5	18.8	6.0	12.3	94.4	2,215.8
1970	371.0	43.5	264.0	361.3	38.2	201.8	1,032.9	21.4	12.9	26.9	77.7	2,451.5
1971	313.4	66.0	255.3	295.9	44.6	189.3	752.1	14.2	13.2	34.4	96.6	2,075.0
1972	321.8	49.3	231.5	332.6	64.9	157.4	715.3	21.2	5.8	0.9	90.2	1,991.0
1973	219.4	32.4	145.6	245.2	94.8	101.1	477.0	32.7	9.5	13.8	79.5	1,451.0
1974	292.3	60.2	194.3	319.6	59.8	167.4	712.4	21.7	8.9	27.1	59.4	1,923.0
1975	293.1	46.5	193.9	344.7	47.7	184.5	746.9	19.3	5.4	28.1	49.5	1,959.6
1976	305.6	37.6	278.7	403.0	42.5	185.6	680.6	23.4	6.6	34.2	82.9	2,080.6
1977	229.7	27.4	162.4	306.4	44.8	115.3	350.8	24.3	7.1	22.4	82.9	1,373.5
1978	294.3	39.2	179.4	405.1	64.9	161.0	596.0	29.0	8.2	14.1	66.0	1,857.2
1979	260.7	47.9	168.3	292.0	42.4	112.6	641.5	12.4	6.6	14.8	63.1	1,662.3
1980	238.6	64.2	165.6	259.1	27.1	108.4	410.0	40.2	10.8	10.3	67.6	1,401.8
1981	239.0	33.6	125.8	211.8	28.9	120.4	261.0	23.8	7.9	14.3	73.8	1,140.3
1982	284.2	53.8	122.8	266.5	50.3	140.2	327.9	26.2	10.9	10.6	59.6	1,353.1
1983	298.6	59.2	103.7	203.7	58.9	112.4	334.3	23.1	14.8	6.9	71.4	1,287.0
1984	265.1	43.3	94.6	178.2	52.6	91.9	194.9	15.7	6.6	12.2	50.8	1,005.9
1985	261.8	53.6	106.0	180.7	28.6	99.6	200.3	9.5	6.7	27.5	52.7	1,027.0
1986	257.6	57.7	113.9	176.8	19.0	86.6	194.5	20.2	4.4	16.3	43.2	990.2
1987	228.4	50.4	124.3	214.1	29.4	113.1	243.8	11.8	5.3	12.6	49.8	1,083.0
1988	139.7	23.2	62.7	122.1	16.0	44.1	70.3	9.6	2.3	0.1	23.7	513.8
1989	175.8	42.1	71.8	185.0	31.9	64.2	91.6	15.9	4.6	7.2	33.3	723.3
1990	179.7	45.2	80.1	149.9	19.4	69.5	80.3	11.4	2.5	4.2	28.7	671.0
1991	161.2	40.4	94.3	169.7	13.7	49.4	81.3	14.3	1.8	4.7	23.0	653.9
1992	182.7	33.3	72.9	183.9	18.4	74.1	75.0	16.4	3.5	8.8	39.2	708.1
1993	228.4	63.1	77.3	219.2	25.7	60.2	90.5	31.9	5.6	10.2	37.1	849.2
1994	197.4	68.7	97.6	183.0	14.7	106.0	92.0	20.8	5.8	14.4	51.0	851.3
1995	259.8	85.4	159.2	291.2	35.4	101.5	162.7	28.8	9.0	10.2	59.6	1,202.8
1996	374.4	104.1	175.6	306.5	39.4	164.1	182.0	26.4	10.8	12.7	66.4	1,462.4
1997	312.2	79.4	162.0	311.6	36.9	172.6	188.2	22.5	11.7	17.1	67.3	1,381.5
1998	452.6	129.6	166.5	352.4	62.0	217.1	146.3	33.4	15.9	21.4	55.2	1,652.4
1999	313.5	69.4	153.9	285.5	66.8	116.1	123.3	25.6	5.0	13.8	47.9	1,220.8
2000	317.7	62.4	113.1	207.2	31.3	87.5	85.4	32.0	4.7	10.6	39.6	991.5
2001	302.8	65.4	146.9	200.5	36.1	111.6	89.7	32.5	4.3	6.6	51.5	1,047.9
2002	225.4	83.7	134.4	239.7	35.6	103.9	79.9	24.7	4.9	0.7	52.4	985.3
2003	228.1	79.7	112.8	218.0	46.2	96.2	79.2	25.2	8.2	7.0	51.5	952.1
2004	359.7	132.6	196.8	348.7	57.3	147.7	98.8	22.5	9.6	11.5	94.1	1,479.3
2005	349.8	105.0	176.8	297.6	58.2	128.8	115.7	39.4	7.8	4.8	43.3	1,327.2
2006	349.1	124.2	165.7	331.3	56.9	224.6	123.2	31.3	9.1	17.5	47.9	1,480.8
2007	270.3	122.2	218.8	402.9	43.4	275.3	137.9	33.7	9.5	32.6	86.4	1,632.9
2008	255.9	110.2	271.8	468.5	39.9	209.5	169.4	36.3	7.0	0.6	64.2	1,633.7
2009	262.4	117.9	195.3	387.5	35.3	157.7	177.1	27.1	6.6	9.8	63.6	1,591.4
2010	332.0	124.4	226.2	394.9	48.2	220.8	242.6	34.1	7.7	17.6	85.6	1,734.1
2011	308.1	106.2	169.8	311.9	36.9	253.9	201.6	21.0	14.3	15.9	47.2	1,489.1
2012	243.5	95.3	193.7	371.2	31.9	291.5	201.1	21.9	14.6	23.4	25.0	1,738.1
2013*	127.9	60.7	152.5	258.8	22.0	197.3	130.5	5.5	7.7	30.0	67.9	1,062.3
Averages:												
1961-12	271.0	64.4	163.1	271.5	42.4	140.6	312.2	22.4	7.6	13.9	63.1	1,378.8
1961-65	235.1	32.3	168.0	194.3	49.2	118.9	343.1	17.2	4.9	3.6	69.1	1,235.5
1966-70	334.7	51.6	238.1	317.2	47.9	173.4	735.2	17.8	8.6	21.0	94.3	2,039.8
1971-75	288.0	50.9	204.1	307.6	62.4	159.9	680.7	21.8	8.6	20.9	75.0	1,879.9
1976-80	265.8	43.2	190.9	333.1	44.3	136.6	535.8	25.8	7.9	19.2	72.5	1,675.1
1981-85	269.7	48.7	110.6	208.2	43.9	112.9	263.7	19.7	9.4	14.3	61.7	1,162.7
1986-90	196.2	43.7	90.6	169.6	23.1	75.5	136.1	13.8	3.8	8.1	35.8	796.3
1991-95	205.9	58.2	100.3	209.4	21.6	78.3	100.3	22.4	5.1	9.7	42.0	853.1
1996-00	354.1	89.0	154.2	292.6	47.3	151.5	145.0	28.0	9.6	15.1	55.3	1,341.7
2001-05	293.2	93.3	153.5	260.9	46.7	117.6	92.7	28.9	7.0	6.1	58.6	1,158.4
2006-12	296.3	117.5	207.9	382.8	43.4	223.6	175.3	30.6	9.0	15.7	65.8	1,593.7
% Change from:												
2012	-47.5%	-36.3%	-21.3%	-30.3%	-31.0%	-32.3%	-35.1%	-75.1%	-47.3%	28.2%	171.6%	-38.9%
1961-12	-52.8%	-5.8%	-6.5%	-4.7%	-48.1%	40.3%	-58.2%	-75.6%	1.9%	115.8%	7.7%	-23.0%
% State's Total Duck Harvest:												
2013	12.0%	5.7%	14.4%	24.4%	2.1%	18.6%	12.3%	0.5%	0.7%	2.8%	6.4%	
1961-12	19.7%	4.7%	11.8%	19.7%	3.1%	10.2%	22.6%	1.6%	0.5%	1.0%	4.6%	
* Preliminary Data												

Appendix F. Possible Effects of Climate Change Impacts on Waterfowl

Over the long term climate change models suggest temperature increases in many areas, both increases and decreases in precipitation, its timing, sea level rise, changes in the timing and length of the four seasons, declining snow packs and increasing frequency and intensity of severe weather events. Many uncertainties make it difficult to predict the precise impacts that climate change will have on wetlands and waterfowl. The effects of climate change on waterfowl populations, including their size and distribution, will probably be species specific and variable, with some effects considered negative and others considered positive (Anderson and Sorenson 2001). For example, a longer and warmer ice-free season in the Arctic would be expected to result in higher overall reproductive success for Arctic nesting geese (Batt 1998).

Breeding Season

Increasing spring temperatures have led to earlier arrival of waterfowl on northern breeding areas (Murphy-Klassen et al. 2005), yet nest survival has not decreased at this point of time (Drever and Clark 2007). In fact, earlier nest initiations are often more successful (Emery et al. 2005, Sedinger et al. 2008). However, future changes in wetland distribution and type (Johnson et al. 2005) on northern breeding grounds may impact settling patterns (Johnson and Grier 1988), and potentially recruitment for certain species through differences in breeding probability (Krapu et al. 1983), nest survival, and duckling survival. In California, areas with wetland brood habitat may become more limited if precipitation decreases with increasing temperatures, as predicted for the prairie pothole region of the United States and Canada (Sorenson et al 1998). Production of waterfowl that rely on agricultural habitats may be similarly affected if water availability (amounts and or timing) change.

Non-breeding Season

The Central Valley of California has one of the world's largest concentrations of over-wintering waterfowl (Heitmeyer et al. 1989). The primary expected response of waterfowl to climate change is redistribution as birds seek to maintain energy balance. Increased fall and winter temperatures in northern regions would make it unnecessary for waterfowl to migrate as far south and the wintering populations of waterfowl in California may be reduced. Shifting patterns of precipitation and temperatures may cause decreased availability of water for managed wetlands and agricultural production in the Central Valley. Changes in water availability and timing (Miller et al 2003) would likely have the greatest impact on rice agriculture, an important component of wintering waterfowl habitat in California. Decreasing habitats may cause a decline in body condition which may impact recruitment and survival in waterfowl populations. Ultimately, this will cause decreased recruitment as birds shift out of optimal nesting habitats (e. g. Ward et al. 2005), and a decrease in over-wintering populations.

Summary of Findings

There is substantial evidence that climate change will cause changes in habitats and other factors that affect waterfowl populations over the long term. Waterfowl populations are assessed in many ways on an annual basis (See pages 38-40 of the 2006 Final Environmental Document for Migratory Game Bird Hunting, SCH #2006042115, incorporated by reference, available at 1812 9th Street, Sacramento 95811). In summary, the condition of breeding habitats is assessed annually during the breeding population surveys conducted by the Service with assistance from some states and the Canadian Wildlife Service (CWS) in the spring and summer. The specific methodology of these surveys is provided in Chapter 3, pages 55-57, 2006 Final Environmental Document for Migratory Game Bird Hunting, SCH #2006042115, incorporated by reference, available at 1812 9th Street, Sacramento 95811).

Because the effect of regulated harvest is minimal (pages 57-67 of 2006 Final Environmental Document for Migratory Game Bird Hunting, SCH #2006042115, , incorporated by reference, available at 1812 9th Street, Sacramento 95811) implementation of the proposed project in the current year is not expected to result in significant negative effects to waterfowl populations. The effect is minimal because summary, the weight of historic scientific evidence leans toward the compensatory mortality hypothesis, though there are enough ambiguities to make complete reliance on this hypothesis as a management strategy an unwise approach (USDI 1988a:96). Accordingly, restrictive regulations have been established when populations reached low levels. For example, duck seasons were reduced from 93 days to 59 days, and bag limits were reduced from seven birds per day to four birds per day during the late 1980s in response to declines in duck populations caused by drought (Page 66, 2006 Final Environmental Document for Migratory Game Bird Hunting, SCH #2006042115, incorporated by reference, available at 1812 9th Street, Sacramento 95811).



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Clerk of the Board

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

SUBJECT Mono Council for the Arts Presentation

AGENDA DESCRIPTION:

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

Presentation by Kendra Knight, Gallery Director of the Mono Council for the Arts, regarding the Council's recent activities. Presentation includes a slideshow of student art and the Arts in Education program.

RECOMMENDED ACTION:

None (informational only). Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Kendra Knight

PHONE/EMAIL: 760-914-3752 / kendra@monoarts.org

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR **PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

History

Time

Who

Approval

5/13/2015 11:52 AM	County Administrative Office	Yes
5/13/2015 4:15 PM	County Counsel	Yes
5/12/2015 4:21 PM	Finance	Yes



PO Box 56, Mammoth Lakes, CA 93546

To: Honorable Board of Supervisors

From: Kendra Knight, Executive Director, Mono Council for the Arts

Date: May 8, 2015

Subject

View a brief visual presentation on arts programs in Mono County schools from Mono Council for the Arts (MCA).

Recommendation

This presentation is to update the Board of Supervisors on MCA's arts in education programs in Mono County. There is no recommendation.

Discussion

View MCA's presentation and learn of all our arts in education accomplishments this past fiscal year.

Fiscal Impact

None

Sincerely,
Kendra Knight
Executive Director
Mono Council for the Arts



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Solid Waste Division of Public Works

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

PERSONS APPEARING BEFORE THE BOARD Tony Dublino

SUBJECT Solid Waste Parcel Fee Renewal for FY 15/16

AGENDA DESCRIPTION:

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

A resolution of the Mono County Board of Supervisors Extending and Re-establishing the Mono County Solid Waste Fee Program for Fiscal Year 2015/2016; a resolution of the Mono County Board of Supervisors Authorizing Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2014/2015, or for Fiscal Years 2015/2016 through Fiscal Years 2020-2020/2021.

RECOMMENDED ACTION:

(1) Adopt Resolution #R15-____, a resolution of the Mono County Board of Supervisors Extending and Re-establishing the Mono County Solid Waste Fee Program for Fiscal Year 2015/2016; (2) adopt Resolution #R15-____, a resolution of the Mono County Board of Supervisors Authorizing Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2014/2015, or for Fiscal Years 2015/2016 through Fiscal Years 2020-2020/2021. Provide any desired direction to staff.

FISCAL IMPACT:

Countywide, \$800,000 in revenue and interest per year.

CONTACT NAME: Tony Dublino

PHONE/EMAIL: 760 932 5453 / tdublino@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report](#)
- [Exhibit 1, Resolution 15-XX Parcel Fee Renewal](#)
- [Attachment 1 to Exhibit 1](#)
- [Exhibit 2, Resolution 15-XX Authorizing Town County Agreement](#)
- [Attachment 1, One-Year Town County Agreement](#)
- [Attachment 2, Five-Year Town County Agreement](#)

History

Time	Who	Approval
5/11/2015 5:00 PM	County Administrative Office	Yes
5/12/2015 12:08 PM	County Counsel	Yes
5/12/2015 11:00 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS SOLID WASTE DIVISION

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

Date: May 19, 2015
To: Honorable Chair and Members of the Board of Supervisors
From: Tony Dublino, Solid Waste Superintendent
Subject: Solid Waste Parcel Fee Program, FY15-16

Recommended Action:

1. Approve and authorize the Chair's signature on Resolution No. R15-___, "A Resolution of the Mono County Board of Supervisors Extending and Re-Establishing the Mono County Solid Waste Fee Program for Fiscal Year 2015-2016."
2. Approve and authorize the Chair's signature on Resolution No. R15-___, "A Resolution of the Mono County Board of Supervisors Authorizing the Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2015-2016, or for FY 15-16 through FY 20-21."

Fiscal Impact:

Countywide, approximately \$800,000 in revenue from fees and interest per year.

Discussion:

Consistent with applicable provisions of the Government Code, the Board of Supervisors must annually renew the Solid Waste Fee program prior to July 1 to continue the County's assessment of fees on developed land within the unincorporated areas of Mono County and, under agreement with the Town Council, on lands within the Town of Mammoth Lakes. Adoption of the proposed resolution will provide for a status quo program with no increase to the existing \$60 base fee. Therefore, these are not considered new or increased fees, and as such, the program does not require additional consideration under Proposition 218.

Approval of the proposed resolutions (attached to this report as Exhibits 1, 2 and 3) will authorize the continuation of the Solid Waste Fee program in unincorporated Mono County, and allow for the consideration by the Town of Mammoth Lakes of the proposed agreement authorizing the County to continue to charge and collect solid waste fees within the Town boundaries, for either a one-year or five-year period. There are no proposed changes to the fee schedule for FY 15-16.

The resolution authorizing the Solid Waste Fee Program (see Exhibit 1) will provide for a continuation of the same fee that has been collected by Mono County since 1991, which is based on a \$60 Residential Equivalency Factor (REF). The Solid Waste Fees (as collected on the tax bill) are utilized to satisfy environmental monitoring and closure deposit requirements for the County's landfills. Remaining fees are used by the Solid Waste Enterprise Fund to offset expenses related to the countywide solid waste program and operation of the County's disposal sites.

The Resolutions and accompanying Solid Waste Fee Agreement(s) with the Town (Attachments 2 and 3) are the same as previous agreements authorizing the County to collect fees on developed lands within the Town's jurisdiction in exchange for disposal at the Benton Crossing Landfill by Town residents and businesses. This year, staff is requesting the Board to consider approval of both a one-year agreement, and a five-year agreement, in hopes the Town Council will provide the County with five years of assurance so the County might confidently begin the closure process for Benton Crossing Landfill. Upon approval by the Board, the Agreement(s) will be forwarded to the Town Council for its consideration.

If you have any questions regarding this item, please contact me at (760) 932-5453.

Respectfully submitted,



Tony Dublino
Solid Waste Superintendent

- Attachments:
- Exhibit 1 – Resolution Re-Authorizing the Solid Waste Fee Program for FY 15-16 with Attachment 1 – Schedule A
 - Exhibit 2 – Resolution Authorizing a Solid Waste Fee Agreement with the Town of Mammoth Lakes for FY 15-16, or for FY 15-16 through FY 20-21
 - Attachment 1 – Proposed Agreement with the Town of Mammoth Lakes for FY 15-16
 - Attachment 2 – Proposed Agreement with the Town of Mammoth Lakes for FY 15-16 through FY 20-21



RESOLUTION NO. R15-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
EXTENDING AND RE-ESTABLISHING THE MONO COUNTY
SOLID WASTE FEE PROGRAM FOR FISCAL YEAR 2015-2016**

WHEREAS, pursuant to Section 25830 of the Government Code, on or before the first day of July of each year, the Board of Supervisors may by resolution or ordinance establish a schedule of fees to be imposed upon lands within the County in order to pay for County waste disposal and related services; and,

WHEREAS, in past years Mono County has imposed and collected a schedule of fees consistent with the requirements of Section 25830 of the Government Code, against both unincorporated land in the County and, with the agreement/consent of the Town Council of the Town of Mammoth Lakes, against land in the Town; and,

WHEREAS, the Board intends by this resolution to simply extend such existing fees and not to impose any new or increased fees that would be subject to Proposition 218;

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

1. The program and schedule of solid waste fees imposed by Resolution No. R14-41 is hereby re-established and extended, effective July 1, 2015, against land within the County, including land within the Town of Mammoth Lakes if the Town Council consents through entry into an agreement with the County, according to use and volume of waste generation, in order to raise revenues to pay for County solid waste disposal and related services, and to pay the costs of state-mandated programs related to County waste disposal facilities.

2. Each parcel of land and each of the various waste-generating uses on each parcel in Mono County shall be identified.
3. The “residential equivalent” for determination of the fee on lands containing a single-family dwelling is hereby established as one (1.00). Each parcel or each waste-generating use on each parcel, or both (as identified herein), shall be accorded the appropriate “residential equivalent” on the basis of “Schedule A,” attached hereto and entitled “Solid Waste Generation Factors for Selected Land Uses.” “Schedule A” is incorporated herein by this reference as if fully set forth, and is made a part of the program established by this Resolution.
4. Annual fees shall be charged to the identified lands or uses on the basis of sixty dollars (\$60.00) for each “residential equivalent.”
5. The Mono County “Solid Waste Fee Program” shall be administered and operated in accordance with the following policies:

A. General Provisions.

- 1) There shall be only one fee for each waste-generating use on a parcel of property. For example, if the landowner is assessed for all uses on his parcel, the individual waste generating persons or entities using that parcel shall not be assessed.
- 2) Unless the Public Works Director determines that it is fair and equitable to impose a fee on individual persons or entities generating waste on a parcel, the landowner shall be charged the full amount due as a result of such waste generation.

B. Residential Uses.

- 1) Each owner of a single-family residence shall pay a fee calculated at the rate of “one residential unit” or sixty dollars (\$60.00) per year.
- 2) If it is established that the residence is used fewer than 90 days each year, the owner shall be charged a fee at the rate of one-fourth (0.25) of a “residential unit,” or fifteen dollars (\$15.00) per year. If it is established that the residence is used six months or less, but more than three months, the owner shall be charged a fee at the rate of one-half (0.5) of a “residential unit,” or thirty dollars (\$30.00) per year.
- 3) Mobile homes and individual units in apartments and condominiums shall be charged a fee in accordance with “Schedule A” and Section 5.B.2 of this Resolution.

- 4) The minimum fee for residential use shall not be less than one-fourth the yearly rate for a “residential unit,” or fifteen dollars (\$15.00) per year.

C. Other Uses.

- 1) Motels, Hotels, Lodges, and Campgrounds shall be charged a fee in accordance with a factor established by the “residential equivalent” assigned in “Schedule A.” Occupancy rate and months open for business may be taken into consideration.
- 2) Ranches and/or farms that dispose their waste on-site, in accordance with Mono County Health Department approvals, shall not be charged a fee.
- 3) Except as specified or clarified in Section 5.D, all other uses shall be charged a fee on the basis of the “residential equivalent factor” as set forth in this Resolution and “Schedule A.”

D. Multiple or Complex Uses.

- 1) Except as “Schedule A” may specifically assign a “residential equivalent factor” for the entire use (e.g., ski base lodge), where a single business entity operates or leases more than one type of waste generating business or use in a single building, the owner of the land or business shall be charged a fee on the basis of the use which has the highest “residential equivalent factor” and the assessment shall be the total thereof.
- 2) Except as “Schedule A” may specifically assign a “residential equivalent factor” to the entire use (e.g., shopping center), where individual waste generating entities operate in more than one building on one or more parcels, each waste generating use shall be assigned the highest “residential equivalent factor” and the fee shall be the total thereof.

E. There shall be no fee on unimproved parcels where waste is not generated.

F. There shall be no fee for Special Districts of the County that receive less than six-tenths of one percent (0.6%) of the countywide property tax allocation.

G. Billing and Collection.

- 1) The Public Works Director shall establish the appropriate fee. The billings for fees shall be based on the ownership status and uses of each parcel as of the first day of March preceding the fiscal year for which the fee is charged.

- 2) The Mono County Treasurer-Tax Collector shall collect fee payments through the property tax billing system or, for properties not otherwise receiving a tax bill, the Public Works Department may bill for and collect fee payments by invoice.

H. Appeals.

- 1) A property or business entity who or which has reason to believe that there should be no fee, that the “residential equivalent factor” has been improperly determined, or that the amount of the fee has been incorrectly calculated, may request the appropriate changes by notifying the Public Works Director in writing of the request no later than 60 days following the date of billing.
- 2) The Public Works Director shall, within 20 days following receipt of the written request, review the facts presented and certified to by the property owner or business entity and grant or deny the request. If the request is granted, the Public Works Director shall prepare an appropriately modified billing, if necessary. Modified billings shall be due and payable no later than 60 days following the billing date.
- 3) A property owner or business entity whose request pursuant to Section 5.H.1 is denied by the Public Works Director shall have the right to appeal that decision to the Board of Supervisors. The request for hearing shall be submitted to the Clerk of the Board of Supervisors within 30 days from the date of the denial notice from the Public Works Director.
- 4) The Board of Supervisors shall fix a time, date, and place for the hearing of any such appeal. The Board of Supervisors shall cause notice of the hearing to be mailed to the applicant not less than 10 days prior to the date set for hearing. At the hearing, the Board of Supervisors or its selected member(s) shall hear the applicant and, within five days, order such revision or correction to the fee as the Board deems just, if any.

I. Delinquent Fees.

- 1) The Public Works Director shall prepare a list of solid waste fees for each respective parcel which remain unpaid for a period of 60 or more days after the date upon which they were billed. A certified copy of the confirmed list shall be filed with the Mono County Auditor-Controller.

2) The delinquent solid waste fees set forth in the list shall constitute special assessments against the respective parcels of land and, upon recordation in the office of the County Recorder, are a lien on the property in the amount of the delinquent fees as provided in Government Code section 25831. The assessments may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for those taxes. All laws applicable to the levy, collection, and enforcement of county ad valorem property taxes shall be applicable to the assessment, except as provided by subdivision (d) of Government Code section 25831.

SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Supervisors hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional.

APPROVED AND ADOPTED this 19th day of May, 2015, by the following vote of the Board of Supervisors, County of Mono:

AYES :
NOES :
ABSENT :
ABSTAIN :

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

ATTEST:

Approved as to Form:

Clerk of the Board

County Counsel

SCHEDULE A
SOLID WASTE GENERATION FACTORS FOR
SELECTED LAND USES

MONO COUNTY SOLID WASTE FEE PROGRAM

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
1	Aircraft Repair	1.00
2	Airports	4.00
3	Apartment, per Unit	1.00
108	Arcade	4.00
99	Auto Body & Paint Shop	2.00
4	Auto Service, Major Repairs	4.00
5	Auto Service, Minor Repairs	2.00
6	Auto Service, No Repairs	1.00
7	Bakery	2.00
8	Bank	4.00
9	Barber Shop	1.00
10	Batch Plant	4.00
11	Beauty Shop	1.00
12	Beer Bar	2.00
13	Boardinghouse	4.00
14	Boat Dock	4.00
15	Boat Repair	1.00
16	Boat Sales	1.00
17	Bunkhouse	2.00
18	Cabin, Rented	0.50
19	Campground, per Space	0.25
20	Cannery	4.00
21	Car Wash	2.00
22	Catering	2.00
23	Cinema	3.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
24	Church, with Kitchen	1.00
25	Church, without Kitchen	0.50
26	Cleaners	2.00
98	Commercial Ice Manufacturing	1.00
27	Community Center	1.00
28	Condominium, per Unit	0.50
29	Cookhouse	2.00
106	Correction Facility	1.00
107	Daycare Center	4.00
30	Dormitory, per Bed	0.15
31	Duplex	2.00
32	Fast Food Drive-In, No Seats	2.00
33	Fourplex	4.00
34	Government Housing, per Unit	1.00
35	Grocery Store (< 2,000 sq. ft.)	5.00
36	Grocery Store (2,000 - 40,000 sq. ft.)	10.00
37	Grocery Store (> 40,000 sq. ft.)	50.00
38	Guest House	1.00
39	Hangar	0.50
40	Highway Rest Area	10.00
41	Hospital, per Bed	1.00
101	Hotel, per Unit	0.25
42	Laboratory	1.00
43	Laundromat	3.00
105	Library	4.00
44	Light Industry	2.00
45	Lodge	1.00
46	Lounge	3.00
47	Lumber Yard	4.00
48	Machine Shop	1.00
100	Marine Corps Mtn. Warfare Training Center	103.00
49	Mill	4.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
103	Mini-Mart	2.00
50	Mini-Storage, per Unit	0.10
51	Mobile Home on Residential Parcel	1.00
52	Mobile Home Park, Spaces Rented	1.00
53	Mobile Home (3 per Parcel)	3.00
54	Mobile Home (2 per Parcel)	2.00
55	Motel, with Kitchen, per Unit	0.50
56	Motel, without Kitchen, per Unit	0.25
102	Museum	4.00
57	Newspaper	4.00
58	Office (< 10 employees)	2.00
59	Office (10-19 employees)	4.00
60	Office (20-28 employees)	6.00
61	Office (> 29 employees)	8.00
62	Pack Station	2.00
63	Park	6.00
64	Post Office	4.00
65	Recreational Facility (0 - 2,000 sq. ft.)	2.00
66	Recreational Facility (> 2,000 sq. ft.)	4.00
67	Repair, Tire	4.00
68	Repair, Truck	4.00
69	Residence	1.00
70	Residence (3 per Parcel)	3.00
71	Residence (2 per Parcel)	2.00
72	Restaurant (0 - 20 seats)	2.00
73	Restaurant (21 - 40 seats)	4.00
74	Restaurant (41 - 80 seats)	8.00
75	Restaurant (> 80 seats)	16.00
76	Retail, Auto Parts	2.00
77	Retail, Drug	2.00
78	Retail, Drug and Variety	4.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
79	Retail, Gifts	2.00
80	Retail, Hardware	4.00
81	Retail, Liquor	4.00
82	Retail, Other (0 - 2,000 sq. ft.)	2.00
83	Retail, Other (> 2,000 sq. ft.)	4.00
84	Retail, Sporting Goods	4.00
85	RV Park, per Space	0.25
86	Schools, with Food Service, per Student	0.20
87	Shopping Center (0 - 10,000 sq. ft.)	4.00
88	Shopping Center (10,001 - 20,000 sq. ft.)	8.00
89	Shopping Center (20,001 - 40,000 sq. ft.)	16.00
90	Shopping Center (40,001 - 80,000 sq. ft.)	32.00
91	Shopping Center (> 80,000 sq. ft.)	50.00
92	Ski - Base Lodge (0 - 4,000 sq. ft.)	4.00
93	Ski - Base Lodge (> 4,000 sq. ft.)	40.00
94	Studio, Photography	2.00
95	Triplex	3.00
104	USFS Building	4.00
96	Veterinary Hospital	2.00
97	Warehouse	2.00



RESOLUTION NO. R15-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING IMPLEMENTATION OF A SOLID WASTE FEE
AGREEMENT WITH THE TOWN OF MAMMOTH LAKES
FOR FISCAL YEAR 2014 – 2015, OR FOR FISCAL YEARS
2015-2016 THROUGH FISCAL YEARS 2020-2021**

WHEREAS, pursuant to Section 25830 of the Government Code, on or before the first day of July of each year, the Board of Supervisors may by resolution or ordinance establish a schedule of fees to be imposed upon lands within the County in order to pay for County waste disposal and related services; and

WHEREAS, in past years the County has imposed and collected a schedule of fees consistent with the requirements of Section 25830 of the Government Code, against both unincorporated land in the County and, with the agreement/consent of the Town Council of the Town of Mammoth Lakes, against land in the Town; and

WHEREAS, the Board intends by resolution to re-establish and extend such existing fees and not to impose any new or increased fees that would be subject to Proposition 218; and,

WHEREAS, the County wishes to re-establish a Solid Waste Fee Agreement with the Town of Mammoth Lakes for either the 2015-2016 fiscal year, or for a five year period of fiscal year 2015-2016 through 2020-2021, at the option of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors, that the County does hereby authorize implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for either the 2015-2016 fiscal year, or for the five year period of fiscal years 2015-2016 through 2020-2021, at the option of the Town of Mammoth Lakes.

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BE IT ALSO RESOLVED that the Director of Public Works (in consultation with County Counsel) is hereby authorized to execute Solid Waste Parcel Fee Agreement with the Town of Mammoth Lakes, as described above, said agreement to be in general conformance with the terms and conditions identified in Attachments 1 or 2, "Solid Waste Fee Agreement with the Town of Mammoth Lakes."

APPROVED AND ADOPTED this 19th day of May, 2015, by the following vote of the Board of Supervisors, County of Mono:

- AYES :**
- NOES :**
- ABSENT :**
- ABSTAIN :**

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

ATTEST:

Approved as to Form:

Clerk of the Board

County Counsel

- Attachment 1: Solid Waste Fee Agreement (2015-16)
- Attachment 2: Solid Waste Fee Agreement (2015-21)

- 1 1. The County agrees to continue to provide a solid waste disposal site for the use by residents and
2 businesses of the Town and by those persons or entities franchised by the Town to provide
3 disposal services to Town residents and businesses pursuant to Public Resources Code, Section
4 49300.
- 5 2. The County agrees that there shall be no significant decrease in the level of services provided at
6 the solid waste disposal site.
- 7 3. The County agrees that the solid waste disposal site shall meet all Federal, State, and local
8 requirements, rules, and regulations, and that the County shall comply with the requirements of
9 the California Government Code Section 25830.
- 10 4. The Town consents to the County's re-establishment and extension, by resolution or ordinance,
11 upon its residents and businesses a fee consistent with the schedule of fees adopted by the
12 County in previous years, which may include a reduction of certain fees, pursuant to California
13 Government Code, Section 25830 and in accordance with Public Resources Code, Section
14 49300.
- 15 5. The County agrees to assume primary responsibility for the collection of fees from Town
16 residents and businesses through annual fees to be charged to identified lands within the
17 incorporated limits of the Town, consistent with previous years.
- 18 6. The Town agrees to use its best efforts to cooperate with the County regarding the collection of
19 the above-referenced fees from its residents and businesses.
- 20 7. Both the Town and the County agree that the County shall bear primary administrative
21 responsibility for provision of solid waste disposal services, including, but not limited to
22 environmental monitoring costs, closure and post-closure funding, setting fees, resident appeals
23 of fees, and all site operations.
- 24 8. Except as otherwise provided below, the County agrees to release, defend, hold harmless, and
25 indemnify the Town, its officers, agents, and employees from and against all suits and cause of
26 action, claims, laws, demands, expenses (including reasonable attorneys fees), damages, or
27 liability of any nature whatsoever arising by reason of, or incident to, the adoption and
28 implementation of the solid waste disposal program as defined and outlined in this Agreement,

1 including, but not limited to, any and all claims with respect to Proposition 13 and Proposition
2 62. Notwithstanding the foregoing, the County shall have no obligation to release, defend, hold
3 harmless, and indemnify the Town, its officers, agents, and employees from and against any
4 suits and cause of action, claims, laws, demands, expenses (including reasonable attorneys fees)
5 damages or liability of any nature whatsoever arising by reason of, or incident to, any
6 noncompliance of the solid waste program and its fees with Proposition 218, which was enacted
7 by the voters in November of 1996.

8 9. Both parties agree and understand that the County shall re-establish and extend the fee schedule
9 previously imposed by Resolution No. R14-40, prior to July 1, 2015, without any increases, and
10 that such fee setting shall be consistent with the requirements of Government Code Section
11 25830.

12 10. Both parties agree that fees may be established, billed, and collected on a monthly or annual
13 basis, and may be billed and collected by the County Tax Collector as part of the regular County
14 property tax billing system.

15 11. Both parties agree that this Agreement shall become effective upon execution by both the Town
16 and the County.

17 12. The term of this Agreement shall be for a period of one year commencing on or retroactive to
18 July 1, 2015 and ending June 30, 2016. Except as specified in paragraph 16 herein, this
19 Agreement may be terminated without cause by either party upon 90 days written notice to the
20 other party.

21 13. The Mono County Board of Supervisors agrees to use all legal means available to increase gate
22 fees to reimburse the Town of Mammoth Lakes and/or the County for its legal and
23 reimbursement fees regarding challenges pursuant to Proposition 218, with the caveat that
24 should the County decide to mount a legal defense in response to a challenge of such fees, that
25 the Town will become a partner in that defense and will be able to influence and terminate its
26 involvement in the defense. In addition, the Town of Mammoth Lakes agrees to use all legal
27 means available to require its franchisee to continue to use the Benton Crossing Landfill until
28 such additional gate fees needed to cover the added financial obligation to the Town and/or
County are satisfied, not to exceed five years or some other mutually agreeable number of years.

1 14. The County agrees to provide the Town with any and all documents, reports, or other materials
2 relative to the calculation of fees and the administration of the program contemplated herein as
3 the Town may reasonably request.

4 15. The County and its officers, agents, and employees are independent contractors for the purposes
5 of this Agreement. As such they shall have the rights and duties of independent contractors in
6 providing services under this Agreement.

7 16. In the event of a dispute over the meaning of this Agreement or its performance, the aggrieved
8 party shall notify County Counsel and the Town Attorney who shall thereupon make reasonable
9 efforts to resolve the dispute. In the event that County Counsel and the Town Attorney do not
10 resolve the dispute within 30 days after the notice specified, the parties shall each appoint two
11 members of their governing bodies who shall attempt to resolve the dispute. Neither party shall
12 file a legal action to enforce its Agreement prior to 60 days from the date the specified notice is
13 mailed.

14 **EXECUTION**

15 This Agreement shall be deemed executed as of the date that it is approved by both the Mono County
16 Board of Supervisors and the Mammoth Lakes Town Council.

17
18 COUNTY OF MONO:

APPROVED AS TO FORM:

19
20 _____
Public Works Director

_____ County Counsel

21
22
23 TOWN OF MAMMOTH LAKES:

APPROVED AS TO FORM:

24
25 _____
Mayor

_____ Town Attorney

1 **NOW THEREFORE, BE IT RESOLVED**, based upon the foregoing recitals, the parties to this
2 Agreement hereto agree to the following:

- 3 1. The County agrees to continue to provide a solid waste disposal site for the use by residents and
4 businesses of the Town and by those persons or entities franchised by the Town to provide
5 disposal services to Town residents and businesses pursuant to Public Resources Code, Section
6 49300.
- 7 2. The County agrees that there shall be no significant decrease in the level of services provided at
8 the solid waste disposal site, except that if the County should be unable to continue operations at
9 the site due to the actions or decisions of the site owner.
- 10 3. The County agrees that the solid waste disposal site shall meet all Federal, State, and local
11 requirements, rules, and regulations, and that the County shall comply with the requirements of
12 the California Government Code Section 25830.
- 13 4. The Town consents to the County's re-establishment and extension, by resolution or ordinance,
14 upon its residents and businesses a fee consistent with the schedule of fees adopted by the
15 County in previous years, which may include a reduction of certain fees, pursuant to California
16 Government Code, Section 25830 and in accordance with Public Resources Code, Section
17 49300.
- 18 5. The County agrees to assume primary responsibility for the collection of fees from Town
19 residents and businesses through annual fees to be charged to identified lands within the
20 incorporated limits of the Town, consistent with previous years.
- 21 6. The Town agrees to use its best efforts to cooperate with the County regarding the collection of
22 the above-referenced fees from its residents and businesses.
- 23 7. Both the Town and the County agree that the County shall bear primary administrative
24 responsibility for provision of solid waste disposal services, including, but not limited to
25 environmental monitoring costs, closure and post-closure funding, setting fees, resident appeals
26 of fees, and all site operations.
- 27
28

- 1 8. Except as otherwise provided below, the County agrees to release, defend, hold harmless, and
2 indemnify the Town, its officers, agents, and employees from and against all suits and cause of
3 action, claims, laws, demands, expenses (including reasonable attorneys fees), damages, or
4 liability of any nature whatsoever arising by reason of, or incident to, the adoption and
5 implementation of the solid waste disposal program as defined and outlined in this Agreement,
6 including, but not limited to, any and all claims with respect to Proposition 13 and Proposition
7 62. Notwithstanding the foregoing, the County shall have no obligation to release, defend, hold
8 harmless, and indemnify the Town, its officers, agents, and employees from and against any
9 suits and cause of action, claims, laws, demands, expenses (including reasonable attorneys fees)
10 damages or liability of any nature whatsoever arising by reason of, or incident to, any
11 noncompliance of the solid waste program and its fees with Proposition 218, which was enacted
12 by the voters in November of 1996.
- 13 9. Both parties agree and understand that the County shall annually re-establish and extend the fee
14 schedule previously imposed by Resolution No. R14-40, prior to July 1 of each year, without
15 any increases, and that such fee setting shall be consistent with the requirements of Government
16 Code Section 25830.
- 17 10. Both parties agree that fees may be established, billed, and collected on a monthly or annual
18 basis, and may be billed and collected by the County Tax Collector as part of the regular County
19 property tax billing system.
- 20 11. Both parties agree that this Agreement shall become effective upon execution by both the Town
21 and the County.
- 22 12. The term of this Agreement shall be for a period of five years commencing on or retroactive to
23 July 1, 2015 and ending June 30, 2021.
- 24 13. The Mono County Board of Supervisors agrees to use all legal means available to increase gate
25 fees to reimburse the Town of Mammoth Lakes and/or the County for its legal and
26 reimbursement fees regarding challenges pursuant to Proposition 218, with the caveat that
27 should the County decide to mount a legal defense in response to a challenge of such fees, that
28 the Town will become a partner in that defense and will be able to influence and terminate its
involvement in the defense. In the event of such a legal challenge, the Town of Mammoth

1 Lakes agrees to use all legal means available to require its franchisee to continue to use the
2 Benton Crossing Landfill until such additional gate fees needed to cover the added financial
3 obligation to the Town and/or County are satisfied, not to exceed five years from the date of the
4 challenge(s), or some other mutually agreeable number of years.

5 14. The County agrees to provide the Town with any and all documents, reports, or other materials
6 relative to the calculation of fees and the administration of the program contemplated herein as
7 the Town may reasonably request.

8 15. The County and its officers, agents, and employees are independent contractors for the purposes
9 of this Agreement. As such they shall have the rights and duties of independent contractors in
10 providing services under this Agreement.

11 16. In the event of a dispute over the meaning of this Agreement or its performance, the aggrieved
12 party shall notify County Counsel and the Town Attorney who shall thereupon make reasonable
13 efforts to resolve the dispute. In the event that County Counsel and the Town Attorney do not
14 resolve the dispute within 30 days after the notice specified, the parties shall each appoint two
15 members of their governing bodies who shall attempt to resolve the dispute. Neither party shall
16 file a legal action to enforce its Agreement prior to 60 days from the date the specified notice is
17 mailed.

18 **EXECUTION**

19 This Agreement shall be deemed executed as of the date that it is approved by both the Mono County
20 Board of Supervisors and the Mammoth Lakes Town Council.

21
22 COUNTY OF MONO:

APPROVED AS TO FORM:

23
24 _____
Public Works Director

County Counsel

25
26
27 TOWN OF MAMMOTH LAKES:

APPROVED AS TO FORM:

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Mayor

Town Attorney



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Community Development

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

PERSONS APPEARING BEFORE THE BOARD

Scott Burns, Wendy Sugimura

SUBJECT Approve Letter to the Los Angeles Department of Water and Power Regarding Irrigation in Long Valley

AGENDA DESCRIPTION:

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

Discuss response to notification by LADWP that ranchers in Long Valley will receive no water this season for irrigation. The draft letter for approval will be provided at the meeting.

RECOMMENDED ACTION:

Approve letter to LADWP expressing concern and the need for immediate reconsideration and action. Provide any desired direction to staff.

FISCAL IMPACT:

Unquantified, indirect impact to the General Fund through the potential loss of over \$6 million (or 12.5%) of agricultural production in Mono County.

CONTACT NAME: Wendy Sugimura

PHONE/EMAIL: 760-924-1814 / wsugimura@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time	Who	Approval
5/13/2015 4:32 PM	County Administrative Office	Yes
5/14/2015 9:22 AM	County Counsel	Yes
5/14/2015 9:37 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Emergency Medical Services

TIME REQUIRED 15 minutes (5 minute presentation; 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Rob DeForrest, EMS Manager

SUBJECT Ad Hoc EMS Committee Member

AGENDA DESCRIPTION:

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

At the May 12, 2015 meeting, it came to the attention of the Board that there may be a potential conflict of interest for Lynda Salcido to serve on the Ad Hoc EMS Committee. The Board of Supervisors will discuss and potentially take action with respect to this potential conflict of interest.

RECOMMENDED ACTION:

Provide direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Rob DeForrest

PHONE/EMAIL: (760) 924-1832 / rdeforrest@mono.ca.gov

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ATTACHMENTS TO THE OFFICE OF
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History

Time

Who

Approval

5/13/2015 11:53 AM	County Administrative Office	Yes
5/13/2015 4:15 PM	County Counsel	Yes
5/13/2015 4:42 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

Departments: Finance

TIME REQUIRED 30 minutes (15 minute presentation;
15 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Leslie Chapman

SUBJECT 3rd Quarter Budget Review

AGENDA DESCRIPTION:

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

Presentation of third quarter budget check in and amendments followed by a preview of next year's budget outlook and presentation of the 2015-16 budget calendar.

RECOMMENDED ACTION:

1. Hear the 3rd quarter budget update and approve changes to the CSA #5 budget as follows. Increase appropriation in Capital Expenditures by \$35,000 and increase Contract Services by \$12,000. There is sufficient fund balance to cover these changes. (4/5ths vote required). 2. Discuss budget status and what to expect in FY 2015-16. 3. Review, adjust and approve the 2015-16 draft budget calendar including community workshops, budget hearings and other important deadlines.

FISCAL IMPACT:

While certain line items have changed, there is no overall fiscal impact to the General Fund as a result of this action, and there is sufficient fund balance to cover the requested \$47,000 in the CSA #5 budget.

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5494 / lchapman@mono.ca.gov

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THE COUNTY ADMINISTRATOR
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YES NO

ATTACHMENTS:

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[3rd Qtr. Budget Memo](#)

- [General Fund Budget Summary](#)
- [Non-General Fund Budget Summary](#)
- [2015-16 Budget Calendar](#)

History

Time	Who	Approval
5/14/2015 12:51 PM	County Administrative Office	Yes
5/13/2015 4:13 PM	County Counsel	Yes
5/14/2015 12:31 PM	Finance	Yes



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5410 • FAX (760) 932-5411

Jim Leddy
County Administrative Officer

Leslie Chapman, CPA
Finance Director

May 19, 2015

TO: The Mono County Board of Supervisors

FROM: Leslie Chapman, Finance Director

Subject:

Third Quarter 2014-15 Budget Review & 2015-16 Budget Preview

Recommendations:

1. Hear the 3rd quarter budget update and approve changes to the CSA #5 budget as follows. Increase appropriation in Capital Expenditures by \$35,000 and increase Contract Services by \$12,000. There is sufficient fund balance to cover these changes. (4/5ths vote required).
2. Discuss budget status and what to expect in FY 2015-16.
3. Review, adjust and approve the 2015-16 draft budget calendar including community workshops, budget hearings and other important deadlines.

Discussion:

As we move into the 4th quarter of this 2014-15 fiscal year, we reflect on how well we have maintained the current budget constraints and achieved revenue projections because both impact fund balance available to balance next year's budget. Remaining fund balance, economic indicators and County priorities will help us establish next year's budget parameters in this environment of scarcity.

This is a good time to reflect on the dedication and over-the-top services your staff has provided on shoestring budgets. The level of hard work and dedication to Mono County is impressive and inspiring.

Fiscal year 2014-15 operations are in line with the adopted budget. As of May 8, 2015, Revenues were at 76% of budget and expenditures were at 68%, with the General Fund at 86% and 73%, respectively. There are no contingencies remaining, and the balance in Reserves is \$1,823,333. Reserves will be reduced by up to \$218,389 as the impacts of the disaster are realized. There were minor line-item adjustments within budget units that do not require Board approval, and CSA #5 requested two increases to augment the Memorial Hall project and to restore the Courthouse fence in Bridgeport. No other adjustments are necessary at this time.

2014-15 Outlook:

Looking forward to the 2015-16 budget, the theme will be “cautiously optimistic.” Economic indicators are positive in the big counties even though it appears Mono won’t feel it much next year. We are projecting flat property taxes and sales tax, but the TOT is up \$130,000 over this time last year.

While General Fund revenue seems stable, Road dollars remain a significant concern. State Rural Schools (SRS) money is expected to come in at 95% of last year but Highway Users Tax is still projected to be over \$500,000 less than last year. The County historically augments road dollars with at least \$500,000 of General Fund dollars, so the question will be; do we increase this and if so, from where? The impacts of this HUTA hit are severe for all counties, so I am still optimistic that there will be at least a partial solution at the State level. The mantra here is plan for the worst and hope for the best.

The expenditure side is a little more concerning. Staff is projecting fund balance to come in lower than last year, PERS costs are increasing, we have a gap to fill in the Sheriff’s department because \$80,000 of one-time money was used to augment furloughs and avoid layoffs, and two of our largest property tax payers have pending appeals.

With all this in mind, we look forward to working with your Board to understand and help develop priorities in this environment of shrinking resources and increasing demands.

Fiscal Impact:

While certain line items have changed, there is no overall fiscal impact to the General Fund as a result of this action, and there is sufficient fund balance to cover the requested \$47,000 increase to the CSA #5 budget.

**2014-15 3RD QUARTER BUDGET COMPARISON REPORT
GENERAL FUND**

GENERAL FUND DEPARTMENTS	REVENUES		EXPENDITURES		Fund Balance Contribution (Used)	
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL
General Non-Departmental	23,062,407	22,084,561	-	-	23,062,407	22,084,561
Board of Supervisors	900	813	477,021	405,493	(476,121)	(404,680)
County Administrative Officer	6,200	4,434	636,596	495,443	(630,396)	(491,009)
Department of Finance	577,500	413,646	1,975,454	1,281,376	(1,397,954)	(867,730)
Assessor	433,200	445,189	1,276,204	921,274	(843,004)	(476,085)
County Counsel	11,100	8,101	993,879	794,100	(982,779)	(785,998)
County Clerk-Recorder	89,230	69,900	479,040	308,381	(389,810)	(238,481)
Economic Development	60,000	-	507,856	350,014	(447,856)	(350,014)
Election Division	48,448	19,034	276,742	202,823	(228,294)	(183,789)
County Facilities	-	140	2,560,388	1,917,418	(2,560,388)	(1,917,278)
Information Technology	325,400	256,444	1,513,690	1,164,580	(1,188,290)	(908,136)
Contingency	-	-	-	-	-	-
Grand Jury	-	-	8,300	3,661	(8,300)	(3,661)
Victim-Witness	100,473	124,886	178,432	68,908	(77,959)	55,978
District Attorney	384,133	197,248	1,669,716	1,276,598	(1,285,583)	(1,079,350)
Law Library	-	-	17,000	17,000	(17,000)	(17,000)
DA Justice Admin Grant	211,186	-	211,186	7,661	-	(7,661)
Public Defender	29,400	14,469	658,000	509,761	(628,600)	(495,291)
County MOE (Courts Share of Costs)	-	-	643,657	643,658	(643,657)	(643,658)
Sheriff	1,657,448	1,367,119	5,133,600	4,105,515	(3,476,152)	(2,738,396)
Court Security	426,439	207,633	476,873	332,951	(50,434)	(125,318)
Boating Law Enforcement	131,065	129,414	137,127	90,070	(6,062)	39,344
Drug Task Force	85,000	7,938	85,000	37,444	-	(29,506)
Search and Rescue	-	-	23,775	13,467	(23,775)	(13,467)
Jail	198,007	84,515	2,638,241	2,036,779	(2,440,234)	(1,952,264)
Juvenile Probation Services	528,557	111,191	564,267	101,247	(35,710)	9,944
Adult Probation Services	474,868	189,699	1,522,238	1,089,326	(1,047,370)	(899,627)
Building Inspector	127,216	117,101	455,128	381,415	(327,912)	(264,314)
Agricultural Commissioner	70,000	35,864	125,000	116,530	(55,000)	(80,666)
Emergency Services	128,065	30,126	374,598	296,793	(246,533)	(266,667)
Planning Commission	-	-	13,461	9,650	(13,461)	(9,650)
Planning & Transportation	409,000	188,124	981,553	769,601	(572,553)	(581,477)
Housing Development	533,288	8,245	518,453	17,315	14,835	(9,070)
Code Enforcement	10,000	4,375	109,280	88,724	(99,280)	(84,350)
LAFCO	6,987	7,004	10,324	7,112	(3,377)	(108)
Animal Control	24,000	27,098	453,303	364,606	(429,303)	(337,508)
Public Works	84,700	22,028	807,006	658,653	(722,306)	(636,625)
Paramedic Program	1,751,250	1,333,352	3,841,086	3,178,523	(2,089,836)	(1,845,171)
Bridgeport Clinic	-	-	106,400	75,190	(106,400)	(75,190)
Veterans Service Officer	7,604	7,604	43,000	31,803	(35,396)	(24,199)
Farm Advisor	1,100	976	39,164	39,164	(38,064)	(38,188)
GF Operating Transfers	1,745,371	1,548,591	2,370,984	1,370,799	(625,613)	177,792
TOTAL	33,739,542	29,066,862	34,913,022	25,580,825	(1,173,480)	3,486,036
						4,659,516

**2014-15 3RD QUARTER BUDGET COMPARISON REPORT
NON-GENERAL FUNDS**

FUND #	DEPARTMENT	REVENUES			EXPENDITURES			Fund Balance Contribution (Used)		
		BUDGET	ACTUAL	OVER (UNDER) BUDGET	BUDGET	ACTUAL	(OVER) UNDER BUDGET	BUDGET	ACTUAL	(OVER) UNDER BUDGET
101	General Reserves	-	12,612	12,612	518,942	737,331	(218,389)	(518,942)	(724,719)	(205,777)
102	Fish Enhancement	138,541	82,181	(56,360)	138,541	104,361	34,180	-	(22,180)	(22,180)
103	Social Services	4,608,032	2,942,762	(1,665,270)	3,893,781	2,857,352	1,036,429	714,251	85,410	(628,841)
103	AID Programs	-	332	332	683,286	436,141	247,145	(683,286)	(435,809)	247,477
103	Aid to Indigents	19,256	9,673	(9,583)	19,256	10,029	9,227	-	(356)	(356)
103	Senior Services	279,302	160,397	(118,905)	276,840	219,396	57,444	2,462	(58,999)	(61,461)
104	Behavioral Health	941,901	694,981	(246,920)	917,912	648,005	269,907	23,989	46,976	22,987
104	Alcohol & Drug	569,165	170,395	(398,770)	570,078	416,828	153,250	(913)	(246,433)	(245,520)
105	Public Health	2,919,244	2,047,754	(871,490)	2,807,323	1,863,448	943,875	111,921	184,306	72,385
106	Tourism	351,051	199,276	(151,775)	371,763	246,071	125,692	(20,712)	(46,795)	(26,083)
107	MH Services Act	1,427,573	1,288,485	(139,088)	1,407,596	763,673	643,923	19,977	524,812	504,835
108	Conway Ranch	34,390	27,226	(7,164)	149,944	138,490	11,454	(115,554)	(111,264)	4,290
191	Wind/Fire Storm	4,750,136	3,468,507	(1,281,629)	4,750,136	3,310,734	1,439,402	-	157,773	157,773
194	Debt Service Fund	779,812	713,175	(66,637)	904,812	396,381	508,431	(125,000)	316,794	441,794
195	Capital Improvements	1,219,000	447,687	(771,313)	1,414,676	636,994	777,682	(195,676)	(189,307)	6,369
238	Birth Certificate Children's	30,481	30,491	10	38,475	21,060	17,415	(7,994)	9,431	17,425
600	Airport Enterprise Fund	131,818	62,066	(69,752)	173,556	70,975	102,581	(41,738)	(8,909)	32,829
605	Campground Ent. Fund	27,400	23,135	(4,265)	55,754	39,597	16,157	(28,354)	(16,462)	11,892
610	Cemetery Ent. Fund	2,175	2,184	9	2,175	2,138	37	-	46	46
615	Solid Waste Ent. Fund	2,456,564	1,448,042	(1,008,522)	2,635,781	1,867,792	767,989	(179,217)	(419,750)	(240,533)
650	Motor Pool	601,400	518,074	(83,326)	851,466	399,537	451,929	(250,066)	118,537	368,603
652	Insurance Fund	2,511,020	2,135,645	(375,375)	2,450,453	2,031,052	419,401	60,567	104,593	44,026
653	Tech Refresh	60,000	62,550	2,550	50,000	35,694	14,306	10,000	26,856	16,856
655	Copier Pool	109,850	74,329	(35,521)	109,850	81,702	28,148	-	(7,373)	(7,373)
700	Road Fund	4,095,169	3,259,258	(835,911)	4,185,355	3,116,237	1,069,118	(90,186)	143,021	233,207
701	State & Federal Const.	5,565,209	2,247,515	(3,317,694)	5,565,209	2,259,208	3,306,001	-	(11,693)	(11,693)
706	Health Education	179,423	180,083	660	179,423	156,065	23,358	-	24,018	24,018
710	Foster Care (Wraparound)	184,248	47,091	(137,157)	221,777	47,091	174,686	(37,529)	-	37,529
711	DA Grants	142,000	96,324	(45,676)	142,000	34,510	107,490	-	61,814	61,814
713	Geothermal	78,230	167,393	89,163	78,230	45,180	33,050	-	122,213	122,213
716	Fish & Game Fine Fund	7,600	6,802	(798)	15,605	8,976	6,629	(8,005)	(2,174)	5,831
722	Workforce Investment Act	153,279	27,024	(126,255)	153,279	36,996	116,283	-	(9,972)	(9,972)
725	County Service Area #1	145,791	145,763	(28)	295,700	166,147	129,553	(149,909)	(20,384)	129,525
730	County Service Area #2	19,300	22,815	3,515	15,650	9,207	6,443	3,650	13,608	9,958
735	County Service Area #5	51,500	53,819	2,319	557,147	29,813	527,334	(505,647)	24,006	529,653
739	Countywide Service Area	111,555	129,871	18,316	190,600	18,764	171,836	(79,045)	111,107	190,152
783	Bio-Terrorism-Public Hlth	356,509	170,749	(185,760)	303,044	224,230	78,814	53,465	(53,481)	(106,946)
784	Homeland Security Grants	148,583	56,062	(92,521)	100,639	42,101	58,538	47,944	13,961	(33,983)
		35,206,507	23,232,528	(11,973,979)	37,196,054	23,529,306	13,666,748	(1,989,547)	(296,778)	1,692,769

Mono County Budget Calendar 2015-2016 Budget

May 19 – 3rd Quarter budget check in at board meeting

May 25 - 29 – Payroll simulation and copy to Requested budget module

June 8 – Requested budget open for departmental input

June 4 – Budget kickoff meetings with department heads and fiscal people responsible for budget development and input (Bridgeport & Mammoth)

June 16 – Board of Supervisors adopts Preliminary 2015-2016 Budget

June 19 @ 5:00 pm – Last day for departmental budget input into the financial system

July 6 – 24 – Budget meetings with individual departments, CAO, Director of Finance and the Auditor-Controller

July 8 – 24 – Evening meetings to seek public input – All meetings 6pm – 8pm

Mammoth – July 21, Board Chambers

Bridgeport – July 7, Memorial Hall

Coleville/Walker - July 9, AV Community Center

Crowley Lake – July 6, Crowley Community Center

Chalfant Valley – July 13, Chalfant Community Center

June Lake – July 16, June Lake Community Center (or Lee Vining)

August 20 – Last day for public notice stating that budget documents are available for viewing and stating the date that budget hearings commence

Sept. 1 – 15 (if necessary) – Budget hearings before the Board of Supervisors (NOTE: if Budget Hearings last into the week of September 16th, adoption of the budget will require a Special Meeting of the Board of Supervisors.)

Sept. 15 or 22 – Adoption of the 2015-2016 Board-Approved Budget

October 2 – Statutory last day to adopt the final budget by resolution



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

TIME REQUIRED

SUBJECT Closed Session--Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt).
Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
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History

Time

Who

Approval

5/11/2015 4:56 PM	County Administrative Office	Yes
5/1/2015 1:05 PM	County Counsel	Yes
5/6/2015 7:39 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

SUBJECT Closed Session - Public Employment

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
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Time	Who	Approval
5/11/2015 4:56 PM	County Administrative Office	Yes
5/11/2015 1:07 PM	County Counsel	Yes
5/12/2015 10:51 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

SUBJECT Closed Session - Public Employment

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Manager.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
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History

Time	Who	Approval
5/13/2015 11:52 AM	County Administrative Office	Yes
5/13/2015 4:12 PM	County Counsel	Yes
5/13/2015 11:28 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE May 19, 2015

TIME REQUIRED

SUBJECT Closed Session - Conference with Legal Counsel

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: personnel complaint.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
5/11/2015 4:58 PM	County Administrative Office	Yes
5/11/2015 1:08 PM	County Counsel	Yes
5/12/2015 10:49 AM	Finance	Yes

