

**MEMORANDUM
OF
UNDERSTANDING**

**MONO COUNTY
COLLABORATIVE PLANNING TEAM**

**Adopted December 1996
Amended April 2000
Amended September 2010**

**MEMORANDUM OF UNDERSTANDING
BY & BETWEEN
THE MONO COUNTY COLLABORATIVE PLANNING TEAM
& SIGNATORY ENTITIES LISTED BELOW**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into effect this 30th day of September, 2010, by and between: Benton Paiute Reservation (U-tu Utu Gwaitu Paiute Tribe); Bridgeport Indian Colony; California Department of Fish and Game; California Department of Transportation (Caltrans); Lahontan Regional Water Quality Control Board; Los Angeles Department of Water and Power; Mammoth Lakes, Town of; Mono County Board of Supervisors; NPS/Devils Postpile National Monument; NPS/Yosemite National Park; USDA/USFS/Humboldt-Toiyabe National Forest; USDA/USFS/Inyo National Forest; USDI/Bureau of Land Management; U.S. Fish and Wildlife Service/Nevada Fish & Wildlife Office; U.S. Fish and Wildlife Service/Ventura Fish & Wildlife Office, U.S. Marine Corps Mountain Warfare Training Center, hereinafter referred to as the Mono County Collaborative Planning Team (MCCPT).

Mono County encompasses approximately 3,100 square miles. Approximately 94% of that land is publicly owned: 88% is owned by the federal government, 6% by city and state governments, and the remaining 6% by private landowners.

COLLABORATIVE PLANNING PHILOSOPHY

While the specific missions of the entities involved in this collaborative planning process may differ, there are many more similarities in resource and socioeconomic responsibilities, concerns and opportunities. We recognize that we have responsibilities to the people, landowners and visitors of Mono County, as well as the rest of the citizens of California and the United States. These responsibilities include: management of publicly owned resources for the purposes entrusted to us; maintenance and enhancement of community sustainability and quality of life; promotion of sustainable levels of tourism; provision of quality developed and dispersed recreation opportunities; preservation of open space and outstanding scenic values; conservation and enhancement of wildlife and fish and their habitats; protection and appropriate use of surface and groundwater resources; and accommodation of commodity-based resource use consistent with sustainable land stewardship.

By working in a collaborative manner in selected areas of emphasis, a synergistic effect will occur and the results of our efforts as a whole will far exceed that which we might accomplish as individual signatory agencies. We recognize that our ability to meet these objectives is dependent on significant public involvement in both planning and implementation. Success is equally dependent on those individuals who are responsible for carrying out the mission of each of the signatory agencies involved.

SELECTED AREAS OF EMPHASIS

The scope of the planning and implementation responsibilities of all the signatory agencies and other agencies with responsibilities in Mono County exceeds the ability of the signatory agencies hereto to respond to each issue. As such, we have identified areas where we can work together most effectively in a collaborative manner. These areas include:

- **Collaboration** in response to statewide or regional planning or analysis efforts that have the potential to affect or direct actions of the signatory agencies to this MOU.

- ***Collaboration*** in development and application of plans, regulatory actions and ordinances that have the potential to affect multiple entity responsibilities.
- ***Collaboration*** in project specific planning and implementation that involves multiple member entities.

IMPLEMENTATION

To implement the intent of this MOU, the signatory agencies agree to participate on the Mono County Collaborative Planning Team. The MCCPT will be comprised of the persons in the positions listed below or their designee:

COLLABORATIVE PLANNING TEAM MEMBERSHIP

***Benton Paiute Reservation
(U-tu Utu Gwaitu Paiute Tribe)***
Tribal Administrator &/or Vice Chair

Bridgeport Indian Colony
Tribal Chair

California Department of Fish and Game
Manager - Region 6

California Department of Transportation (Caltrans)
District 9 Director

Lahontan Regional Water Quality Control Board
Executive Officer

Los Angeles Department of Water and Power
Aqueduct Manager

Mammoth Lakes, Town of
Council Member

Mono County Board of Supervisors
Chair

NPS/Devils Postpile National Monument
Superintendent

NPS/Yosemite National Park
Superintendent

U.S. Department of Agriculture/USFS/Humboldt-Toiyabe National Forest
Forest Supervisor

U.S. Department of Agriculture/USFS/Inyo National Forest
Forest Supervisor

U.S. Department of Interior/Bureau of Land Management
Bishop Field Manager

USFWS/Nevada Fish and Wildlife Office
State Supervisor

USFWS/Ventura Fish and Wildlife Office
Field Supervisor

U.S. Marine Corps Mountain Warfare Training Center
Commanding Officer

Other jurisdictional entities may be invited to participate as needed. Modification of the composition of the MCCPT will be by mutual agreement of the signatory entities to this MOU.

ISSUE IDENTIFICATION

Collaborative planning efforts of the team will be responsive to both public and internal planning needs:

- The MCCPT will hold public meetings to identify issues, concerns and opportunities and to report accomplishments of the MCCPT.
- Members of the public may provide oral or written comments to the MCCPT on planning issues and concerns for consideration. Planning issues should involve more than one signatory entity to be considered by the MCCPT.
- Planning issues originating from a signatory entity will be brought forward to the team using the same criteria as for public input.

ACCEPTANCE AND PRIORITIZATION

Submissions will be reviewed by the MCCPT for consistency with areas of emphasis and may be prioritized for discussion and action. A program of work may be developed for selected projects consistent with signatory entity capabilities.

Signatory agencies are responsible for scoping, identifying key issues, data collection, preparation of plans and recommending strategies for public involvement. The MCCPT will determine appropriate approaches to public participation consistent with applicable law, regulation and policy. To the extent legally permissible, the intent is to share costs when opportunities occur, subject to the execution of subsequent cost-share agreements when required.

Each signatory entity will retain full authority for making decisions and setting policy for programs under its control. In making these decisions, the signatory agencies agree to consider any recommendations of the MCCPT.

DATA-BASE MANAGEMENT AND TECHNOLOGY TRANSFER

To facilitate successful implementation of planning efforts, and to effectively utilize the public dollars available, the parties recognize the importance of developing and maintaining data bases that avoid redundancy and ensure compatibility of mapping and data-storage systems. Since each signatory member possesses certain computer-based systems and software, as well as other technical equipment that can be shared, resulting in cost savings for all of the agencies involved in the MCCPT, the intent is to cost share where legally permissible opportunities occur.

- Geographic Information Systems using the same software programs should be used for all collaborative planning efforts.
- Resource data bases used in collaborative planning should be compatible.
- Signatory agencies should share hardware systems, or assume the lead in performing certain planning tasks consistent with the individual signatory entity's capability to perform such work.
- Satellite-based systems such as GPS, aerial photography and other planning tools, when available, should be accessed by the various signatory members as needed and when appropriate for all planning efforts.

ADMINISTRATION

- As needed, the MCCPT may adopt bylaws or guidelines for its own operation.
- Nothing in this MOU shall obligate the signatory agencies to this MOU to expend funds, locate resources or enter into any contract or other obligations.
- This MOU is not a fiscal obligation document. Specific work projects or activities that involve the transfer of funds, services or property among the signatories to this MOU will require the execution of separate agreements or contracts, contingent upon the availability of funds as appropriated by Congress, the state Legislature, Mono County or the city of Los Angeles.
- Each subsequent agreement or arrangement involving the transfer of funds, services or property between signatory agencies to this MOU must comply with all applicable statutes and regulations, including those applying to procurement activities.
- This MOU in no way restricts the signatory agencies from participating in similar activities or arrangements with other public or private agencies, organizations or individuals.
- No part of this MOU modifies the existing authority under which signatory agencies currently operate.
- This MOU shall become effective on the date indicated on the face sheet. It may be renegotiated at any time at the initiative of one or more of the participants, following at least a 60-day notice period to all other signatory members.
- Supplements or amendments to this MOU may be proposed by any party and shall become effective upon approval by all parties. Following any change in the MOU membership, all signatory agencies must reapprove the MOU.
- The signatory agencies agree to review and assess the effectiveness of this MOU annually.
- Unless otherwise determined by the MCCPT, the Mono County Planning Division shall be responsible for maintenance of all MCCPT documents and the public release of such documents.
- All scheduled meetings of the MCCPT shall be open to the public. Any other communications occurring between or among the representatives of signatory agencies shall not constitute MCCPT meetings.

COLLABORATIVE PLANNING TEAM SIGNATORIES

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Benton Paiute Reservation
(U-tu Utu Gwaitu Paiute Tribe)

Tribal Chair
Bridgeport Indian Colony

Region 6 Manager
California Department of Fish and Game

District 9 Director
California Department of Transportation

Executive Officer
Lahontan Regional Water Quality Control Board

Aqueduct Manager
Los Angeles Department of Water and Power

Town Council
Mammoth Lakes, Town of

Chair
Mono County Board of Supervisors

Superintendent
NPS/Devils Postpile National Monument

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NPS/Yosemite National Park

Forest Supervisor
USDA/USFS/Humboldt-Toiyabe National Forest

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USDI/Bureau of Land Management

State Supervisor
USFWS/Nevada Fish and Wildlife Office

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U.S. Marine Corps Mountain Warfare Training Center

APPENDIX

INFORMATION ON SIGNATORY ENTITIES

Benton Paiute Reservation (U tu Utu Gwaitu Paiute Tribe)

The U tu Utu Gwaitu Paiute Tribe is a federally recognized tribal government with a government-to-government relationship with the United States of America. The Tribe's government offices are located at 555 Yellow Jacket Road, Benton, California. The Tribe's homeland ranges between the White Mountains to the east and the Sierra Nevada behind Mammoth Lakes to the west. The Tribe's mission is to provide tribal citizens access to health care, programs for the elder and youth, employment opportunities, housing, etc. Additionally, the Tribe is seeking economic development opportunities for self-sufficiency. Therefore, our relationship with local and federal governments as well as the community is essential to our success.

Bridgeport Indian Colony

The Bridgeport Indian Colony is a federally recognized American Indian tribe, in accordance with Title I Public Law 93-638 (25 U.S.C. 450 [c] [d]). The Tribe is a sovereign government located within Mono County's geographical boundaries. Its constituency is spread countywide and beyond. The Tribe's current land base (reservation) is located in northeast Bridgeport, yet the greater Bridgeport Valley area is the ancestral homeland of the tribal members. The tribal government has a responsibility to meet the needs of its members in regard to housing, employment, education, economic development, cultural preservation, health care and the like. The Tribe's interests in county planning and development stem from its historical presence here, and the direct and/or indirect impact that such activities and planning may have on the lives and property of its members (whether on reservation or off) and its ancestral homeland.

California Department of Fish and Game

The CDFG is trustee for fish and wildlife resources of the state of California and has jurisdiction over the conservation, protection and management of fish, wildlife and native plants, and the habitats necessary for biologically sustainable populations thereof, pursuant to Section 1802 of the Fish and Game Code. Moreover, the CDFG provides recreation opportunities, including hunting and fishing, consistent with Section 1801 of the Fish and Game Code. The CDFG owns or administers 17,380 acres of land in Mono County.

California Department of Transportation

The California Department of Transportation promotes economic vitality and enhances the quality of life for the people of California by providing for mobility of people, goods, service and information. Caltrans works in partnership with governments on both the federal and local levels in developing and managing transportation systems within the state. Project decisions are now made with the primary input coming from regional governments.

Caltrans District 9, established October 11, 1923, encompasses Inyo, Mono, and eastern Kern counties. The District is responsible for the planning, operation and maintenance of 18 state highways, totaling 3,027 lane miles, and numerous other transportation facilities.

Lahontan Regional Water Quality Control Board

The Lahontan Regional Water Quality Control Board is the state agency responsible for setting water quality standards and implementing state and federal water quality laws, plans and regulations applicable to the waters of Mono County. (The RWQCB's water quality plan includes a special set of erosion control guidelines for the Town of Mammoth Lakes.) The RWQCB may issue state (Waste Discharge Requirements) and/or federal (National Pollutant Discharge Elimination System or NPDES) permits for construction projects, resource management activities, stormwater

discharges and other potential point or nonpoint sources of water pollutants. The RWQCB may take enforcement action as necessary to ensure compliance with standards and permits. The RWQCB works cooperatively with other state, federal and local agencies to implement several of its programs, including oversight of underground tank cleanup activities and septic systems, timber harvest review, and protection and restoration of wetlands. As funds become available, the RWQCB can also facilitate procurement of grant funds and State Revolving Funds loans for water quality improvement projects in Mono County.

Los Angeles Department of Water and Power

Water and Power is a propriety department of the city of Los Angeles, a charter city. As such, under the terms of the city charter, the DWP is charged with providing citizens with a reliable and economical water and energy supply. For this purpose, Los Angeles owns considerable acreage in the Eastern Sierra, including approximately 63,000 acres in Mono County, which forms the watershed to supply the Los Angeles Aqueduct system. The mission of the DWP is to protect the water rights of the city, to maintain our water storage and conveyance facilities, and to deliver a reliable and high quality water supply through responsible watershed management practices.

Mammoth Lakes, Town of

The Town of Mammoth Lakes is a municipality incorporated under the laws of the state of California. It is the largest community in Mono County and the only incorporated community in Mono County. The governing body is a five-member town council. The Town provides police, planning, public works, parks and recreation, tourism and general administrative services for a permanent population of approximately 7,100 people and a seasonal and visitor population of up to approximately 30,000 people. Land-use planning is administered by a planning commission and planning division

Mono County, California

The County of Mono, which is one of 58 California counties, is a political subdivision of the state vested with the powers necessary to provide for the health and welfare of Mono County citizens. These powers are exercised by the Board of Supervisors and through its officers acting under the authority of the Board or other authority conferred by law. As required by state law, the Board has established a planning agency (planning commission and planning division) that prepares updates and implements the Mono County General Plan. Implementation of the plan occurs through zoning, subdivision ordinances, area plans, specific plans, environmental review, and planning permits, consultation with civic groups and citizens, and coordination of the Plan with other public agencies.

NPS/Devils Postpile National Monument

Devils Postpile is part of the National Park Service, whose Organic Act establishes the mission "to conserve the scenery, natural and cultural resources, and wildlife and provide for public enjoyment while ensuring the resources are unimpaired for future generations." Devils Postpile National Monument preserves and protects the glacially exposed columns of the Devils Postpile, the scenic Rainbow Falls, and the wilderness landscape of the upper Middle Fork San Joaquin River in the Sierra Nevada for scientific value, public interest, and inspiration. Devils Postpile is a dramatic mass of columnar-jointed basalt – the remnants of lava that flowed down the valley of the Middle Fork San Joaquin River less than 100,000 years ago. Approximately 20,000 years ago, a glacier overrode the fractured lava mass, exposing a wall of columns 18 meters high and resembling a giant pipe organ. Rainbow Falls, along the Middle Fork of the San Joaquin River, is a spectacular waterfall that drops 31 m (101 feet) over a volcanic cliff.

NPS/Yosemite National Park

Yosemite Valley and the Mariposa Grove were set aside as a natural preserve in 1864, when Abraham Lincoln signed the Yosemite Act, giving guardianship to the state of California. These areas became the first scenic natural areas to be set aside for public benefit and appreciation of landscape beauty, making Yosemite the inspiration for the national park idea.

Yosemite National Park was established in 1890 and is now administered by the National Park Service (NPS). The NPS preserves unimpaired the natural and cultural resources and associated values for the enjoyment, education, and inspiration of this and future generations. One of the first wilderness parks in the United States, Yosemite is best known for its waterfalls, but within its nearly 1,200 square miles, you can find deep glacially carved granite valleys, grand meadows, ancient giant sequoias, a vast wilderness area, and much more.

Yosemite shares its Eastern border with Mono County. The Tioga Road is a popular trans-Sierra route for park visitors. While scenic, it is also a convenient and preferred method for visitors to access the Eastern Sierra, areas within Mono County, and destinations to the south, such as Death Valley and Mount Whitney. The pass is usually open from May to October, but this may change due to later springs or earlier snowfalls. In 2009, 234,138 visitors entered the park through the Tioga Entrance Station, representing 6.3% of the annual visitation to the park for that year.

USDA/USFS/Humboldt-Toiyabe National Forest

The Humboldt-Toiyabe National Forest is an administrative unit of the USDA Forest Service, a federal multiple-use land management agency. It is one of 17 national forests within the Forest Service Intermountain Region (Region 4). The Humboldt-Toiyabe National Forest manages approximately 6.3 million acres, most of which are scattered throughout the state of Nevada. Approximately 403,000 acres of the H-T Bridgeport Ranger District's 1.2 million acres lie within Mono County, California. The portion of the H-T within Mono County (Bridgeport Ranger District) includes a large portion of the Congressionally designated Hoover Wilderness and the recently designated Bridgeport Winter Recreation Area. The Hoover Wilderness and its associated trail system provide access to spectacular lakes, streams and peaks within Mono County. The trails within the Hoover Wilderness are very popular, and also provide a vital connection from the eastern Sierra Nevada to Yosemite National Park. The Bridgeport Ranger District manages 13 family campgrounds and two group campgrounds – a total of 431 campsites in northern Mono County – literally, the northern gateway to the Eastern Sierra. Primary recreation activities in summer are hiking, backpacking, camping, fishing and OHV travel on designated open roads and trails. Winter activities include snowmobiling, backcountry skiing and snowshoeing.

The Bridgeport Ranger District also hosts the Marine Corps' Mountain Warfare Training Center with its associated training activities, and has since its beginning in 1951 during the Korean War. The MCMWTC leases approximately 46,000 acres of National Forest System lands for its varied training activities, with other areas approved for various specific training activities.

USDA/USFS/Inyo National Forest

The Inyo National Forest is an administrative unit of the USDA Forest Service, a federal multiple-use land management agency, and one of 18 national forests within the Pacific Southwest Region. Of the more than 2 million acres that lie within the Inyo National Forest, 816,489 are located in Mono County, California. Of special significance in terms of their effect on the quality of life within the county are four Congressionally designated areas that include portions of the Hoover, Ansel Adams and John Muir wilderness areas and the Mono Basin National Forest Scenic Area. These areas draw visitors from all over the world and contribute about 6 million recreation visitor days of use annually within the county. This is one of the highest use levels in the nation.

USDI/Bureau of Land Management

The BLM, Bishop Resource Area, is responsible for administering 524,000 surface acres of public land in Mono County. Authorities for BLM's management of the public land and for entering into a cooperative planning agreement come from the Federal Land Policy and Management Act of 1976 (42 U.S.C. 170 et seq. as amended) and the Memorandum of Understanding on California's Coordinated Regional Strategy to Conserve Biological Diversity as well as other pertinent acts, regulations and agreements.

USFWS/ Nevada Fish and Wildlife Office

The Nevada Fish and Wildlife Office (NFWO) is an administrative unit within the Pacific Southwest Region (Region 8) of the U.S. Fish and Wildlife Service. The NFWO's geographic jurisdiction includes all of Nevada and portions of the Eastern Sierra in California. Our mission is to work with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people within the Great Basin, Eastern Sierra, and Mojave Desert ecosystems. The major functions of our agency include: enforcing Federal wildlife laws, protecting endangered species, managing migratory birds, restoring nationally significant fisheries, conserving and restoring wildlife habitat such as wetlands, helping foreign governments with international conservation efforts, and distributing grants to State fish and wildlife agencies through our Wildlife and Sport Fish and Restoration Program. The FWS's NFWO and Ventura Fish and Wildlife Office both have responsibilities for various issues within the Mono Basin, and a formal internal agency coordination agreement defines the designated geographic and/or species leads for each office.

USFWS/Ventura Fish and Wildlife Office

The Ventura Fish and Wildlife Office (VFWO) is an administrative unit within the Pacific Southwest Region (Region 8) of the U.S. Fish and Wildlife Service. The VFWO's geographic area of responsibility includes all or parts of 11 counties including: San Benito County; the coastal counties from Santa Cruz County south to western Los Angeles County; the desert portions of Los Angeles, Kern, and San Bernardino counties; Inyo County; and Mono County south of Bridgeport (exclusive of the Humboldt-Toiyabe National Forest). The VFWO is responsible for managing the protection of over 120 listed and candidate species. Our mission is to work with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people within the Eastern Sierra, Mojave Desert, and central California coastal ecosystems. The major functions of our agency include: enforcing Federal wildlife laws, protecting endangered species, managing migratory birds, conserving and restoring wildlife habitat such as wetlands, restoring nationally significant fisheries, providing assistance to Native American governments, and distributing grants to State fish and wildlife agencies, Tribes, and other entities through various conservation grant programs. The VFWO and the Nevada Fish and Wildlife Office both have responsibilities for various issues within the Mono Basin, and a formal internal agency coordination agreement defines the designated geographic and/or species leads for each office.

U.S. Marine Corps Mountain Warfare Training Center

The Marine Corps Mountain Warfare Training Center (MCMWTC) was established in 1951 as a Cold Weather Battalion with a mission of providing cold-weather training for replacement personnel bound for Korea. After the Korea conflict the name was changed to the Marine Corps Cold Weather Training Center. As a result of its expanded role it was renamed the Marine Corps Mountain Warfare Training Center in 1963. MCMWTC operated on a full-time basis until 1967 when it was placed in a caretaker status as a result of the Vietnam War. The training center was reactivated to a full-time command on May 19, 1976. Today, trainees typically head for the mountains of Afghanistan, where mountain warfare expertise again is a top priority.

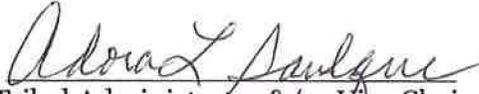
Thousands of trainees each year from all branches of the U.S. armed forces, as well as from nations such as Britain, Norway, Sweden, Chile, Peru, Israel, Argentina, Netherlands, Kyrgyzstan, Canada, and Germany have completed courses since 2001. Instructors from Mountain Leader courses have also deployed to Afghanistan to train the Afghan army.

MCMWTC conducts eight Marine Air Ground Task Force (MAGTF)-level exercises per year, titled Mountain Warrior. The purpose of Mountain Warrior is to provide a training and limited assessment package that challenges the MAGTF and its subordinate elements to plan and perform critical tasks across the war-fighting functions in cold weather and at medium to high altitudes in complex, compartmentalized terrain.

Agency authorities for entering into this MOU include:

- National Forest Management Act of 1976
- Federal Land Policy and Management Act of 1976
- California Constitution and California Government Code
- Los Angeles City Charter
- National Environmental Policy Act of 1969, 42 U.S.C. 4321
- Endangered Species Act of 1973, as amended; 16 U.S.C. 1531 *et seq.*
- Fish and Wildlife Coordination Act of 1934, as amended; 16 U.S.C. 661-667e

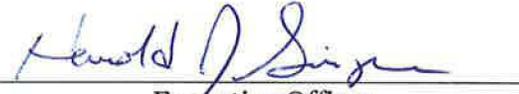
COLLABORATIVE PLANNING TEAM SIGNATORIES


Tribal Administrator &/or Vice Chair
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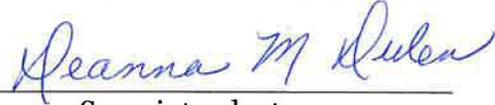
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Los Angeles Department of Water and Power



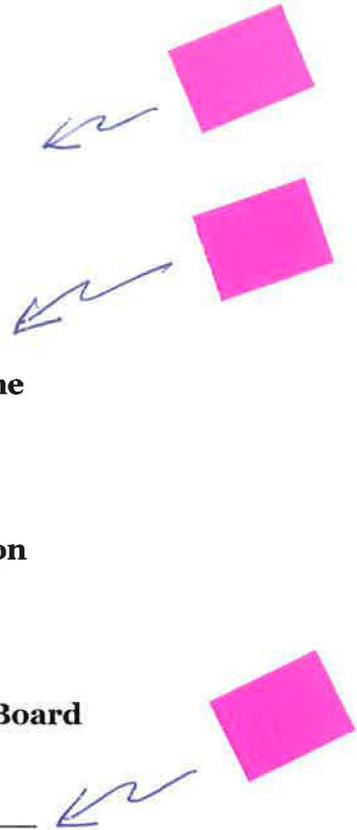
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Chair
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Forest Supervisor
USDA/USFS/Humboldt-Toiyabe National Forest

Jon C. Bellamy Acting For Jim Upchurch
Forest Supervisor
USDA/USFS/Inyo National Forest

Bernadette Inzato
Bishop Field Manager
USDI/Bureau of Land Management

State Supervisor
USFWS/Nevada Fish and Wildlife Office

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