

April 1, 2014
Regular Meeting
CAO Report

Legislative Platform-
AB 109 Info.



MONO COUNTY PROBATION DEPARTMENT

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Stan Eller
Presiding Judge
Superior Court

Jim Leddy
County Administrator

Karin Humiston, Ph.D.
Chief Probation Officer

March 7, 2014

To: Supervisor Byng Hunt
Supervisor Tim Alpers
Supervisor Tim Fesko
Supervisor Fred Stump
Supervisor Larry K. Johnston, Chairman

From: Mono County Community Corrections Partnership

ADVOCACY TO INCREASE FUNDING FOR OPERATIONS, SYSTEMS INTEGRATION
AND FACILITY IMPROVEMENTS RELATED TO IMPLEMENTATION AND
ADMINISTRATION OF THE 2011 PUBLIC SAFETY REALIGNMENT AND AB 109

Implementation of the 2011 Public Safety Realignment and AB109 represented a major shift in California's justice system, transferring the State's responsibility for custody, community supervision, and rehabilitation of certain inmates to California's counties. While AB 109 was designed to reduce the State's prison population, address ongoing litigation and alleviate its fiscal deficit, the shift has contributed to the monetary and staff stresses within the county's jail system's physical and clinical resource capacity to address the housing, medical, and mental health needs of the new population of inmates. Even with guaranteed funding for the new AB 109 responsibilities, made possible through the passage of Proposition 30 of 2013, current funding levels fall far short of what the County of Mono needs to ensure full and successful implementation of AB 109 beyond incarceration.

We recommend to this Board:

1. Send a five-signature letter to the Governor and Legislative Leadership requesting an immediate increase for funding for:
 - Operations and systems integration to effectively provide the needed treatment services and supervision for AB 109 offenders supervised in the community, as well as appropriate clinical and mental health care within the jails;
 - Infrastructure and facilities improvements to adequately address population management and the needs of AB 109 inmates, especially those with acute and chronic illness and serious mental health issues.

CAO Report

2. Through consensus and discussion, instruct the County Administrator to urge the California State Association of Counties and its member counties to support and advocate this request.

DISCUSSION

The objective of the State's implementation of AB109 was to reduce the State prison population to comply with the Federal three-judge panel's order to address ongoing constitutional issues related to health and mental health care in the prison system and to reduce the State's budget deficit. After two years of realignment, counties have absorbed the realigned inmate population but have also assumed the responsibility to address their associated medical and mental health needs without adequate State investment in systems integration, operational needs in the community, and infrastructure and facilities improvements.

To successfully implement AB 109 and avoid the costly litigation that has plagued the State, it is clear that counties must address these operational, physical and clinical infrastructures in both jails and the communities. Since implementation of AB 109, several of California's counties are already facing class action lawsuits filed by attorneys advocating for inmate's rights. These lawsuits are modeled after the litigation against the State and focus on medical and mental health care in jail facilities, arguing under constitutionally protected rights (Amendment VIII). While courts give deference to prison officials, California is currently under the ruling of the Three Judges decision which includes "In August 2009, the Court ordered defendants (i.e., prisons) to reduce the California prison population to 137.5% design capacity in order to remedy the unconstitutional condition of mental and medical health care in California prisons." Unconstitutional condition of mental and medical health care also applies to jails given under AB 109; offenders are being sentenced to a term of prison under §1170 but served in community jails.

Operations and Systems Integration

Funding for AB109 has been insufficient for Mono County to fully invest in the required systems integration and operational improvements needed to effectively provide adequate levels of treatment services and supervision for the AB 109 offenders supervised in the community, as well as appropriate clinical and mental health care within the jails.

Perhaps one of the most significant problems with the current funding ratio for AB 109 is the presumption that 'smaller counties merit smaller funding.' If California is indeed moving towards an evidence based response to offender needs, why not develop a standardized EBP requirement and fund to ensure that offenders have the increased probability and ability to be successful while in custody, during transition and within the community? Currently counties are not being assessed by what systems are in place or the capability of each county to adequately provide services. The Superior Court in the County of Mono is sentencing straight custody (30 to date) and split sentences more frequently than some counties larger than Mono according to the Chief Probation Officers of California (CPOC) dashboard illustrating frequency of sentencing. A systems analysis along with assessment of aging facilities and bed space seems more logical if not equitable. Currently funding is being directed to those counties demonstrating an immediate need due to overcrowding. Because of California's requirements for AB 900 and SB 1022, Mono cannot meet the standards or match in order to bring the facility into compliance.

Further, Mono County does not have the infrastructure most large to medium counties enjoy such as mental and behavioral health contractors, community behavioral health organizations as well as

vocational education and/or transition programming vendors. Mono County is in need of a transition house however the amount received through CSAC is insufficient to provide a fully functioning transition house with services as well as social services and behavioral health personnel to staff or service the house.

The Department of Behavioral Health has identified increases in mental health needs of the AB 109 population, which has presented slightly higher acuity and rates of serious mental health issues than originally estimated. Perhaps most significant is the lack of funding and expertise of jail medical staff to sufficient treat people with serious mental health concerns. Specialized treatment is a possibility with a psychiatric nurse practitioner shared with the Sierra Park Clinic if the funding was available to treat the seriously mentally ill detained and community bound population. Mono County is reliant on other counties for community based specialized residential treatment beds for co-morbid and/or co-occurring behavioral health diagnosis and substance abuse. However, given current research of the effectiveness of residential treatment; a clean and sober transition house is more closely associated with success for substance abuse and decrease in recidivism.

Within the jail, the Sheriff, Behavioral Health Services and Health Services have had to transform medical and behavioral health services from a focus on episodic and transitive services to chronic and continuity of care services. Given the trend to extended services, the Sheriff's Office now must also provide not only health and dental care; eye exams must be included along with long term preventative care. While Mono County collaborates to improve these services, the long-term financial cost was not clearly contemplated in the AB 109 funding allocation.

The County is already facing increases in the unreimbursed medical costs for inmates compared to pre-AB109 baseline. This will continue to rise in the foreseeable future due to increased numbers of long term inmates being housed. With the longer term inmates, the County will be responsible for greater acute hospital care, ongoing care and diagnostic services, more medically necessary surgical procedures and corresponding prescription drug costs.

Similarly, the County's AB 109 funding allocation has not been sufficient to increase jail behavioral health staffing proportionate to the increase in mental health, co-occurring, co-morbid and multiple occurring diagnosis for AB 109 inmates. Lack of staffing and adequate and suitable treatment space seriously impedes the County's ability to provide effective and behavioral health evidence-based practices within the custodial setting, as well as transitioning offenders to community supervision and care.

Jail Infrastructure

County jails were designed as holding facilities for pre-trial cases and as short-term facilities for low-risk, locally sentenced inmates. In-custody medical and behavioral health were not provided or intended for long-term custody sentences. However, with AB 109, the County jail is now assuming the custody of more serious inmates for a longer period of time.

While Mono County jail has not yet reached full capacity, specifically filling all 48 potential beds, the change in type of offender presents a challenge for the jail given out of the total 48 beds, there are only 12 cells. The remainder of the beds are bunk beds in a day room setting. Sex offenders (in light of Prison Rape Elimination Act (PREA)) preclude the use of day rooms, assaultive, and/or dangerous offenders given their behavior in a small facility will direct where inmates or pre-trials will be housed. Given longer sentences in a small facility with the restricted space of the recreation cubicle, no open yards, no education and many other services typically provided by prisons add

cumulative impact on the correctional philosophy of “idle hands” which causes more wear and tear and full out destruction of a small jail setting. This scenario does not include the increased likelihood of conflicts/assaults on staff by inmates and increased uses of force for control. This environment certainly invites potential lawsuits citing cruel and unusual treatment and potential multi-offender dissonance due to the space restriction.

Funding Adequacy

The State has already begun realizing general fund savings as a result of realignment. According to the *California Department of Corrections: A Blueprint to Save Billions of Dollars, End Federal Oversight and Improve the Prison System*, the State is poised to realize annual net savings in the billions of dollars.

Fiscal Year	CDCR Realignment Savings (A)	AB 109 Statewide Funding (B)	AB 109 Funding as a % of CDCR Savings	CDCR's Net Savings Available For AB 109 (A minus B)
2011-12	\$0.43 billion	\$0.37 billion	86%	\$0.06 billion
2012-13	\$1.00 billion	\$0.87 billion	87%	\$0.13 billion
2013-14	\$1.60 billion	\$1.02 billion	64%	\$0.58 billion
2014-15	\$2.68 billion	\$0.95 billion	35%	\$1.73 billion
2015-16	\$3.63 billion	\$0.95 billion	26%	\$2.68 billion

Furthermore, the Legislative Analyst’s Office recently projected State operating surpluses of billions of dollars in the coming years, growing to approximately \$10 billion by Fiscal Year 2018-19. The State could use a portion of these funds to reduce the significant burden that AB 109 has placed on county governments, particularly the County of Mono, and provide needed investment to ensure its successful implementation.

Conclusion

The current funding for Mono County falls short of what the County needs to ensure the successful implementation of AB 109. It is clear that the funding allocation has been insufficient for the County to make investments in systems and operational improvements to effectively provide treatment and supervision for AB 109 offenders supervised in the community as well as appropriate clinical and behavioral health care within the jails. The State must devise a more equitable and systems oriented funding to allow counties to make needed investments.

In order to provide the necessary level of long-term custody housing and medical and behavioral health care, the County jail system’s physical and clinical infrastructure must also be expanded. The State’s capital projects grants (e.g., AB 900) were developed prior to the implementation of AB 109 and are not adequate to address the needs of county jails in the current environment. Using the same Constitutional protections and required systems, County jails should be assessed to meet specific standards and if not, funded to meet the long-term housing, medical and behavioral health needs of the AB 109 population.

Given the findings of the report, *California Department of Corrections: A Blueprint to Save Billions of Dollars, End Federal Oversight and Improve the Prison System*, the State must provide all California counties with adequate funding to support the necessary operational systems and facility

Each Supervisor

March 7, 2014

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improvements required for long-term offenders. This funding will also ensure community treatment, transition and supervision for offenders returning to the community so as to ensure the highest probability for success.

Should you have any questions, please contact Karin Humiston, Probation at (760) 932-5572, Sheriff Ralph Obenberger at (760) 932-7549 and/or Robin Roberts, Director of Behavioral Health at (760) 924-1740.

April 1, 2014
Regular Meeting
Item #9c
Comm. Develop.

BLM OHV Grant
Review and
Comments

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BUREAU OF LAND MANAGEMENT

FOR OFFICE USE ONLY:	Version # _____	APP # _____
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A. Statement of Planning Objectives

The project would study the feasibility of the construction of a road(s) to access public land and the existing roads and opportunities within those lands. The public land is currently inaccessible or landlocked because private land owners in the area have gated and locked the roads that pass through their private property. Currently, the only motorized access to the BLM and Forest Service land is through the private property. Since the private land owners have denied entry across their land that leaves the public with no direct access to public land opportunities.

The feasibility study will be accomplished by field trips to the area by BLM biophysical staff wildlife biologist, botanist, archaeologist, natural resource specialist, BLM recreation staff outdoor recreation planner and reality specialist. The biophysical staff will summarize their findings to the planner and the planner will conduct public meetings and compile data and complete the feasibility study report.

B. Relation of Proposed Project to OHV Recreation

As explained in the project description, there is no legal OHV access to approximately 14,000 acres and about 20 miles of primitive OHV routes. The project seeks to re-open the opportunities. This will add to and enhance OHV opportunities in the area. Additionally, unauthorized route creation is taking place in the project area as members of the public seek to access the area. Unauthorized routes are not sustainable and can damage natural and cultural resources. By implementing the project OHV opportunities are added to and enhanced while protecting natural and cultural resources.

C. Statement of Activities

The grant will fund an evaluation and analysis of the proposed project. The study would be based on extensive investigation and research to support the process of decision making.

The project would be studying the effect of OHV recreation on special-status species, cultural resources, soil erosion and sedimentation, conflicts with other recreational activities in the area and conflicts between local land owners and OHV activity.

D. List of Reports

A final feasibility report will be produced and submitted to the Division. The report will provide details of the study and the conclusion that is drawn from the analysis. This will be a pre-decisional document to determine whether or not the project would be successful.

E. District and County Information

A. California State Senate Districts

Select one or more of the California State Senate Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Senate district(s). (Please select applicable values)

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|------------------------------------------|------------------------------------------|-----------------------------------------------------|------------------------------------------|------------------------------------------|
| <input type="checkbox"/> State Senate 01 | <input type="checkbox"/> State Senate 02 | <input type="checkbox"/> State Senate 03 | <input type="checkbox"/> State Senate 04 | <input type="checkbox"/> State Senate 05 |
| <input type="checkbox"/> State Senate 06 | <input type="checkbox"/> State Senate 07 | <input type="checkbox"/> State Senate 08 | <input type="checkbox"/> State Senate 09 | <input type="checkbox"/> State Senate 10 |
| <input type="checkbox"/> State Senate 11 | <input type="checkbox"/> State Senate 12 | <input type="checkbox"/> State Senate 13 | <input type="checkbox"/> State Senate 14 | <input type="checkbox"/> State Senate 15 |
| <input type="checkbox"/> State Senate 16 | <input type="checkbox"/> State Senate 17 | <input checked="" type="checkbox"/> State Senate 18 | <input type="checkbox"/> State Senate 19 | <input type="checkbox"/> State Senate 20 |
| <input type="checkbox"/> State Senate 21 | <input type="checkbox"/> State Senate 22 | <input type="checkbox"/> State Senate 23 | <input type="checkbox"/> State Senate 24 | <input type="checkbox"/> State Senate 25 |
| <input type="checkbox"/> State Senate 26 | <input type="checkbox"/> State Senate 27 | <input type="checkbox"/> State Senate 28 | <input type="checkbox"/> State Senate 29 | <input type="checkbox"/> State Senate 30 |
| <input type="checkbox"/> State Senate 31 | <input type="checkbox"/> State Senate 32 | <input type="checkbox"/> State Senate 33 | <input type="checkbox"/> State Senate 34 | <input type="checkbox"/> State Senate 35 |

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- State Senate 36 State Senate 37 State Senate 38 State Senate 39 State Senate 40

B. California State Assembly Districts

Select one or more of the California State Assembly Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Assembly district(s). (Please select applicable values)

- State Assembly 01 State Assembly 02 State Assembly 03 State Assembly 04 State Assembly 05
 State Assembly 06 State Assembly 07 State Assembly 08 State Assembly 09 State Assembly 10
 State Assembly 11 State Assembly 12 State Assembly 13 State Assembly 14 State Assembly 15
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 State Assembly 76 State Assembly 77 State Assembly 78 State Assembly 79 State Assembly 80

C. California Congressional Districts

Select one or more of the California Congressional Districts where the proposed project activities will occur. Copy and Paste the URL (<https://www.govtrack.us/congress/members/CA>) in your browser to determine the Congressional district(s). (Please select applicable values)

- Congressional District 1 Congressional District 2 Congressional District 3 Congressional District 4
 Congressional District 5 Congressional District 6 Congressional District 7 Congressional District 8
 Congressional District 9 Congressional District 10 Congressional District 11 Congressional District 12
 Congressional District 13 Congressional District 14 Congressional District 15 Congressional District 16
 Congressional District 17 Congressional District 18 Congressional District 19 Congressional District 20
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 Congressional District 41 Congressional District 42 Congressional District 43 Congressional District 44
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Congressional District
53

D. County

Select one or more of the California Counties where the proposed project activities will occur. (Please select applicable values)

- | | | | | | |
|---------------------------------------|------------------------------------------|--------------------------------------|------------------------------------------|-------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Alameda | <input type="checkbox"/> Alpine | <input type="checkbox"/> Amador | <input type="checkbox"/> Butte | <input type="checkbox"/> Calaveras | <input type="checkbox"/> Colusa |
| <input type="checkbox"/> Contra Costa | <input type="checkbox"/> Del Norte | <input type="checkbox"/> El Dorado | <input type="checkbox"/> Fresno | <input type="checkbox"/> Glenn | <input type="checkbox"/> Humboldt |
| <input type="checkbox"/> Imperial | <input type="checkbox"/> Inyo | <input type="checkbox"/> Kern | <input type="checkbox"/> Kings | <input type="checkbox"/> Lake | <input type="checkbox"/> Lassen |
| <input type="checkbox"/> Los Angeles | <input type="checkbox"/> Madera | <input type="checkbox"/> Marin | <input type="checkbox"/> Mariposa | <input type="checkbox"/> Mendocino | <input type="checkbox"/> Merced |
| <input type="checkbox"/> Modoc | <input checked="" type="checkbox"/> Mono | <input type="checkbox"/> Monterey | <input type="checkbox"/> Napa | <input type="checkbox"/> Nevada | <input type="checkbox"/> Orange |
| <input type="checkbox"/> Placer | <input type="checkbox"/> Plumas | <input type="checkbox"/> Riverside | <input type="checkbox"/> Sacramento | <input type="checkbox"/> San Benito | <input type="checkbox"/> San Bernardino |
| <input type="checkbox"/> San Diego | <input type="checkbox"/> San Francisco | <input type="checkbox"/> San Joaquin | <input type="checkbox"/> San Luis Obispo | <input type="checkbox"/> San Mateo | <input type="checkbox"/> Santa Barbara |
| <input type="checkbox"/> Santa Clara | <input type="checkbox"/> Santa Cruz | <input type="checkbox"/> Shasta | <input type="checkbox"/> Sierra | <input type="checkbox"/> Siskiyou | <input type="checkbox"/> Solano |
| <input type="checkbox"/> Sonoma | <input type="checkbox"/> Stanislaus | <input type="checkbox"/> Sutter | <input type="checkbox"/> Tehama | <input type="checkbox"/> Trinity | <input type="checkbox"/> Tulare |
| <input type="checkbox"/> Tuolumne | <input type="checkbox"/> Ventura | <input type="checkbox"/> Yolo | <input type="checkbox"/> Yuba | | |

PUBLIC REVIEW AND COMMENT INSTRUCTIONS

The Grants and Cooperative Agreements Program allows for a thirty (30) day public review and comment period. This period provides an opportunity for the public to review the preliminary applications and provide comments to the Off-Highway Motor Vehicle Recreation (OHMVR) Division for consideration during the current grant cycle.

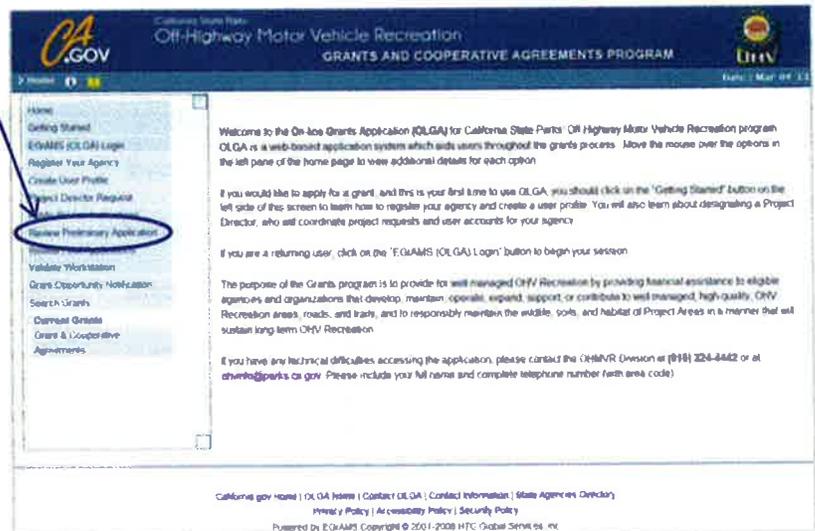
The public comment period begins the first Tuesday following the first Monday in March through the first Monday in April.

Public comments shall be submitted to **both** the Applicant as well as the OHMVR Division by e-mailing the contact person listed on the preliminary application **and** carbon copying (cc) the OHMVR Division at ohvinfo@parks.ca.gov. *NOTE: The contact person may be found in their notice to the public or in the 'General Application Requirements' under items 3. Contact, Project Administrator.*

The OHMVR Division's On-Line Grant Application (OLGA) database allows the public to view preliminary applications in a centralized location. The following directions will allow you to view all the preliminary applications in a PDF format.

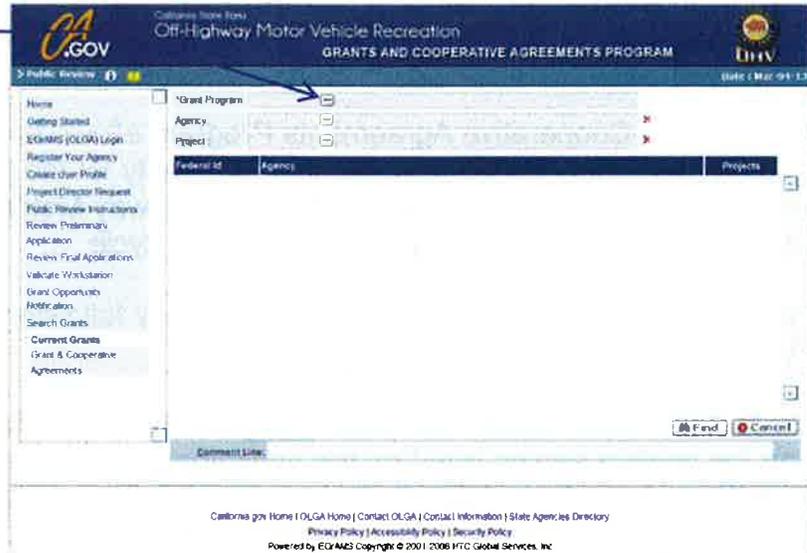
Step 1 – From the OLGA 'Home' page, click "Review Preliminary Application."

This action will display the screen in Step 2.



Step 2 – Click the  'Show Lookup' button for the 'Grant Program' field.

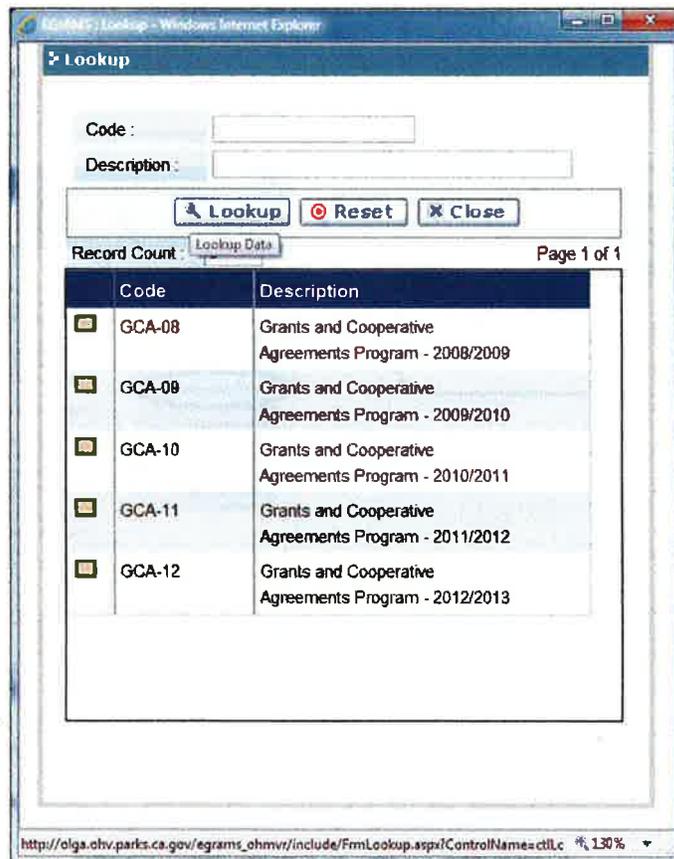
This action will display the screen in Step 3.



The screenshot shows the OLGA website interface. At the top, it says "California Home Portal" and "Off-Highway Motor Vehicle Recreation GRANTS AND COOPERATIVE AGREEMENTS PROGRAM". On the left is a navigation menu with options like "Home", "Getting Started", "EGRAMS (OLGA) Login", etc. The main content area has a "Grant Program" field with a dropdown arrow. An arrow points to this dropdown arrow. Below it are "Agency" and "Project" fields. At the bottom, there are "Find" and "Control" buttons.

Step 3 – Click the box next to the current "GCA" to select the preliminary applications for the current grant cycle.

This action will display the screen in Step 4.



The screenshot shows a "Lookup" dialog box with search fields for "Code" and "Description". Below the fields are "Lookup", "Reset", and "Close" buttons. A "Record Count" field shows "1" and "Page 1 of 1". A table lists the following data:

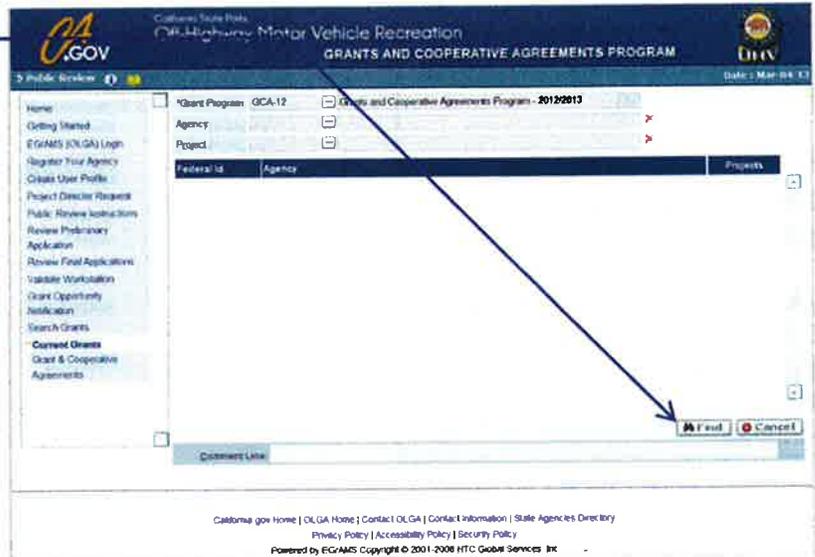
Code	Description
<input checked="" type="checkbox"/> GCA-08	Grants and Cooperative Agreements Program - 2008/2009
<input type="checkbox"/> GCA-09	Grants and Cooperative Agreements Program - 2009/2010
<input type="checkbox"/> GCA-10	Grants and Cooperative Agreements Program - 2010/2011
<input type="checkbox"/> GCA-11	Grants and Cooperative Agreements Program - 2011/2012
<input type="checkbox"/> GCA-12	Grants and Cooperative Agreements Program - 2012/2013

The URL at the bottom is http://olga.ohv.parks.ca.gov/egrans_ohmvr/include/FrmLookup.aspx?ControlName=ctl.c and the zoom level is 130%.

Step 4 – Click the “Find” button at the bottom of the screen.

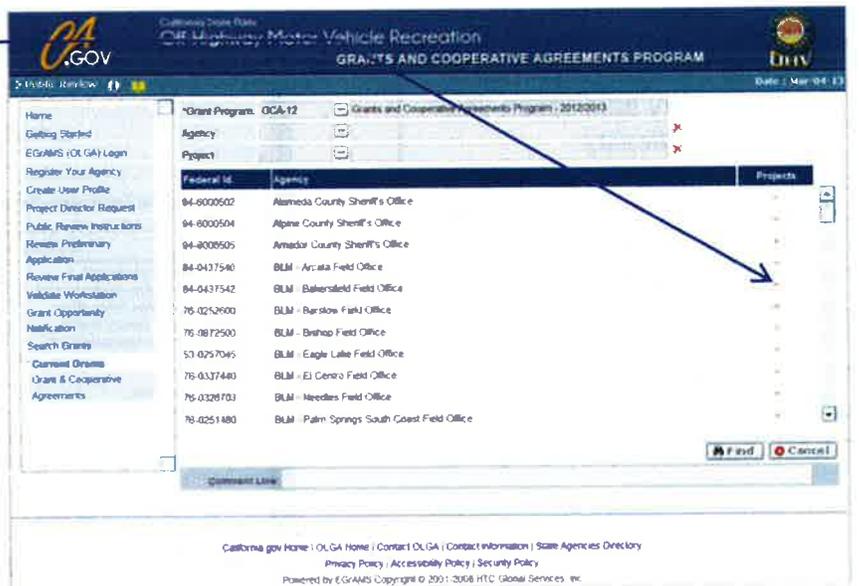
This action will display all the preliminary applications submitted to the OHMVR Division for the preliminary phase of the application process.

This will display the screen in Step 5.



Step 5 – To access the agency’s application you wish to review, click the “+” sign under the ‘Projects’ column.

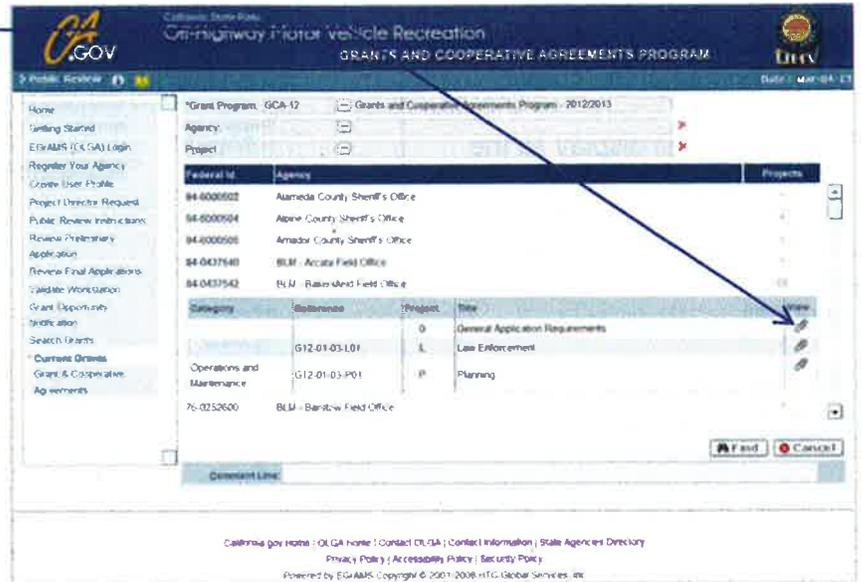
This will display the screen in Step 6.



Step 6 – Click the “paper clip” icon to view each section/project of the application.

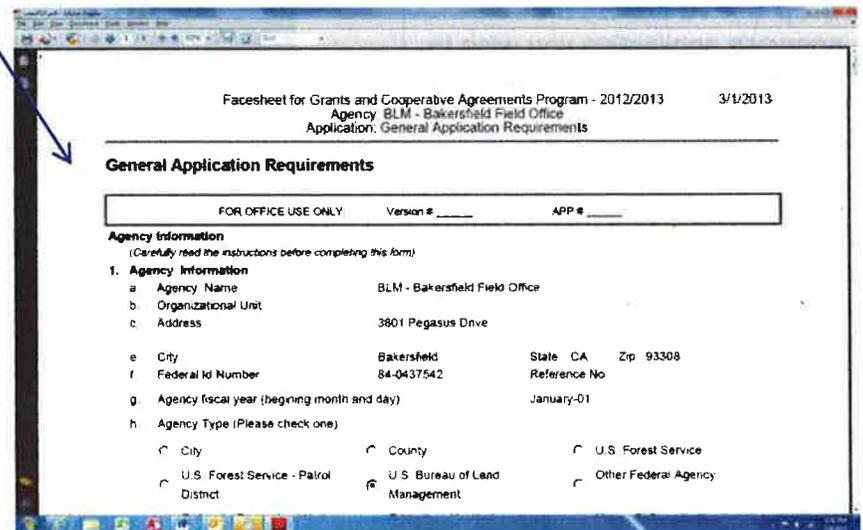
This action will display the screen below (a PDF of the application).

Note: The contact person may be found in the ‘General Application Requirements’ section, under item #3, Contacts.



A PDF of the section/project of the preliminary application you selected will display.

Note: To view other sections/projects of the preliminary application or other agency applications, close the PDF file. OLGA will take you back to the screen in Step 5. Repeat Steps 5 and 6.





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Grants & Cooperative Agreements Program

Grants and Cooperative Agreements Program Overview

The Grants and Cooperative Agreements Program (Grants Program) provides for well managed off-highway vehicle recreation in the State of California by providing financial assistance to cities, counties, districts, federal agencies, state agencies, educational institutions, federally recognized Native American Tribes, and nonprofit entities.

The Grants Program supports the planning, acquisition, development, maintenance, administration, operation, enforcement, restoration, and conservation of trails, trailheads, areas, and other facilities associated with the use of off-highway motor vehicles, and programs involving off-highway motor vehicle safety or education.

2013/2014 Grants Program Preliminary Applications

The public review and comment period for the 2013/14 Grants and Cooperative Agreements Program begins Tuesday, March 4, 2014, and ends Monday, April 7, 2014. This period provides an opportunity for the public to review and provide comments to the preliminary applications submitted to the Off-Highway Motor Vehicle Recreation (OHMVR) Division for consideration during the 2013/14 grant cycle. Public comments should be submitted to both the applicant and the OHMVR Division by emailing the contact person listed on the preliminary application and copying the OHMVR Division at ohvinfo@parks.ca.gov. [View Public Comments](#).

The Division's On-Line Grants Application (OLGA) database allows the public to view preliminary applications in a centralized location. [Download the instructions on accessing the preliminary applications](#).

Preliminary applications may be reviewed in [OLGA web page](#), beginning Tuesday, March 4, 2014. [3/4/14]

2013/2014 Grant Cycle Important Dates

January 13-17	Grant Program Workshops
Monday, January 13	Grant application process begins. Application materials are available on the website
Monday, March 3	Preliminary applications are due
Tuesday, March 4 to Monday, April 7	Public review and comment period
Monday, May 5	Final applications are due
May	OHMVR Division review of final applications
Monday, June 2	Application Results - Intent to Award posted on the website
Tuesday, June 3 to Tuesday, July 2	Thirty (30) calendar day appeal period
Wednesday, July 3	Final Awards posted on the website upon resolution of any appeals

Related Pages

- [Apply for Grants](#)
- [Grant Allocations](#)
- [2013/2014 Public Comments to Preliminary Applications](#)
- [Regulations](#)
- [Grant Payment Forms](#)
- [Recreational Trails Program \(RTP\)](#)

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Motorized Grant Administrator
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April 1, 2014
Regular Meeting
Item #9d

Community Develop.
RPAC Workshop

AV RPAC Initiatives

Antelope Valley Area Plan Amendment (approved by BOS)

Objective A

Policy 5: Encourage the use of alternative energy and communications innovations.

Action 5.1: Mobile or satellite-based communication sources may be substituted for conventional land-based sources in satisfying land development conditions.

Parcels that will not have conventional land-based sources extended to the property shall have that information prominently noticed on the map.

All conventional communication lines subsequently installed shall be underground.

Action 5.2: Alternative energy (e.g., solar, wind, water, etc.) systems may be substituted for conventional power in satisfying land development conditions.

Parcels that will not have conventional power lines extended to the property shall have that information prominently noticed on the map.

Action 5.3: Proposed parcels that have existing street frontage with existing power lines along either side of that street frontage shall not be conditioned with bringing conventional power across the street or onto the property.

Antelope Valley Area Plan Amendment (pending - approved by AV RPAC 12/2013)

1. OBJECTIVE D

Maintain and enhance the local economy.

Policy 1: Incubate home businesses:

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

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

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

Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.¹

B. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.

C. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.

D. Materials used for the business may be stored in the open, but not within the building setback limitations.

E. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.

F. County health and safety ordinances apply.

2. Antelope Valley Area Plan Amendment (pending - approved by AV RPAC 12/2013)

Objective C

Policy 3: Encourage Trail Easements in the Antelope Valley under the conditions that no coercive methods shall weigh upon project applicants to dedicate trail easements and that eminent domain will not be used to obtain trail easements. "Combined" enjoyment among users such as hikers, bicyclists, off-road vehicles, equestrians and runners shall be encouraged where practical.

¹ Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

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

Black Sky Ordinance.

This light pollution proposal was not an AV RPAC initiative, and arguments by the RPAC representing the community convinced the BOS that Antelope Valley should be exempted from it.

The central argument coming from N. County was that in rural areas, neighbors should keep disputes of such things between themselves – without government involvement.

Mountain Gate Park.

Without the AV RPAC's steady and sustained involvement, this regional attraction to the area would never have come about. AV PRAC members have been the volunteer sinew that has contributed matching hours in the form of cleanup, professional mapping and construction layout, informed design collaboration and stewardship to the formulating ideas and evolution of the project.