

# COUNTY OF INYO

## NATURAL RESOURCE ADVISORY COMMITTEE

### MINUTES OF OCTOBER 14, 2010 MEETING

**MEMBERS:**

DOUG HICKS  
CARL HOELSCHER  
JIM SCOTT  
DAVID TANKSLEY  
GREG WEIRICK

VICE-CHAIR

CHAIR

Inyo County Planning Department  
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**ALTERNATES:**

DAVID BEAVER  
TYSON SPARROW

**STAFF:**

JOSHUA HART  
ALISA LEMBKE

PLANNING DIRECTOR

PLANNING COMMISSION SECRETARY

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The Inyo County Natural Resource Advisory Committee met on Thursday, October 14, 2010, at 301 West Line Street (City of Bishop, Council Chambers) Bishop, CA 93514.

Chair Tanksley called the meeting to order at 5:01 p.m.

Chair Tanksley led the Pledge of Allegiance.

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**ITEM 1: ROLL CALL** - Members: David Tanksley, Doug Hicks, Greg Weirick, Carl Hoelscher and Jim Scott, and alternate David Beaver.

Also present were: Josh Hart, Planning Director and Alisa Lembke, Secretary.

Alternate Tyson Sparrow was absent.

**ITEM 2: PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Committee on any related subject that is not scheduled on the Agenda.

There were none.

**ITEM 3: APPROVAL OF MINUTES (Action)** – Approval of Minutes from July 22, 2010.

**MOTION:** Moved by Mr. Weirick and seconded by Mr. Hoelscher to approve the Minutes from July 22, 2010, with correction of typographical errors.

The Motion passed unanimously.

**ITEM 4: BIG PINE TRIBE WATER AGREEMENT AND LOS ANGELES DEPARTMENT OF WATER AND POWER** – Presentation from Alan Babcock.

Mr. Babcock was not present, and the Committee discussed requesting that Gary Babcock update the Committee at a future date. However, Gary Babcock and Sally Manning representing the Big Pine Tribe arrived after discussion of Item No. 5, and provided an update to the Committee regarding the relevant issues, including concerns about pumping for a regreening project near

Big Pine, fish hatchery pumping, on- and off-provisions of the Long Term Water Agreement (LTWA), the Department of Water and Power's interpretation of replacement water for regreening projects, and alleged violations of the Brown Act. Ms. Manning distributed correspondence that had been submitted to the County and the City of Los Angeles with more details. County Counsel clarified Brown Act issues that had been raised, and indicated that the Board of Supervisors was scheduled to discuss the issues on October 19, 2010. Committee members requested clarification about how much water was planned to be pumped for the regreening project, how much the water table has dropped, and other issues with the LTWA. As the Board of Supervisors was scheduled to discuss the issues, the Committee terminated its discussions.

**ITEM 5: RENEWABLE ENERGY (Action)** – Update, discussion, and recommendation to the Planning Commission and Board regarding the County's Renewable Energy General Plan Amendment and other renewable energy issues.

The Committee received an update from staff regarding the County's Renewable Energy General Plan Amendment (GPA) and other renewable energy issues. Topics discussed included the public meetings planned for the GPA, the land use designation overlays proposed in the preliminary draft GPA, criteria to select the areas, and the County's new Renewable Energy Ordinance. Committee members reviewed the proposed preliminary draft overlay maps and text and suggested that clarification should be provided that the proposed GPA addresses wind and solar renewable energy.

**MOTION:** Moved by Mr. Hicks and seconded by Mr. Weirick that staff continue with the Renewable Energy General Plan Amendment.

The Motion passed unanimously.

**ITEM 6: ALABAMA HILLS** - Representatives from Bureau of Land Management will provide information and answer questions about mineral resources in the Alabama Hills and issues related to a potential federal land use designation in the Alabama Hills.

Discussion began regarding Item No. 7, and then returned to Item No. 6, and then back to Item No. 7. Regarding Item No. 7, Ms. Bernadette Lovato briefed the Committee about mineral resources in the Alabama Hills, the Bureau of Land Management's (BLM) research regarding mining in the Alabama Hills, and explained that one Placer claim is active. Committee members discussed mining in the Alabama Hills in general, and that the BLM website indicates more mining activity than the BLM's research indicates. Ms. Lovato indicated that further research could be undertaken, and the discussion advanced towards more general mining issues in the region, the accuracy of the BLM data, possibilities of allowing mining in the Alabama Hills if a federal land use designation is approved, and clarification regarding the buffer in the proposed legislation.

**ITEM 7: ALABAMA HILLS (Action)** - Presentation from Mr. Kevin Mazzu regarding the proposed designation of the Alabama Hills as a National Scenic Area, and potential recommendation to the Board of Supervisors.

Discussion began regarding Item No. 7, and then returned to Item No. 6, and then back to Item No. 7. Regarding Item No. 6, Mr. Kevin Mazzu from the Alabama Hills Stewardship Group (AHSB) provided a power point presentation to the Committee regarding the proposed National Scenic Area. The Committee then inquired regarding numerous issues, including the extensive outreach the AHSB undertook, the potential of losing control of the process, coordination

through the planning process, uses that would be permitted and precluded under the designation, and mining. Committee members pointed out potential consistency issues with the Inyo County General Plan, the need for analyses to evaluate impacts on known and potentially present mineral resources, impacts to the local economy, potential mitigation measures, and inaccuracies in the BLM analysis. After extensive further discussions amongst themselves and with representatives of the BLM and the AHSG, the Committee made the following recommendations.

**MOTION:** Moved by Mr. Hicks and seconded by Mr. Weirick that if the Board of Supervisors supports the Alabama Hills designation being proposed by the Alabama Hills Stewardship Group (AHSG), that every effort be made to mitigate land use restrictions and that additional lands be made available.

The Motion passed unanimously.

**MOTION:** Moved by Mr. Hicks and seconded by Mr. Weirick that if the Board of Supervisors supports the efforts of the AHSG, provide that the impacts of additional land use restrictions are mitigated, and that additional lands be released.

The Motion passed unanimously.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Weirick that the potential socioeconomic impacts of the proposed designation be analyzed as required by the Inyo County General Plan, the Federal Land Policy and Management Act (FLPMA), Code of Federal Regulations (CFR) requirement for land use planning, etc., and that the analysis of the impacts be a requirement and written in the legislation being considered.

The Motion passed 4-0, with Mr. Hicks abstaining.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Scott that coordination be thoroughly written in and addressed in the legislation.

The Motion passed unanimously.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Hoelscher that private lands be given full unrestricted access.

The Motion passed unanimously.

**ITEM 8:** **EASTERN SIERRA LAND TENURE PROJECT** – Staff and project representatives will present regarding the Eastern Sierra Land Tenure project, and solicit input.

Ms. Vickie Taton of the Sierra Business Council made a presentation regarding the Eastern Sierra Land Tenure project. The Committee then discussed the project, and provided the following input: do mineral rights transfer with land exchange; are land exchange programs

components of sustainable development; land exchanges have the potential for both good and bad policy; programs that pressure land owners to sell are inappropriate; community visioning is an important component of land exchanges; land exchanges involving federal agencies is cumbersome.

**ITEM 9: OPEN SPACE ZONING AND WILDERNESS (Action)** – Discussion regarding Wilderness as a permitted use within the Open Space Zoning District and potential recommendation to the Board of Supervisors to amend the Inyo County Code.

The Committee received a presentation from staff, and discussed issues related to the Zoning Ordinance listing Wilderness as a permitted use within the Open Space Zoning District, including wilderness being a non-use and the applicability of special uses. Following the discussion, the following recommendations were made.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Scott that (1) wilderness be removed as a permitted use in the Open Space zoning district, (2) special use areas be considered, and (3) consideration be given to splitting the Open Space zoning district into several distinct zoning districts.

The Motion passed unanimously.

**ITEM 10: GRANT APPLICATIONS (Action)** – Update regarding grants for Off Highway Vehicles and other possible grant opportunities and potential recommendation to Board of Supervisors.

Mr. Hicks updated the Committee about potential grant application opportunities. The Committee then discussed these opportunities, including for digitizing mineral data, building a GIS database, documenting historical roads, road maintenance, and law enforcement. Due to the vast possibilities, the Committee discussed creating a subcommittee to study the issue further.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Hoelscher that a Grant Application Subcommittee be created to consist of Mr. Hicks and Mr. Weirick.

The Motion passed unanimously.

**ITEM 11: TRAVEL MANAGEMENT PLAN CLOSURES** – Update regarding the Forest Service’s Travel Management Plan, the Motor Vehicle Use Map, and road closures, and potential recommendation to the Board of Supervisors.

Mr. Weirick provided an update to the Committee implementation of the Travel Management Plan (TMP). The Committee discussed these issues, including road closures, the Motor Vehicle Use Map, and TPM Subpart A.

**ITEM 12: INHOLDING ACCESS (Action)** – Update regarding inholding access and potential recommendation to the Board of Supervisors.

Mr. Hicks and Mr. Beaver recused themselves from this item due to potential conflicts. The Committee then discussed issues related to inholdings access and that GIS would be a good tool to identify landlocked parcels. Ms. Lovato with the BLM indicated an openness to enter into an

agreement to work to provide access to inholdings. Following further discussion, the Committee made the following recommendation.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Hoelscher that the County take a more proactive stance to protecting inholding access.

The Motion passed 4-0.

**ITEM 13: WILDERNESS RESOLUTION RECOMMENDATION (Action)** – Update regarding wilderness and other federal and State land use designations and potential recommendation to the Board of Supervisors.

The Committee briefly discussed wilderness and made the following recommendation.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Hoelscher that a resolution be drafted opposing more wilderness in Inyo County.

The Motion passed unanimously.

**ITEM 14: POINT OF ORDER IN PUBLIC COMMENT PORTION OF MEETINGS (Action)** – Discussion about order of speaking at public meetings and potential recommendation to the Board of Supervisors.

The Committee discussed the pros and cons of providing residents the first opportunity to speak at public meetings.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Hicks that a Inyo County residents be given the opportunity to address the Board of Supervisors and other County boards, commission, committees, etc. before non-residents.

The Motion passed unanimously.

**ITEM 15: RS2477 REPORT** – Update regarding the status of RS2477 roads.

Mr. Hicks updated the Committee about his discussions with County Counsel about the status of RS2477 roads and pending litigation.

**ITEM 16: NRAC MEETING SCHEDULE (Action)** – Discussion on whether to increase meeting frequency to more than once a quarter and potential recommendation to the Board of Supervisors.

The Committee discussed the benefits of meeting more than once per quarter, due to the heavy work load. Different intervals between meetings were discussed, and the following recommendation was made.

The Motion passed unanimously.

**MOTION:** Moved by Mr. Tanksley and seconded by Mr. Scott that the NRAC meet once every 1.5 months, rather than every three months.

**ITEM 17: NEXT MEETING** – Scheduling of next meeting.

After a discussion of availability, it was determined that the next meeting would be held on December 16, 2010.

Chair Tanksley adjourned the meeting at 10:00 p.m. to reconvene on December 16, 2010.

Prepared by:

Joshua Hart,  
Staff To  
Natural Resource Advisory Committee