



# CITY OF BISHOP

## CITY COUNCIL MEETING AGENDA

City Council Chambers - 301 West Line Street - Bishop, California

### NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the City Clerk at 760-873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 13.102-35.104 ADA Title II)

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California during normal business hours. Government Code § 54957.5(b)(1). Copies will also be provided at the appropriate meeting.

Members of the public desiring to speak on a matter appearing on the agenda should ask the Mayor for the opportunity to be heard when the item comes up for Council consideration. NOTE: Comments for all agenda items are limited to a speaking time of three minutes.

**MONDAY, AUGUST 22, 2011**  
**7:00 P.M.**

### INVOCATION

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**PUBLIC COMMENT – NOTICE TO THE PUBLIC:** This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Mayor, please state your name and address for the record and please limit your comments to three minutes. Under California law the City Council is prohibited from generally discussing or taking action on items not included in the agenda; however, the City Council may briefly respond to comments or questions from members of the public. Therefore, the City Council will listen to all public comment but will not generally discuss the matter or take action on it.

### DEPARTMENT HEAD REPORTS

(1) Updates on department activities will be given by the Department Heads

- A. Fire Chief Ray Seguine
- B. Police Chief Chris Carter
- C. Public Works Director/City Engineer Dave Grah
- D. Acting City Administrator/Community Services Director Keith Caldwell

**CONSENT CALENDAR – NOTICE TO THE PUBLIC:** All matters under the Consent Calendar are considered routine by the City and will be acted on by one motion.

(2)

#### APPROVAL/FILING

Reports

- (a) Council Study Session – 7/25/11
- (b) Council Regular Meeting – 7/25/11
- (c) Special Joint Meeting – Council/Planning Commission 7/26/11
- (d) Council Study Session – 8/8/11
- (e) Personnel Status Change Report

#### INFORMATION/FILING

Reports

- (f) Public Works Report – 7/11
- (g) Public Works Building Permits Report – 7/11

**NEW BUSINESS**

- (3) Consideration to authorize the closure of a portion of Church Street near City Hall from September 9 – Mid-November for the Farmers Market – Public Works Department.
- (4) Consideration to approve an increase of the authorized expenditure through the contract with Qualcon for Road Improvement Project A – Public Works Department.
- (5) Consideration to approve an Environmental Addendum for the Wye Storm Drain Project – Public Works Department.
- (6) Consideration to advertise the Wye Road Storm Drain Project for bids – Public Works Department.
- (7) Consideration for setting a date in October for a mini-retreat as follow up to Council/Staff Retreat held in June – Administration.
- (8) Report on California Supreme Court stay order relating to AB 1X 26 and AB 1X 27 and possible authorization for Enforceable Obligation Payment Schedule pursuant to Health & Safety Code § 34169(g) and § 34167(h) and the effect on the Bishop Redevelopment Agency – City Attorney.

**RECESS COUNCIL MEETING TO CONVENE AS THE BISHOP REDEVELOPMENT**

*See separate agenda for Redevelopment Agency*

**COUNCIL REPORTS**

**ADJOURNMENT**

Monday, September 12, 2011 – 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers  
Monday, September 26, 2011 – 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers  
Tuesday, October 11, 2011 - 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers  
Monday, October 24, 2011 - 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers



# CITY OF BISHOP

## STUDY SESSION AGENDA

Council Chambers - 301 West Line Street - Bishop, California

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**MONDAY, AUGUST 22, 2011**

**4:00 p.m.**

### CALL TO ORDER

### ROLL CALL

PUBLIC COMMENT - NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Mayor, please state your name and address for the record and please limit your comments to three minutes. Under California law the City Council is prohibited from generally discussing or taking action on items not included in the agenda; however, the City Council may briefly respond to comments or questions from members of the public. Therefore, the City Council will listen to all public comment but will not generally discuss the matter or take action on it.

### SCHEDULED DISCUSSION

1. Review October dates for Council/Staff Mini-Retreat
2. Current 7:00 p.m. agenda items
3. Future agenda items

### DEPARTMENT HEAD REPORTS

1. Fire Chief Ray Seguire
2. Police Chief Chris Carter
3. Public Works Director/City Engineer Dave Grah
4. Acting City Administrator / Community Services Director Keith Caldwell

### DISCUSSION

1. Councilmember Jim Ellis
2. Councilmember Susan Cullen
3. Councilmember Jeff Griffiths
4. Mayor Pro Tem Dave Stottlemyre
5. Mayor Laura Smith

**CLOSED SESSIONS**

1. PERSONNEL – Pursuant to Government Code §54957 - Public Employee Performance Evaluation. Title: Acting City Administrator.
2. PERSONNEL – Pursuant to Government Code §54957 – Public Employee Appointment – City Administrator.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION IF REQUIRED**

**ADJOURNMENT** – To City Council meeting scheduled at 7:00 p.m. in the City Council Chambers.

# **AGENDA PLANNING FOR UPCOMING MEETINGS**

## **SEPT 12, 2011 MEETINGS – MEMOS DUE: Tues Sept 6 10 am**

### **4:00 PM**

- Discussion on pros and cons for consolidating the City's General Municipal Election with an Inyo County election. (Kammi Foote, Inyo County Clerk/Recorder and Peter Tracy, City Attorney) TENTATIVE
- Expiring Term on Parks and Recreation Commission – Staff Report

### **7:00 PM**

- MOU with Calfire Owens Valley Conservation Camp

## **SEPT 26, 2011 MEETINGS – MEMOS DUE: Tues Sept 20 10 am**

### **4:00 PM**

### **7:00 PM**

- Presentation of Preliminary Budget – FY 2012-2013

## **OCT 11, 2011 MEETINGS – MEMOS DUE: Tues Oct 4 10 am**

### **4:00 PM**

- Appointment of Parks and Recreation Commissioner (expiring term) alternative date 10/24
- 

### **7:00 PM**

- RESOLUTION APPROVING APPLICATION FOR SUSTAINABLE COMMUNITIES PLANNING GRANT
- Quarterly Citizen Award
- Update Eastern Sierra Energy Conservation - Rick Phelps

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ASSISTANT CITY ADMINISTRATOR/COMMUNITY SERVICES DIRECTOR *KJC*

**SUBJECT: DEPARTMENT HEAD UPDATES**

DATE: AUGUST 22, 2011

Attachments:

BACKGROUND/SUMMARY:

The department heads from Fire, Police, Public Works and Community Services and Administration will provide updates on various departmental activities, current and on-going projects.

RECOMMENDATION:

Hear the reports.

CITY OF BISHOP  
CITY COUNCIL STUDY SESSION MINUTES  
July 25, 2011

<b>CALL TO ORDER</b>	Mayor Smith called the meeting to order at 4:02 p.m. in the City Council Chambers at 301 West Line Street, Bishop, California.
<b>COUNCIL PRESENT</b>	Council Members Jim Ellis, Susan Cullen, Jeff Griffiths, Mayor Pro Tem David Stottlemyre Mayor Laura Smith
<b>COUNCIL ABSENT</b>	None
<b>OTHERS PRESENT</b>	James Southworth, City Administrator Denise Gillespie, Assistant City Clerk Keith Caldwell, Assistant City Administrator/ Community Services Director Pat O'Neil, Assistant Fire Chief Chris Carter, Police Chief David Grah, Public Works Director/City Engineer
<b>PUBLIC COMMENT</b>	The Mayor announced the public comment period. No public comment was provided.
<b>SCHEDULED DISCUSSION</b>	Discussion was held on current 7:00 p.m. agenda items as well as future agenda items.
<b>DEPARTMENT HEAD REPORTS</b>	Reports from Community Services, Fire, Police, Public Works and Administration were given on the departments' activities including upcoming and ongoing projects.
<b>COUNCIL DISCUSSION</b>	Council Members gave committee reports, community announcements and/or made comments or inquiries to staff. No action was taken.
<b>RECESS/CONVENE IN CLOSED SESSION</b>	At 4:50 p.m. the Mayor recessed the Council meeting to convene in closed session to conduct further performance evaluation – Title: City Administrator.
<b>RECONVENE/ ANNOUNCEMENT</b>	At 5:45 p.m. the Council reconvened to open session with all five Council Members present. The Mayor announced that no action was taken during closed session.

**ADJOURNMENT**

The Mayor adjourned the meeting at 5:45 p.m. to the regular City Council meeting scheduled at 7:00 p.m.

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**LAURA SMITH, MAYOR**

**ATTEST: James M. Southworth, City Clerk**

By: \_\_\_\_\_  
**Denise Gillespie, Assistant City Clerk**

(b)

CITY OF BISHOP  
CITY COUNCIL MINUTES  
JULY 25, 2011

- CALL TO ORDER Mayor Smith called the meeting of the Bishop City Council to order at 7:02 p.m. in the City Council Chambers, 301 West Line Street, Bishop, California.
- INVOCATION The invocation was given by Pastor Rusty McKinley of the Calvary Baptist Church followed by the Pledge of Allegiance led by Councilmember Griffiths.
- COUNCIL PRESENT Councilmembers Jim Ellis, Susan Cullen, Jeff Griffiths  
Mayor Pro Tem Dave Stottlemyre  
Mayor Laura Smith
- COUNCIL ABSENT None
- OTHERS PRESENT James Southworth, City Administrator  
Denise Gillespie, Assistant City Clerk  
Peter Tracy, City Attorney  
Keith Caldwell, Assistant City Administrator/  
Community Services Director  
Pat O'Neil, Assistant Fire Chief  
Chris Carter, Police Chief  
David Grah, Public Works Director/City Engineer  
Gary Schley, Public Services Officer
- PUBLIC COMMENT The Mayor announced the public comment period. Rick Phelps of the High Sierra Energy Foundation delivered the banner for agencies that are members of the Eastern Sierra Energy Initiative.
- DEPARTMENT HEAD REPORTS Reports from Community Services, Fire, Police, Public Works and Administration were given on the departments' activities including upcoming and ongoing projects.
  - (1)
- CONSENT CALENDAR A motion was made by Councilmember Cullen and passed unanimously to approve the Consent Calendar as presented:
  - (2)
- Motion/Cullen
  - FOR APPROVAL AND FILING
    - (a) Study Session Minutes – 7/11/11
    - (b) Council Meeting Minutes – 7/11/11
    - (c) Personnel Status Change Report
    - (d) Surplus Property Request (Bicycles) – BPD#036-11  
Surplus Property Request – BPD#037-11
  - INFORMATION AND FILING
    - (e) Planning Commission Special Meeting Agenda – 7/26/11
    - (f) Police Department Patrol Statistics 6/1/10 - 7/15/10  
Police Department Patrol Statistics 6/1/11 – 7/15/11
    - (g) Public Works Report – 6/11

PUBLIC HEARING

ORDINANCE NO. 536  
Flood Damage Prevention  
(3)

The Mayor opened a public hearing to receive and consider citizen input on the draft ordinance that will implement floodplain management measures.

The City Administrator commented on the variance procedures under Item 28 of the ordinance.

The City Attorney reported that the adoption of an ordinance for floodplain management measures is mandated for both the federal and state governments. Having the ordinance gives residents the ability to purchase flood insurance. Tracy stated the City adopted a similar ordinance in 1985 with modifications made in 1987. There were minimal changes made to the new ordinance model by the Federal Emergency Management Agency (FEMA) and approved by the California Department of Water Resources and presented to the City Council for consideration.

The Public Works Director/City Engineer reported 25 private properties on the south fork of Bishop Creek are affected minimally by changes to the flood maps.

No public comment was provided.

Motion/Griffiths

On a motion by Councilmember Griffiths the Council voted 5-0 to close the public hearing.

NEW BUSINESS

ORDINANCE NO. 536  
FLOOD DAMAGE  
PREVENTION  
INTRODUCTION  
(4)  
Motion/Griffiths

On a motion by Councilmember Griffiths, the Council voted 5-0 to approve the introduction of Ordinance No. 536 by title only and authorized the City Clerk to prepare a summary of the ordinance for publication pursuant to Government Code 36933(c), "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, REPEALING BISHOP MUNICIPAL CODE CHAPTER 15.20 ENTITLED 'FLOOD DAMAGE PREVENTION' AND ORDINANCE NOS. 432 AND 450, AND ADDING A NEW CHAPTER 15.20 ENTITLED 'FLOOD DAMAGE PREVENTION' IN ITS ENTIRETY".

Ordinance No. 536 is scheduled for adoption at the August 8, 2011 meeting.

2010-2011 INYO COUNTY  
GRAND JURY REPORT  
City Responses Approved  
(5)  
Motion/Stottlemire

On a motion by Mayor Pro Tem Stottlemire, the Council voted 5-0 to approve the City's responses to the 2010-2011 Inyo County Grand Jury Report as presented without modifications.

It was noted that the staff at the Police Department had been commended by the City Administrator for continuing to maintain the facility in a clean and organized manner.

SURPLUS OF 1978 JEEP  
Approved – Community  
Services Department  
(6)  
Motion/Ellis

On a motion by Councilmember Ellis, the Council voted 5-0 to approve the surplus of the 1978 Jeep, VIN DJ5F8173505, and authorized its disposal in the best interest of the City.

WASTE WATER  
TREATMENT PLANT  
HEADWORKS PROJECT  
Work Order 2  
(7)  
Motion/Griffiths

On a motion by Councilmember Griffiths, the Council voted 5-0 to approve Work Order 2 for the Waste Water Treatment Plant Headworks Improvement Project with the Frost Company in a not-to-exceed amount of \$9,000.00 for this work order and \$19,000.00 for the total contract.

LEAGUE CONFERENCE  
VOTING DELEGATE  
Appointments  
(8)  
Motion/Stottlemyre

On a motion by Mayor Pro Tem Stottlemyre, the Council voted 5-0 to appoint Mayor Laura Smith as the voting delegate and Councilmember Jeff Griffiths as the alternate for the League of California Cities Annual Business Meeting in San Francisco in September during the Annual Conference.

COUNCIL REPORTS

Council Members announced upcoming community events. No action was taken.

ADJOURNMENT

The Mayor adjourned the meeting at 7:50 p.m. to the Study Session scheduled for Monday, August 8, 2011 at 4:00 p.m. in the City Council Chambers.

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LAURA SMITH, MAYOR

Attest: James Southworth, City Clerk

By: \_\_\_\_\_  
Denise Gillespie, Assistant City Clerk

(c)

CITY OF BISHOP  
CITY COUNCIL MINUTES  
SPECIAL JOINT COUNCIL/PLANNING COMMISSION MEETING  
July 26, 2011

CALL TO ORDER Mayor Smith called the meeting of the Bishop City Council to order at 5:00 p.m. in the Executive Conference Room located at 377 West Line Street, Bishop, California.

COUNCIL PRESENT Councilmembers Jim Ellis, Susan Cullen, Jeff Griffiths  
Mayor Pro Tem Dave Stottlemyre  
Mayor Laura Smith

PLANNING Robert Lowthorp, Member  
COMMISSIONERS Tom Hardy, Member  
PRESENT Ted Gardner, Member  
Darren Malloy, Member

OTHERS PRESENT James Southworth, City Administrator  
Denise Gillespie, Assistant City Clerk  
Peter Tracy, City Attorney  
Keith Caldwell, Assistant City Administrator/  
Community Services Director  
David Grah, Public Works Director/City Engineer  
Gary Schley, Public Services Officer  
Michele Thomas, Public Works Secretary

PUBLIC COMMENT The Mayor announced the public comment period. No public comment was provided.

DISCUSSION

1. Draft Mobility Element Update to the General Plan The City Administrator stated the purpose of this meeting is to brief both the Council and Planning Commission on the Draft Mobility Element and supporting reports and to provide an opportunity for questions and receive feedback to staff and the consultants. Similar presentations have been given to the Paiute Tribal Council and the Inyo County Board of Supervisors. More presentations will be scheduled for other stakeholders.

Bauer Environmental Consulting, Inc. representatives gave a slide show presentation of the Mobility Element (ME) which is one of the required elements of the General Plan. The purpose of the ME is to define how the City will serve the transportation needs of its residents, businesses and visitors while enhancing its environmental, economic and natural resources. This study is funded by the Local Transportation Commission.

The contents of the element reviewed by those attending included: Purpose and Scope; Mobility Element Transportation

Report; Roadway Component; Opportunity Areas; Other Transportation Modes; Goals, Policies and Implementing Actions.

Included in discussion under the Draft Transportation Report was the concept of a Truck Route east of Bishop to be used by large trucks which would make Main Street more pedestrian-friendly. It was reported that the funding, location, responsibility, and implementation of this concept were concerns expressed by both the Tribal Council and County Supervisors.

Comments from the public included:

Chuck Kilpatrick felt public education would be an important element in making any changes. Relating to the truck route concept he encouraged the addition of a truck stop with access to services in town.

Tawni Thomson, Executive Director for the Chamber of Commerce, stated that speeding on Main Street, especially the big trucks, is perceived by pedestrians and businesses. She suggested that any information available on Main Street speeding statistics should be included in the study. Thomson also encouraged meetings to receive input from Main Street business owners.

Nel Hecht suggested making West Line from Main Street to Home more bike and pedestrian friendly by removing some of the parking.

Another suggestion offered by Jeremy Plum was to provide an underpass for bicycles and pedestrians where the truck route would cross East Line Street.

John Helm, Executive Director for the Eastern Sierra Transit Authority, commented on the difficulties/inability for transit buses to pick up and deliver to Main Street locations and requested that considerations be made for transit in planning.

Attendees were encouraged to make comments and notations on printed materials posted on the walls.

#### RECESS/RECONVENE

At 6:50 p.m. the meeting was recessed for a break and reconvened at 7:04 p.m. with all five Council Members and the four Planning Commissioners in attendance.

#### 2. Update on General Plan Housing Element Compliance

Sandra Bauer gave an update on the state mandated requirements written into the 2009 Housing Element Update to the City's General Plan. The remaining compliance obligations are: 1) designating zoning for group housing (for 6 or more people); 2) working with developers to facilitate ways to help people with disabilities; and 3) the City's commitment to look at mixed

use/higher density housing if the City is not able to obtain LADWP land as anticipated. The consultants will be meeting with the City in the future to present ideas.

3. Sign Ordinance Review Councilmember Griffiths questioned if guidelines are needed to help the Planning Commission decide on when to grant a conditional use permit for signage. It was determined that without having a code enforcement officer, the City would not be able to provide tighter code enforcement. Therefore, the consensus that the procedure for granting conditional use permits for signs would remain the same.
4. Parking Regulations Review Discussion was held on general parking issues including improving ways to direct the traveling public to city parking lots; mobility versus parking needs; business requests for timed parking; and requests for on-site parking variances.
5. Term Limits for City Commissioners Discussion on the appointment of new applicants to commission positions versus incumbent reappointments was held. It was determined that decisions should be based on which candidate is the most qualified for appointment. It was also determined that the interview committee should consider the past attendance record of the incumbent and the availability and willingness of a new candidate to make the commitment to attend regular and special meetings.

#### ADJOURNMENT

The Mayor adjourned the meeting at 7:52 p.m. to the Study Session scheduled for Monday, August 8, 2011 at 4:00 p.m. in the City Council Chambers.

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LAURA SMITH, MAYOR

Attest: James Southworth, City Clerk

By: \_\_\_\_\_  
Denise Gillespie, Assistant City Clerk

(d)

CITY OF BISHOP  
CITY COUNCIL STUDY SESSION MINUTES  
AUGUST 8, 2011

<b>CALL TO ORDER</b>	Mayor Smith called the meeting to order at 4:02 p.m. in the City Council Chambers at 301 West Line Street, Bishop, California.
<b>COUNCIL PRESENT</b>	Council Members Jim Ellis, Susan Cullen, Jeff Griffiths, Mayor Pro Tem David Stottlemire Mayor Laura Smith
<b>COUNCIL ABSENT</b>	None
<b>OTHERS PRESENT</b>	Keith Caldwell, Assistant City Administrator/ Community Services Director Denise Gillespie, Assistant City Clerk Cheryl Solesbee, Accounting Secretary/Budget Manager Ray Seguine, Fire Chief Chris Carter, Police Chief David Grah, Public Works Director/City Engineer
<b>PUBLIC COMMENT</b>	The Mayor announced the public comment period. The Public Works Director introduced Gary Milici, recently hired as Public Works Maintenance Worker.
<b>SCHEDULED DISCUSSION</b>	Discussion was held on the following Study Session agenda items:
State Elimination of Redevelopment Agencies AB 1X 26 / AB 2X 27	The City Attorney reviewed the new laws passed by the state legislature eliminating cities redevelopment agencies in order to collect cities revenues to help balance the state budget. Tracy stated the City of Bishop is one of a small number of cities that has a non-tax increment status and is not required to send any redevelopment monies to the state. If the City does nothing, the Redevelopment Agency will be gone. If the City wishes to retain its Redevelopment Agency the Council will need to adopt an ordinance allowing the continuation of the RDA to use as a "pass through" agency for potential future development double escrows. Tracy recommended the Council consider the ordinance with a first reading to be introduced at the next regular meeting.  Many cities have entered into legal action against the State claiming AB1X 26 and AB 1X 27 unconstitutional.
Farmers Market Change of Location to Area behind City Hall	Brad Henderson, representing the Eastern Sierra Farmers Market, reported that the function has outgrown the Academy Street location and has completed the Facilities Use Application for the event to be moved to the shady area behind City Hall

starting Friday, August 12<sup>th</sup>. No encroachment permit to allow the closure of Church Street was requested at this time but is anticipated. There was discussion on ways to ensure the safety of the public and emergency responders because of the close proximity to the Fire Station No. 1, the Inyo County Sheriff's Department Substation and Bishop Police Department.

**DEPARTMENT HEAD  
REPORTS**

Reports from the Fire Chief, Police Chief, Public Works Director/City Engineer, and Assistant City Administrator/Community Services Director were given on the departments' activities including upcoming and ongoing projects.

**COUNCIL DISCUSSION**

Council Members gave committee reports, community announcements and/or made comments or inquiries to staff. No action was taken.

**ADJOURNMENT**

The Mayor adjourned the meeting at 5:35 p.m. to the regular City Council meeting scheduled at 7:00 p.m.

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LAURA SMITH, MAYOR

ATTEST: Denise Gillespie, Assistant City Clerk

By: \_\_\_\_\_  
Keith Caldwell, Assistant City Administrator

TO: City Council

SUBJECT: CONSENT CALENDAR - PERSONNEL STATUS CHANGE REPORT

DATE: August 22, 2011

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The following personnel items have been submitted for action at this meeting:

COMMUNITY SERVICES DEPARTMENT – SEASONAL PART TIME      EFFECTIVE DATE

(a) Instructor – Part Time  
     \$25.00 per class  
     Dishion, Sherry      6/20/11

POLICE DEPARTMENT

(b) End of Investigator rotation      7/1/11  
     Reduction of 3% incentive  
     Reduction of \$75.00 clothing allowance  
     Gutierrez, Mark

(c) Start of Investigator rotation  
     Addition of 3% incentive  
     Addition of \$75.00 clothing allowance  
     Rossy, Bryan      7/1/11

PUBLIC WORKS DEPARTMENT

(d) Hire – Maintenance Worker Step 1 – Full Time  
     \$3,645.00/monthly  
     Milici, Gary      8/1/11



# CITY OF BISHOP

(f)

377 West Line Street - Bishop, California 93514  
Post Office Box 1236 - Bishop, California 93515  
760-873-8458 publicworks@ca-bishop.us  
www.ca-bishop.us

## Public Works Report

July 2011

### Water

1. Conspac started and completed the Iris Street Water Improvements Project.
2. Rivers Edge Construction completed the North Second Street Water Improvements Project.
3. Resolved issue with hydrant constructed by North Second Street Water Improvements Project obstructing access to resident's gate.
4. Repaired leak on 3/4" copper service at 669 Maple Avenue.
5. Relocated sample tap at Well 4 at the direction of California Department of Public Health.
6. Initiated a bacteria sampling for Well 1. This will ensure well is ready to use in the event of an emergency.
7. Resource Concepts Incorporated completed study for new water storage tank design and submitted their findings.
8. Continued main line valve exercising.
9. Replaced failed mainline valve at the intersection of Willow Street and Moffett Drive
10. Stantec radios at wells, tank site and shop. Project should be completed by the by early August.
11. Performed grounds maintenance at Wells 2 and 4.
12. Took monthly readings of all water meters.
13. Took routine bacteria samples.
14. Investigated video inspection services for main supply line between Well 4 and town.

### Sewer

1. City forces installed conduit from last manhole on Johnston Drive to lift station to accommodate SCADA equipment.
2. Marked all sewer facilities under roads affected by the Iris Street Water Improvements Project.

3. Began the process to upgrade air compressors at the lift station.
4. Cleaned sludge and grit drying beds.
5. Performed grounds maintenance at the Waste Water Treatment Plant.
6. Made routine inspections of grease interceptors.
7. Performed maintenance on the Johnston Drive Lift Station.
8. Generated a No Spill Certification for the State and reported the same.
9. Performed routine main line cleaning in trouble areas.
10. Continued video effort to inventory all sewer facilities under city right of way.
11. Continued very slow work with consultant on Headworks project.
12. Worked on equipment purchase necessary to upgrade Johnston Drive Lift Station.

**Streets**

1. Exposed and repaired sinkhole on North Warren Street in front of Inyo Mono Body Shop.
2. Relocated mail box on South Main Street.
3. Built an asphalt ramp at 486 Hanby to provide a smoother transition from street to driveway.
4. While exercising main line water valves crew would perform weed removal in gutter around valves.
5. Swept city streets and alleys.
6. Went door to door on Short Street affected by Road Improvement Project A to get feedback on project and related communication.
7. Briefed Inyo Board of Supervisors on Mobility Element update.
8. Held joint workshop between the City Council and the Planning Commission on the Mobility Element update.
9. Briefed Bishop Paiute Tribe members on the Mobility Element update.
10. Worked with Triad on plans for Wye Road Storm Drain project.
11. Evaluated citizen suggestion to lower speed limit on East Line Street near Bishop Creek Canal.
12. Reviewed environmental document for Pine to Park Path.

**Miscellaneous**

1. Organized help from Inyo County Probation to plant trees at 380 Short Street in the new greenbelt provided by Project A.
2. Swept airport runways to remove trash and debris left from the Fourth of July fireworks show.
3. Provided traffic control equipment to the Farmers Market.
4. Hauled trash and debris from Fowler Pit to the Sunland Landfill.
5. Performed maintenance to light trucks and equipment.
6. Met with the Federal Emergency Management Agency concerning Flood Insurance Rate Map update for Inyo County and related ordinance update for the city of Bishop.
7. Interviewed candidates for vacant Maintenance Worker position.
8. Worked with consultant on LiDAR project on final deliverables under the contract.



# CITY OF BISHOP

377 West Line Street - Bishop, California 93514  
Post Office Box 1236 - Bishop, California 93515  
760-873-8458 publicworks@ca-bishop.us  
www.ca-bishop.us/CityofBishopPublicWorks.htm

(g)

## Department of Public Works Building Permits Issued

7/2011

Date	Owner/Location/Contractor	Short Description	Value	SMIP	Rev Fund
<b>Commercial</b>					
7/27/2011	Erick Schat 763 North Main Street Norman Bird and Sons Constru	signage	\$2,500.00	\$0.53	\$1.00
7/25/2011	Mammoth Hospital 699 West Line Street Rudolph Construction, Inc.	Tenant Improvements	\$15,000.00	\$3.15	\$1.00
7/18/2011	Rite-Way Spa / Larry Thornbur 137 East Line Street	signage	\$500.00	\$0.50	\$1.00
7/15/2011	Ray Escamiyeh / Yaney Corner 787 North Main Street TBD	Demolition	\$10,000.00	\$2.10	\$1.00
7/8/2011	Mammoth Hospital 699 West Line Street Rudolph Construction, Inc.	Demolition	\$5,000.00	\$0.50	\$1.00
<b>Commercial Totals</b>			<b>\$33,000.00</b>	<b>\$6.78</b>	<b>\$5.00</b>
<b>Residential</b>					
7/29/2011	Craig Clark 237 Grove Street	sprinkler system	\$500.00	\$0.00	\$0.00
7/27/2011	Craig Clark 237 Grove Street	electrical work	\$1,500.00	\$0.00	\$0.00
7/18/2011	Gerald Christopher / Jan Clover 768 B West Pine	tenant improvements	\$1,000.00	\$0.50	\$1.00
7/14/2011	Gary Colbert Trust 172 Fulton Apt D Bishop Heating & Air conditio	replace air conditioner	\$4,169.21	\$0.00	\$0.00

Date	Owner/Location/Contractor	Short Description	Value	SMIP	Rev Fund
7/13/2011	Britt Nelson 193 South Third Street John Weatherford	sprinkler system and backflow	\$1,000.00	\$0.00	\$0.00
7/12/2011	Jan Clover 459 East South Street	electrical outlet	\$500.00	\$0.50	\$1.00
7/12/2011	Gerald Christopher 768 B West Pine BISHOP HEATING & AIR CO	propane furnace	\$8,135.86	\$0.00	\$0.00
7/12/2011	Jan Clover 459 East South Street Eastern Sierra Plumbing	tenant improvements	\$2,000.00	\$0.00	\$0.00
7/8/2011	Margo Lella 212 May Street owner	shade structure	\$1,000.00	\$0.50	\$1.00
<b>Residential Totals</b>			<b>\$19,805.07</b>	<b>\$1.50</b>	<b>\$3.00</b>

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ACTING CITY ADMINISTRATOR /  
COMMUNITY SERVICES DIRECTOR KSC

**SUBJECT: Consideration to authorize closure of a portion of Church Street for a  
the Eastern Sierra Farmers Market – September 9 through Mid-  
November 2011**

DATE: AUGUST 22, 2011

Attachments: Director Grah has provided a Summary Memo and Map.

**BACKGROUND/SUMMARY**

The Eastern Sierra Farmer's Market is a popular Friday night event in Bishop. This year the market moved from City Park to Academy Street. The market has also added non-agricultural vendors with hope to expand the appeal and diversity of the market. Most recently, the market has relocated to the area behind City Hall, and is requesting to close a portion of Church Street for their hours of operation, (Friday nights 5pm-8pm) 9/09 – 11/11.

**RECOMMENDATION**

Council consideration to approve the street closure of a portion of Church Street on Friday evenings, 5pm-8pm from September 9 through Mid-November 2011.



**To:** Keith Caldwell, Acting City Administrator  
**From:** David Grah, Director of Public Works  
**Subject:** Closure of Portion of Church Street for Weekly Farmers Market  
**Date:** 16 August 2011  
**Previous:** 6 June 2011  
**Funding:** Little or no cost. Expenditures would be street maintenance (General Fund).

**General:**

The Eastern Sierra Farmers Market has moved from Academy Street to Church Street and proposes to close a portion of Church Street near City Hall each week for the market.

**Background:**

The Eastern Sierra Farmers Market has moved the local farmers market from the Academy Street and Talmage Park to Church Street near City Hall for the remainder of the 2011 calendar year. The Church Street location is preferred because it has more shade beneficial to produce, vendors, and customers.

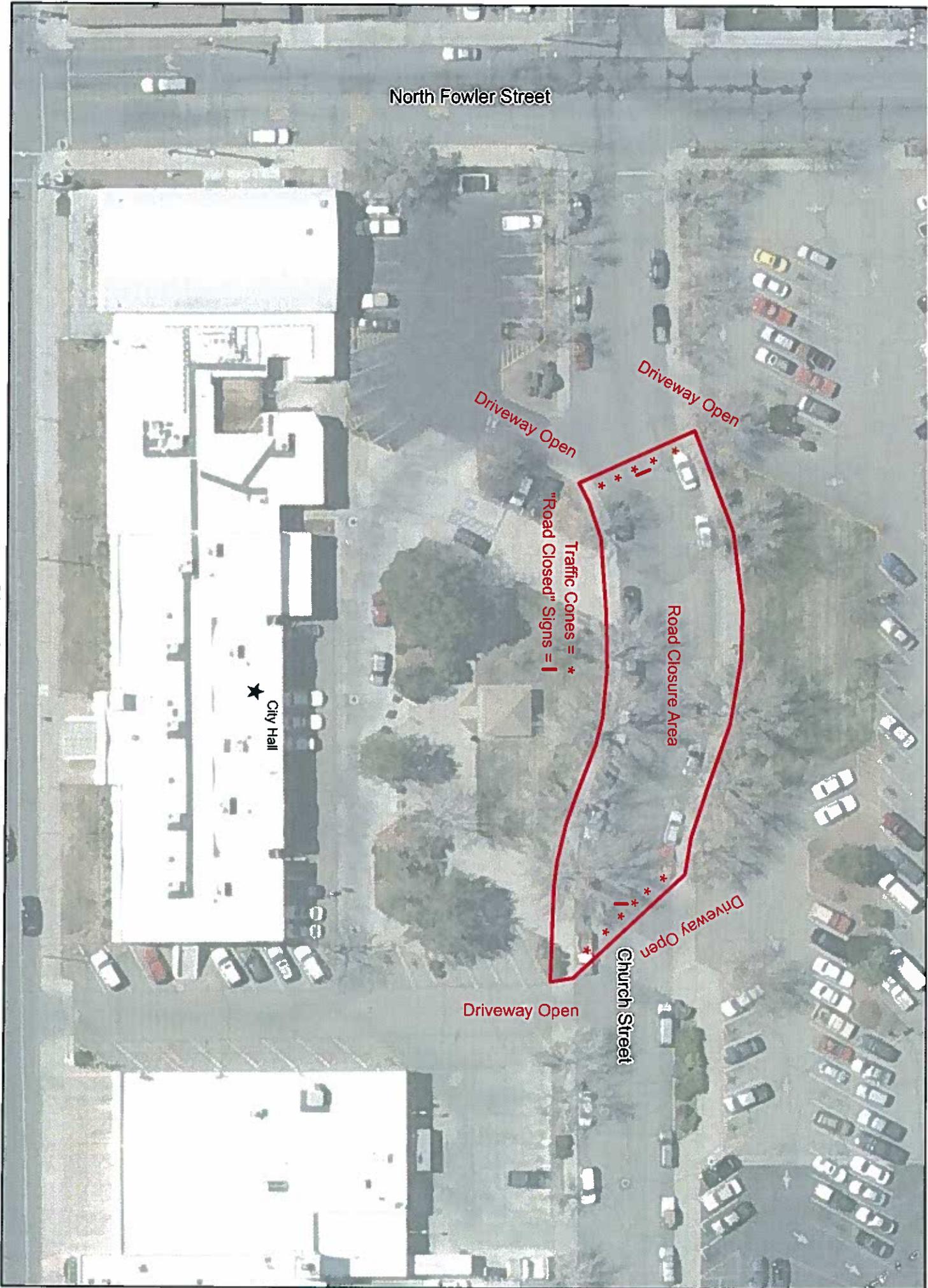
So far the market on Church has not required the closure of the street although starting with the 9 September market, closure of Church Street is proposed. The market plans a fund raising event similar to a flea market in conjunction with the market 9 September. The market is expected to continue until mid November. Closures would be from 5 to 8 pm with the market being from 5:30 to 7:30 pm. The city would provide the traffic control devices and the farmers market would put them up and take them down each week in accordance with the attached map.

Cars parked in the closure area at the start of the closure will require special accommodation by the farmers market so the cars can get out if needed while the market is underway. The encroachment permit will cover activities on the street right of way and a separate permission will cover activities on the City Hall and landscaped area associated with the parking lot north of Church Street.

The draft encroachment permit will be reviewed by Public Works, Police, Fire, and Community Services staff this week and any comments will be incorporated into the final permit language. Typically the City Council approves street closures.

**Recommendation:**

The City Council approve the closure of a Church Street adjacent to City Hall each week for a farmers market.



North Fowler Street

Driveway Open

Driveway Open

Traffic Cones = \*  
"Road Closed" Signs = !

Road Closure Area

★ City Hall

Church Street

Driveway Open

Driveway Open

0 15 30 60 Feet

City of Bishop  
Farmers Market Road Closure Area

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ACTING CITY ADMINISTRATOR /  
COMMUNITY SERVICES DIRECTOR *KCC*

**SUBJECT: Consideration to increase the contract amount for Road Improvement Project A.**

DATE: AUGUST 22, 2011

Attachments: Director Grah has provided a Summary Memo.

**BACKGROUND/SUMMARY**

In January the City Council approved expenditures for Project A, removal and replacement of pavement on Short Street between South Second Street and South Third Street, on North Third Street between East Pine and East Elm Streets with some work near North Third Street. Authorized expenditures were \$996,602.36 with a 5% contingency (\$47,457.26).

The additional unforeseen work needed may be covered through funds in Proposition 1B.

**RECOMMENDATION**

Council consideration to increase the contract amount with Qualcon for Road Improvement Project A by \$13,288.93 bringing the total contract amount to \$1,009,891.29.



**To:** Keith Caldwell, Acting City Administrator  
**From:** David Grah, Director of Public Works   
**Subject:** Increase Contract Amount for Road Improvement Project A

**Date:** 10 August 2011

**Previous:** 5 January 2011, 4 January 2011, 22 November 2010, 8 September 2008, 9 June 2008, 14 January 2008

**Funding:** STIP, Proposition 1B, water, and sewer funds

**General:**

The cost of addressing soft grade on Road Improvement Project A is higher than expected and the maximum authorized expenditure on the contract needs to be increased as a result.

**Project Cost and Funding:**

In January 2011, the City Council awarded the contract for Road Improvement Project A to Qualcon Contractors and authorized the expenditure of up to \$996,602.36 through that contract. The amount included a 5% contingency (\$47,457.26) typically used to cover unforeseen work that comes up during construction.

Project A included the removal and replacement of pavement on Short Street between South Second Street and South Third Street, on North Third Street between East Pine Street and East Elm Street with some work on East Elm Street near North Third Street.

Unforeseen work on the project included water line work related to a hydrant, water line relocation to clear a storm drain, and the removal of soft soil. The soft soil was not found during test excavations prior to construction and were a significant problem that had to be addressed before the streets could be repaved.

The water line work was covered by contract change orders 1 and 2 and the total cost of these change orders was \$25,625.51. Until a discrepancy in the way the cost to remove the soft soil was resolved recently, it was anticipated the cost to remove the soft soils under contract change order 3 could be funded with the remaining contingency. Unfortunately, the final cost to remove the soft soil is \$34,555.78, \$13,288.93 more than the remaining contingency. All of the cost related to the soft soils will be funded from our Proposition 1B balance, which currently is \$219,346.25. There is \$50,000 budgeted in the 2011/2012 year in Proposition 1B, line item 001-024-56027 for dig-outs that can be used to cover the cost of removing the soft soil.

**Recommendation:**

That the City Council increase the authorized expenditure through the contract with Qualcon for Project A \$13,288.93 from \$996,602.36 to \$1,009,891.29.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ACTING CITY ADMINISTRATOR

**SUBJECT: Consideration to approve an Environmental Addendum for the Wye Road Storm Drain Project.** KSC

DATE: AUGUST 22, 2011

Attachments: Director Grah has provided a Summary Memo, Supporting Documents and Negative Declaration Documents.

#### BACKGROUND/SUMMARY

The Wye Road Storm Drain, originally proposed as part of the road project in 2004, was never constructed. To meet current requirements, its environmental documents need to be updated. The City Council would adopt and add information as an addendum to the old Negative Declaration.

#### RECOMMENDATION

City Council consider adoption of the addendum to the July 27, 2000 Negative Declaration for the Wye Road Improvement Project.



**To:** Keith Caldwell, Acting City Administrator  
**From:** David Grah, Director of Public Works  
**Subject:** Approve Environmental Addendum for the Wye Storm Drain Project  
**Date:** 12 August 2011  
**Previous:** 17 February 2006, 14 August 2007, 2 September 2008, 21 January 2009, 10 April 2009, 19 April 2011, 12 August 2011, and earlier than 2006  
**Funding:** Wye Road Intersection Improvement Funds

**General:**

An addendum to the Negative Declaration for the Wye Road Improvements project has been prepared to better cover the Wye Road Storm Drain project.

**Background:**

The Wye Road Storm Drain project will construct a new storm drain on Wye Road between North Main Street (Highway 6) and the Bishop Creek Canal. The storm drain includes water treatment capability (an oil / water separator) and provides for future storm drain connections to most properties along the street.

The storm drain was part of the proposed 2004 Wye Road Improvements project and so was covered by the Initial Study and Negative Declaration for that project. That road improvements project was never constructed and, to meet current requirements, its environmental documents need to be updated to meet environmental requirements for the storm drain project. To complete the update of those documents, the City Council would adopt an addendum to the old Negative Declaration. The addendum would just add information to the existing Negative Declaration. The adoption of the addendum to the Negative Declaration is needed to advertise the storm drain project for construction bids. More information on the document, addendum, and related process is attached.

**Recommendation:**

That the City Council adopt the addendum to the 27 July 2000 Negative Declaration for the Wye Road Improvements project.



# CITY OF BISHOP

377 West Line Street - Bishop, California 93514

Post Office Box 1236 - Bishop, California 93515

760-873-8458 [publicworks@ca-bishop.us](mailto:publicworks@ca-bishop.us)

[www.ca-bishop.us/CityofBishopPublicWorks.htm](http://www.ca-bishop.us/CityofBishopPublicWorks.htm)

August 15, 2011

## **Addendum**

to the Wye Road State Transportation Improvement Project  
Negative Declaration and Environmental Initial Study

The California Environmental Quality Act (CEQA) recognizes that between the date an Environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate the Negative Declaration and Environmental Initial Study.

In conformance with the California Environmental Quality Act, an Addendum to the Wye Road State Transportation Improvement Project has been prepared.

In June 2000, the City of Bishop adopted the final project Negative Declaration (ND) and filed a Notice of Determination for the Wye Road State Transportation Improvement Project (SCH# 200051090) that allows for right of way acquisition; storm drain, sidewalk, curb, gutter and street lighting construction. The purpose of this Addendum is to analyze the biological impacts of the Wye Road State Transportation Improvement Project.

The CEQA Guidelines §15162 state that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164 state that the lead agency or a responsible agency shall prepare an Addendum to a previously adopted negative declaration, if some changes or additions are necessary, but none of the conditions described in §15162 (see above) requiring the preparation of a subsequent EIR or negative declaration have occurred. Based on the description of the proposed project, knowledge of the project site, and the attached analysis, the City concludes that the proposed project would not result in any new impacts not previously disclosed in the Wye Road State Transportation Improvement Project Environmental Initial Study and Check List. For these reasons, an addendum to the Wye Road Improvement State Transportation Project has been prepared for the proposed project.

This addendum will not be circulated for public review, but will be attached to the Wye Road State Transportation Improvement Project, pursuant to CEQA Guidelines §15164(c).



CITY OF BISHOP

Environmental Protection Agency  
377 West Line Street  
Bishop, California 93514

NOTICE OF DETERMINATION

City Council Acting as Environmental Agency  
Responsible Agency

Wye Road Improvement Project  
Project Title

<u>Wye Road</u>	<u>Bishop</u>	<u>Inyo</u>	<u>93514</u>
Address	City	County	Zip

Richard F. Pucci, Planning Director (760) 873-5863  
Contact Person

City of Bishop, P. O. Box 1236, Bishop, CA 93515 (760) 873-5863  
Name of Project Proponent/Address/Phone Number

DECISION OF ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF DETERMINATION

(WILL)  (WILL NOT) have significant effect on the environment

An environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.

Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The EIR or Negative Declaration and record of project approval may be examined at: Bishop Planning Department, 377 West Line Street, Bishop, California 93514

DATE: July 27, 2000

00-059

**CERTIFICATE OF FEE EXEMPTION  
De Minimis Impact Finding**

PROJECT TITLE/LOCATION (Include County)

Wye Road Improvement Project  
Wye Road, Bishop, Inyo County

City of Bishop, P. O. Box 1236, Bishop, CA 93515 (760) 873-5863  
Name/Address/Phone of Project Proponent

PROJECT DESCRIPTION:

Right-of-way acquisition; storm drain construction; sidewalks, curbs  
and gutters; and street lighting

FINDINGS OF EXEMPTION:

1. An initial study has been conducted by the City so as to evaluate the potential for adverse environmental impact; and
2. There is no evidence before the Agency that the proposed project will have any potential for adverse effect on wildlife resources.

CERTIFICATION:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
Richard F. Pucci, Planning Director  
Lead Agency: Bishop City Council  
Date: July 27, 2000

00-054

**CERTIFICATE OF FEE EXEMPTION  
De Minimis Impact Finding**

PROJECT TITLE/LOCATION (Include County)

Wye Road Improvement Project  
Wye Road, Bishop, Inyo County

City of Bishop, P. O. Box 1236, Bishop, CA 93515 (760) 873-5863  
Name/Address/Phone of Project Proponent

PROJECT DESCRIPTION:

Right-of-way acquisition; storm drain construction; sidewalks, curbs  
and gutters; and street lighting

FINDINGS OF EXEMPTION:

1. An initial study has been conducted by the City so as to evaluate the potential for adverse environmental impact; and
2. There is no evidence before the Agency that the proposed project will have any potential for adverse effect on wildlife resources.

CERTIFICATION:

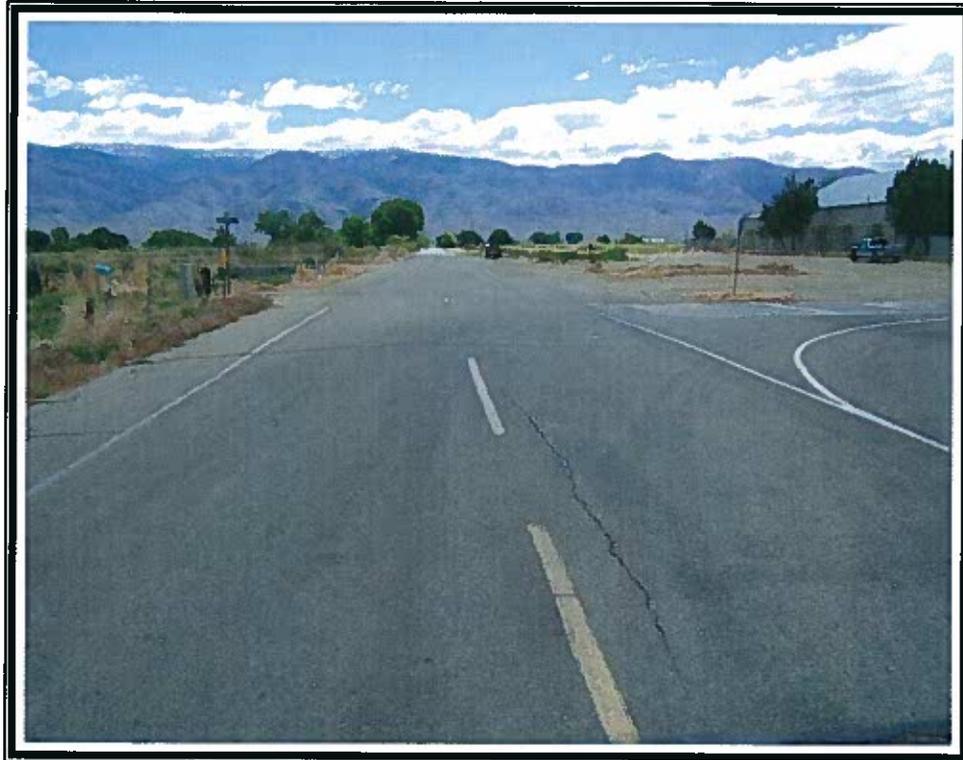
I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
Richard F. Pucci, Planning Director  
Lead Agency: Bishop City Council  
Date: July 27, 2000



**Biological Report and Addendum  
Initial Study and Environmental Checklist  
For the City of Bishop Wye Road State  
Transportation Improvement Project**

July 24, 2011



**Prepared For:  
City of Bishop Department of Public Works  
377 West Line Street  
Bishop, CA 93514**



**Prepared By:  
Resource Concepts, Inc.  
340 N Minnesota Street  
Carson City, NV 89503**

[www.rci-nv.com](http://www.rci-nv.com)

**Biological Report and Addendum  
Initial Study and Environmental Checklist  
For the City of Bishop Wye Road State Transportation  
Improvement Project**

**July 24, 2011**

**Prepared For:  
City of Bishop Department of Public Works  
377 West Line Street  
Bishop, CA 93514**

**Prepared By:  
Resource Concepts, Inc.  
340 N Minnesota Street  
Carson City, NV 89503  
(775) 883-1600  
[www.rci-nv.com](http://www.rci-nv.com)**

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- Appendix A Habitat Descriptions for Special Status Species
- Appendix B Project Area Photographs

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- Figure 1. General Location City of Bishop Wye Road State Transportation Improvement Project Area.
- Figure 2. Plan view and cross section of the Wye Road storm drain outlet.

2011\_07\_28 Update to Initial Study FN 11-601.1 Triad sa dg ms jm L7-49.doc

## 1.0 Introduction

An Initial Study and a Negative Declaration was prepared for the City of Bishop in April 2000 to implement the *City of Bishop Wye Road State Transportation Improvement Project* in Bishop, California. The 2000 project design included relocation of existing utilities, paving, new curb and gutter, and construction of 1200 feet of storm drain. The project has been revised and is anticipated to be constructed during the fall of 2011.

### 1.1 Project Description and Purpose

The revised project is limited to construction of 1,500 feet of storm drain within the Wye Road disturbed Right-of-Way, between Main Street and Bishop Creek Canal. The project area location is shown in Figure 1. The storm drain will be constructed approximately three feet south of the centerline. The project does *not* require relocation of any existing utilities and will not include curb and gutter. Construction and staging will be confined within the existing right-of-way for Wye Road and the existing easement for Bishop Creek Canal.

The storm drain will tie into the existing outlet headwall and discharge into Bishop Creek Canal within the existing City of Bishop culvert maintenance easement. All construction will occur from behind the existing headwall to avoid disturbance to the canal. The outlet area is armored with streambank vegetation and riprap for channel stability. The design for the discharge area into Bishop Creek Canal is shown in Figure 2. Photographs of the project area are included in Appendix 'B.'

The design includes installation of a Vortechs System for water quality treatment prior to discharging to Bishop Creek Canal. The Vortechs System pre-treatment unit (or equal) is designed to remove fine sediment greater than 50 microns, oil and grease, and floatable debris and trash. Best Management Practices (BMPs) will be used during construction such as straw wattles and sandbags to minimize the potential discharge of sediment into the canal.

### 1.2 Environmental Setting

Construction and staging activities for the proposed project will occur within the existing roadway and adjacent graded right-of-way along Wye Road and on nearby vacant private property that has previously been disturbed. There are no native, undisturbed habitats within the proposed project area.

A search of the project area by a qualified biologist on May 29, 2009 and a follow-up visit on April 7, 2011 confirmed that there are no special status plant species or potential habitat within the proposed project area.

### 1.3 General Plan Designation

Zoning for the north side of Wye Road includes Highway Commercial, General Commercial, Office and Professional, Open Space, and General Industrial. The zoning for the south side of Wye Road is General Commercial and Retail, General Commercial, and Open Space along Bishop Creek Canal.

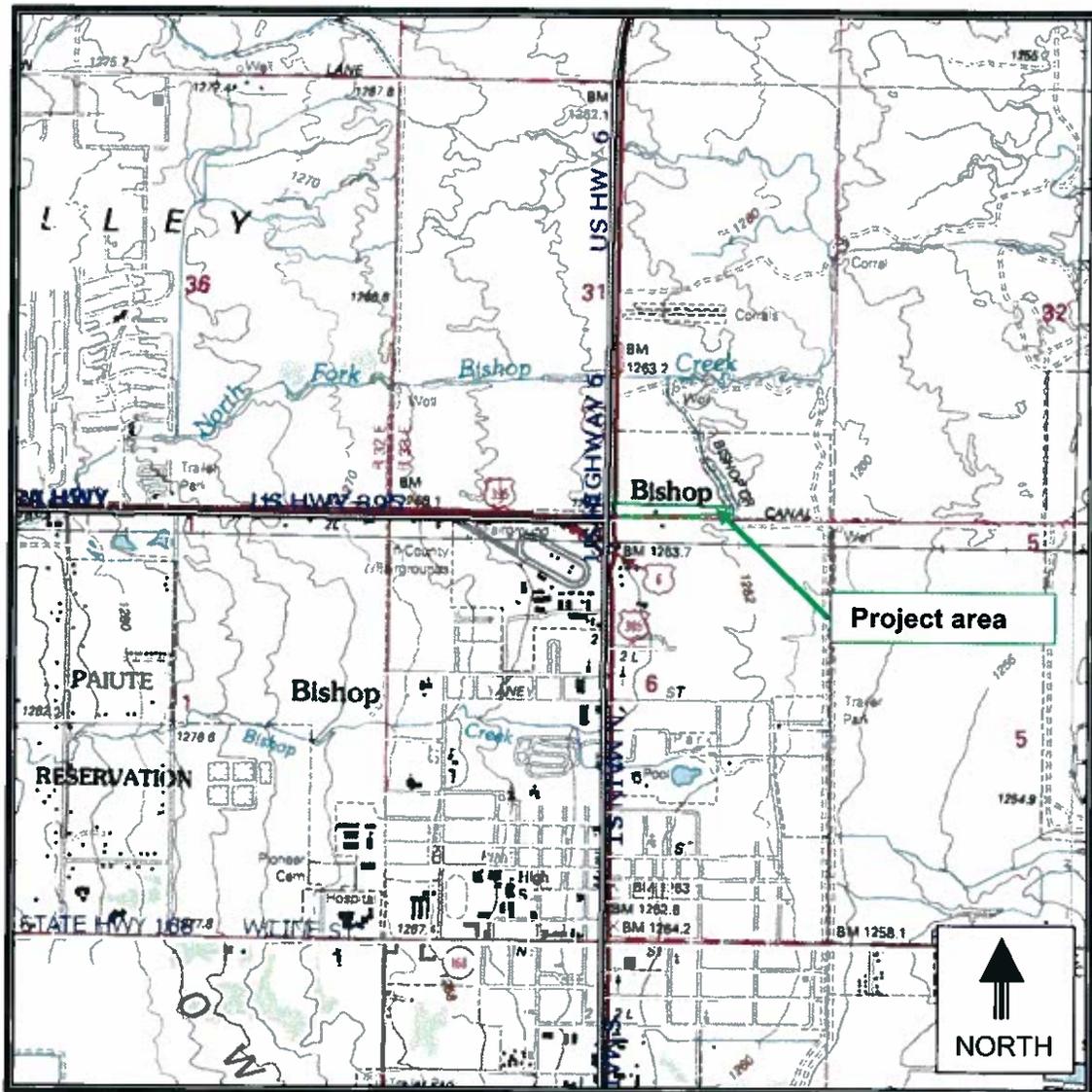
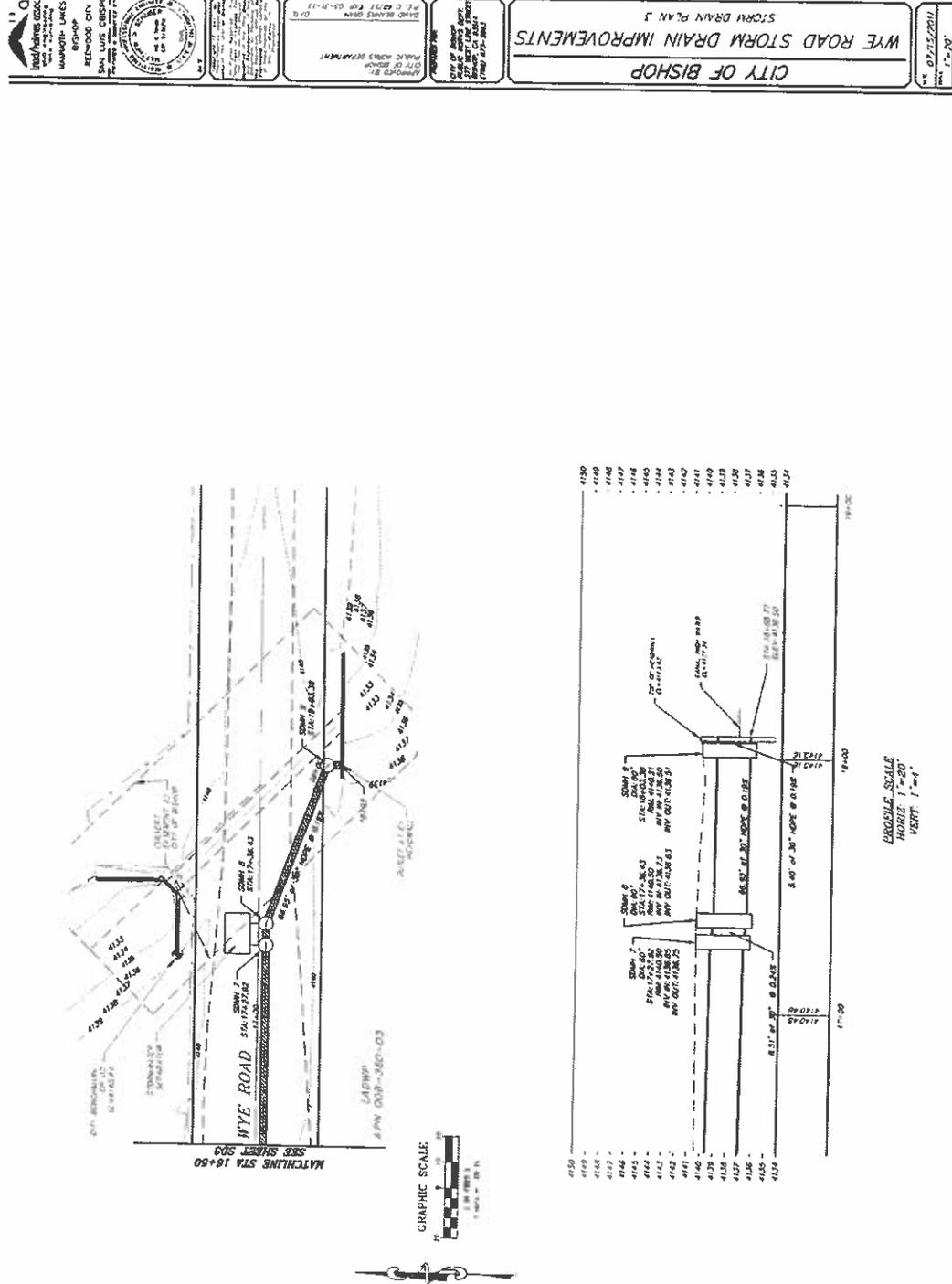


Figure 1. General Location City of Bishop Wye Road State Transportation Improvement Project Area.



## 2.0 Environmental Checklist – Biological Resources

4. Biological Resources <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 4a) The US Fish and Wildlife Service (USFWS), the California Natural Diversity Database (CNDDB), and the California Department of Fish and Game were queried regarding known occurrences and the potential for occurrences of state and federally listed threatened, endangered, and candidate species and other special status species within the proposed project area.

A review of habitat requirements and occurrence records for special status species that have been found in the vicinity of the proposed project area is included in Appendix 'A.' An RCI Biologist reviewed the habitat requirements, surveyed the project area, and determined that the proposed project would not have an adverse effect on any state or federally listed special status species, critical habitat, or migration routes for any species.

One native mussel species, California floater, (*Anodonta californiensis*, CDFG S2), and three species of native fish, Owens sucker (*Catostomus fumeiventris*, CDFG Species of Concern), Owens speckled dace (*Rhinichthys osculus*, CDFG Species of Concern), and Owens tui chub (*Sphateles bicolor snyderi*, Fed Endangered, State Endangered) have been found in ditches and canals around the City of Bishop. However, the culvert outlet at Wye Road does not provide slow water or abundant aquatic vegetation suitable for these species.

There are no native, undisturbed plant communities or wildlife habitats within the proposed project area. The entire project area has been previously disturbed and been previously impacted by grading, paving, culvert construction, and ongoing maintenance. Photographs of the proposed project area are included in Appendix 'B.'

- 4b) The proposed storm drain will terminate at Bishop Creek Canal. The riparian area at the existing Wye Road culvert is within the City of Bishop culvert easement and is routinely accessed to maintain an unobstructed flow through the culvert. The storm drain will terminate behind the existing outlet headwall and discharge into the existing Bishop Creek Canal. Photographs of the culvert outlet area are included in Appendix 'B.' The existing outlet is armored with riprap and streambank vegetation to maintain channel stability.

The Vortechs water treatment system (or equivalent) is being installed where no treatment or pretreatment currently exists. At present, stormwater runoff from commercial, industrial, and undeveloped properties as well as oil residue from asphalt may be transported to the Bishop Creek Canal through overland flow. There will be an improvement in water quality from stormwater runoff based on collection and treatment prior to discharge.

- 4c) Bishop Creek Canal is a jurisdictional Water of the United States (WOUS). Construction will be performed from behind the existing headwall within the road shoulder and will not impact or result in placement of fill in a WOUS.
- 4d) The proposed storm drain project will not affect the movement of any native resident or migratory fish or wildlife species, interfere with established wildlife migration corridors, or impede the use of any wildlife nursery sites.
- 4e) No trees will be removal by the proposed project.
- 4f) There are no existing habitat/natural community conservation plans for the proposed project area.

### 3.0 REFERENCES

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## **Appendix 'A'**

### **Habitat Descriptions for Special Status Species**

**Special status plant and animal species with documented sightings in the USGS Bishop Quadrangle area, but no potential habitat and no potential for negative effects from the proposed Wye Road Storm Drain Project.**

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	Habitat	Conclusion / Rationale
<b>PLANTS</b>					
Pinyon rock-cress	<i>Boehera dispar</i>		CNPS 2.3	Joshua tree or pinyon/juniper woodland	No effect / No potential habitat
Inyo County star tulip	<i>Calochortus excavatus</i>		CNPS 1B.1	Dry meadow, shadscale	No effect / No potential habitat
Halls meadow hawksbeard	<i>Crepis runcinata ssp. hallii</i>		CNPS 2.1	Mojave Desert scrub; pinyon/juniper woodland	No effect / No potential habitat
Hot Springs fimbriistylis	<i>Fimbristylis thermalis</i>		CNPS 2.2	Alkaline mud and sand, especially around hot springs and mineral-rich seeps	No effect / No potential habitat
Parish's popcorn flower	<i>Plagiobothrys parishii</i>		CNPS 1B.1	Great Basin scrub; Joshua tree woodland	No effect / No potential habitat
Owens Valley checkerbloom	<i>Sidalcea covillei</i>		Endangered	Sagebrush scrub, meadows and seeps	No effect / No potential habitat
Frog's bit buttercup	<i>(Ranunculus hydrocharoides)</i>		CNPS 2.1	Marshes and swamps	No effect / No potential habitat
<b>ANIMALS</b>					
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>		SSC	Mesic habitats near caves, mines, tunnels	No effect / No potential habitat
Spotted bat	<i>Euderma maculatum</i>		SSC	Rock crevices, buildings,	No effect / May forage over Bishop Creek Canal, but storm drain construction and operation will not affect critical habitat for spotted bat.
Silver-haired bat	<i>Lasiorycterus noctivagans</i>		none	Montane forest; hollow trees, loose bark; need open water for drinking	No effect / Storm drain construction and operation will not affect critical habitat for silver-haired bat.
Western white-tailed jackrabbit	<i>Lepus townsendii townsendii</i>		SSC	Grasslands, open fields with scattered fields,	No effect / No potential habitat

Common Name	Scientific Name	Federal Status <sup>1</sup>	State Status <sup>1</sup>	Habitat	Conclusion / Rationale
Northern leopard frog	<i>Lithobates pipiens</i>		SSC	Submerged and emerged aquatic vegetation	No effect / Bishop Creek Canal at the Wye Road culvert lacks sufficient cover for northern leopard frog
Sierra Nevada red fox	<i>Vulpes vulpes necator</i>		Threatened	Forests interspersed with meadows, dense vegetation, and rocky areas	No effect / No potential habitat.

## Aquatic species with potential for occurrence in Bishop Creek Canal

### **Owens sucker (*Catostomus fumeiventris*)** – California Species Special Concern.

Owens sucker is generally found in long reaches of cool, calm water in streams with soft bottoms, as well as the bottoms of lakes and reservoirs. Owens sucker feeds on aquatic insects, algae, detritus, and organic matter. Juveniles rely on stream cover and backwater for hiding. (UC California Fish Website).

In the vicinity of the project area, two occurrences have been recorded: 1) the irrigation ditch along Sierra Street in Bishop (Mac Iver Ditch), and 2) in the A-1 Drain, a tributary to Bishop Creek.

Bishop Creek Canal at the Wye Road Crossing does not provide calm water or riparian cover for Owens sucker. The Owens sucker is not likely to be affected by the proposed project.

### **Owens pupfish (*Cyprinodon radiosus*)** - Federal Endangered; State Endangered.

Presently found in a limited number of refuges with clear, shallow water and emergent and aquatic vegetation where predators are limited. Owens pupfish feed on aquatic organisms including crustaceans, snails, chironomid midge larvae, etc.

The Bishop Creek Canal crossing at Wye Road does not provide suitable habitat for Owens pupfish and the proposed project will have no effect on Owens pupfish.

### **Owens speckled dace (*Rhinichthys osculus*)** - California Species of Special Concern.

Speckled dace occur in a variety of aquatic habitats including small springs, streams, large rivers, and deep lakes and in a wide range of water temperatures. In streams and channels they feed on invertebrates along the stream bottom. Despite their adaptability to a variety of habitats, their disappearance since the 1930s and 1940s suggests their vulnerability to invasion by exotic fishes. Owens speckled dace are a potential host fish for California floater (*Anodonta californiensis*) (Jepsen, et al 2011).

In the vicinity of the proposed project area, Owens speckled dace have been found in the A-1 Drain, a tributary to Bishop Creek, irrigation ditches south of Bishop, Bishop Creek north of Bishop below the LA Aqueduct spillway, and in the irrigation ditch along Sierra Street (Mac Iver Ditch).

Owens speckled dace could be present in the Bishop Creek Canal. However construction of the proposed project is not likely to adversely affect Owens speckled dace.

### **Owens tui chub (*Sphateles bicolor snyderi*)** - Federal Endangered; State Endangered.

Tui chub are capable of adapting to a variety of environments and are found in springs, ponds, lakes, and sluggish streams. Optimal water temperatures range between 15 and 30°C (16-88° F). Habitat is typically characterized by slow water and abundant aquatic vegetation. The characteristics of the water body influence the feeding habits of these fish. Tui chub are opportunistic omnivores and eat a variety of plants and detritus or macroinvertebrates, fish, and fish eggs. Spawning generally occurs in shallow water with gravel substrate and aquatic vegetation.

Owens tui chub have been found in the West Fork of Bishop Creek just north of Bishop, and in the irrigation canal and ditches about 8 miles south of Bishop near Keough Hot Springs.

The Bishop Canal crossing at Wye Road does not provide slow water with abundant aquatic vegetation suitable for Owens tui chub and the proposed project is not likely to affect Owens tui chub.

**California floater (*Anodonta californiensis*) – California S2**

The California floater is a freshwater mussel found in lakes and slow-moving streams and rivers. The California floater is a relatively sedentary filter feeder. They filter large quantities of particulate matter. California floater is widely distributed across western North America. The taxonomy is currently in question.

In 2003, the California floater was found in the Owens River at Bishop Creek Canal and in Bishop Creek Canal from the Owens River to Dixon Lane, north of Bishop.

Bishop Creek Canal at the Wye Road crossing does not provide slow-moving water for California floater and the proposed project will have no effect on California floater.

**Appendix 'B'**  
**Project Area Photographs**



**Photo 1. Wye Road storm drain project area looking east.**



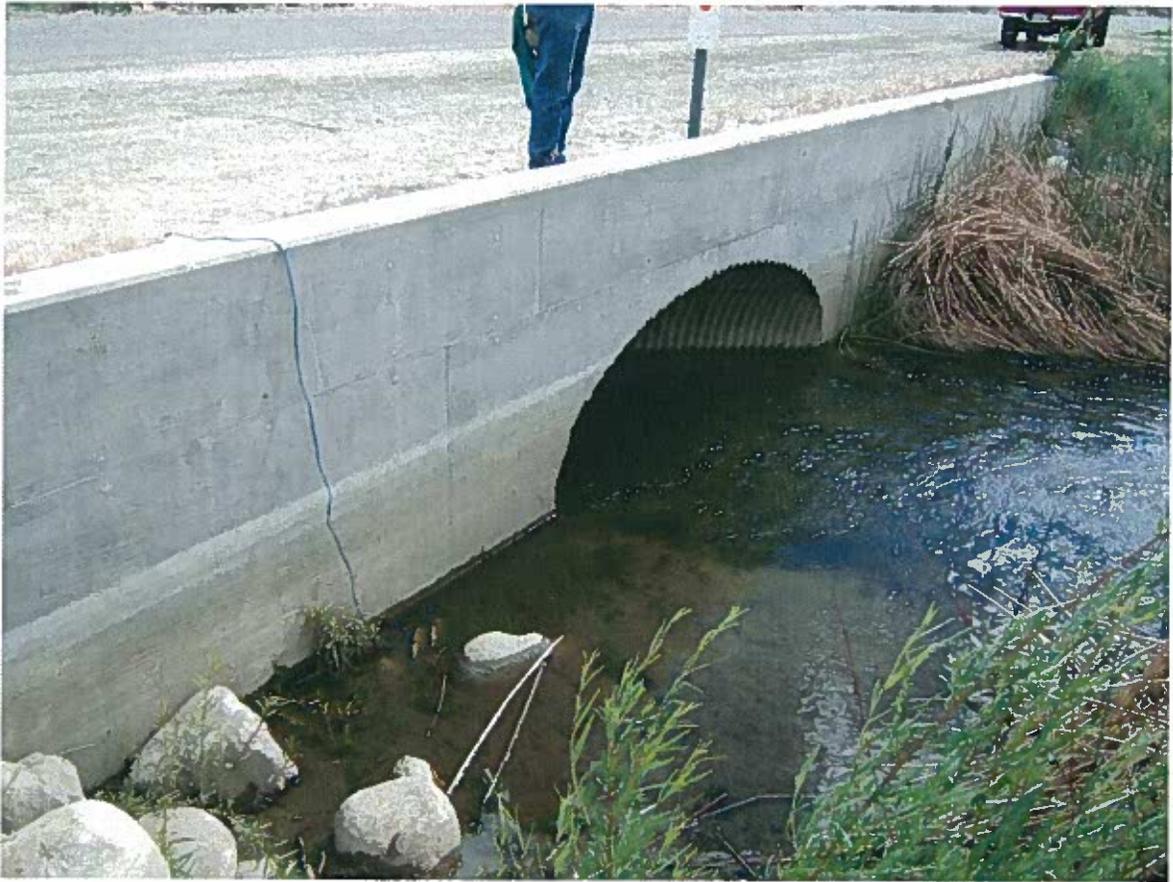
**Photo 2. Wye Road storm drain project area looking west from existing Wye Road culvert.**



**Photo 3. Bishop Creek Canal above the existing Wye Road culvert inlet, north side of Wye Road.**



**Photo 4. Bishop Creek Canal below the existing Wye Road culvert outlet, south side of Wye Road.**



**Photo 5. Bishop Creek Canal culvert outlet, south side of Wye Road.**

Initial Study and Environmental Checklist for the  
City of Bishop Wye Road State Transportation  
Improvement Project

Prepared For  
**City of Bishop**  
Department of Public Works  
377 West Line Street  
Bishop, California 93514

Prepared By  
**Harding Lawson Associates**  
961 Matley Lane, Suite 110  
Reno, Nevada 89502

April 25, 2000

## I. INTRODUCTION

The City of Bishop is proposing right-of-way acquisition and improvements to drainage, curb, gutter and sidewalk, pavement and lighting. The project area runs the length of Wye Street between Highway 6 and Spruce Street. The project will relocate existing utilities as necessary, repave Wye Road and all improvements will be within Caltrans and City of Bishop rights-of-way with no new ground disturbance proposed. The project was initiated by the City of Bishop and has been approved by the Inyo County Local Transportation Commission for inclusion in the 1998 State Transportation Improvement Plan (STIP).

Current surface drainage conditions include roadside ponding, and conveyance of runoff through driveway culverts in drainage swales. Minimal and intermittent curb, gutter and sidewalks exist on Wye Road.

The objectives of the proposed project are to control flooding and erosion, reduce pollutants, and eliminate related safety concerns. To achieve these objectives, the proposed project will require acquisition of permanent right-of-way from Los Angeles Department of Water and Power (LADWP) on the north side of Wye Road for storm drain construction. The construction of 1200 feet of storm drain system will run the length of Wye Road from Highway 6 to the Bishop Creek Canal. Proposed curb and gutter is intended to contain runoff within property boundaries, while sidewalk and street light installation will enhance public safety and meet ADA standards. Wye Road from Highway 6 to Spruce Street will be repaved and street lighting will meet City of Bishop street lighting standards.

The proposed project would result in no disturbance to ground that is currently undisturbed. Therefore, under the RWQCB Phase II Storm Water Prevention Program, the City of Bishop is not required to develop a stormwater prevention pollution plan, nor is the city required to obtain a NPDES General Disturbance Stormwater Permit.

The City has determined that the project could not have a significant effect on the environment, and a Negative Declaration will be prepared. This Initial Study has been prepared to generally describe the proposed project and solicit input from agencies and the public regarding the scope of the proposed project. The project description presented in this document is summarized from environmental data gathered by Harding Lawson Associates (HLA) and the *Revised Engineering Proposal for STIP Projects A-G*, prepared for the City of Bishop, Department of Public Works (December 3, 1999) by HLA.

## II. PROJECT PROPONENT

City of Bishop  
Department of Public Works  
377 West Line Street  
Bishop, California 93514

Telephone: (760) 873-5863

Contact: Mr. Andrew Boyd, Director  
City of Bishop Public Works Department

## III. LOCATION

As shown in Figure 1, Vicinity Map and Figure 2, Location Map, the Wye Road Project is located in northeast Bishop, From Highway 6 to Spruce Street. Photographs are included in Appendix 1.

## IV. PROJECT AREA DESCRIPTION

### Geology, seismicity and soils

A Soils Engineering Report for the project is in the process of being drafted. Preliminary information based on the field geotechnical studies indicates that the project area is underlain by medium to coarse sands derived from granitic parent material, and the seasonally high water table can be located at 36 to 60 inches during the growing season. Laboratory testing of the project soils indicates that no expansive soils are located within the project area.

The site is not in an Alquist-Priolo Special Studies Zone.<sup>1</sup> The project area is located within the "Fish Slough Fault" zone, a type B Fault. The Bishop area is located in seismic zone 4.<sup>2</sup>

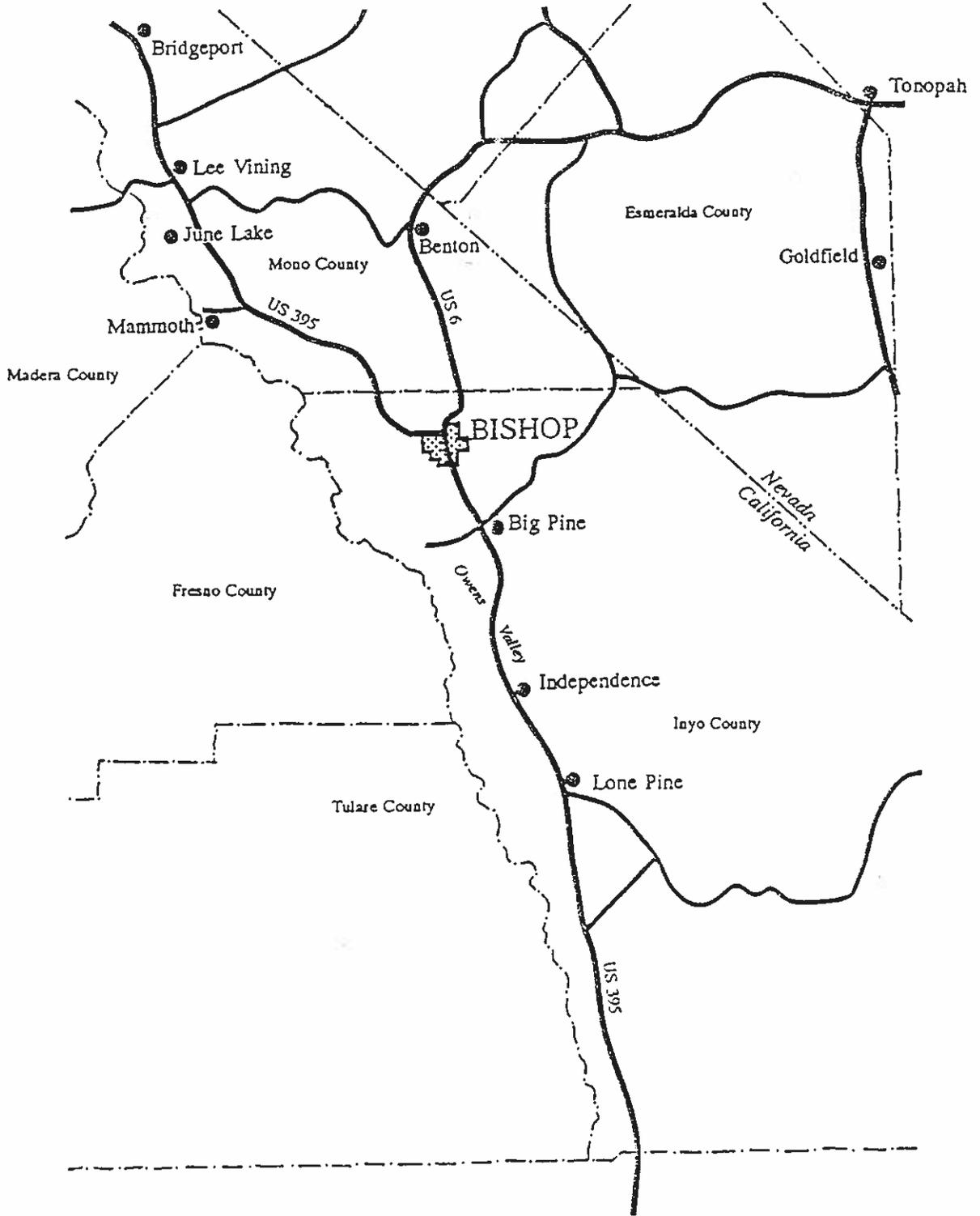
The site lies within the Dehy-Patway soil map unit, 0 to 2 percent slopes.<sup>3</sup> These soils are well drained, moderately permeable, with a seasonally high water table of 36 to 60 inches. The potential for water erosion is slight, and severe for wind erosion if the soils are disturbed and not secured.

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<sup>1</sup> State of California, Special Studies Zones, SW 14 Bishop Quadrangle, Official Map, January 1, 1985.

<sup>2</sup> Maps of Known Faults, Near Zone-Source Zones, In California and Adjacent Portions. California Department of Conservation, Division of Mines and Geology, February 1998.

<sup>3</sup> Advance copy of soils classification, subject to change, NRCS, Bishop Field Office, July, 1996.



**HARDING LAWSON ASSOCIATES**  
 Engineering and Environmental Services  
 1572 E. College Parkway, Suite 162  
 Carson City, Nevada 89706

VICINITY MAP  
 BISHOP, CALIFORNIA

FIGURE  
 1

DRAWN	JOB NUMBER	APPROVED	DATE	REVISED	DATE
RBG	49396.05		FEB. 00		



### **Topography**

The topography of the plan area is flat with the elevation of the project area approximately 4,100 feet above sea level.

### **Drainage**

The existing street edge of pavement and/or curb and gutter define the drainage of the project area. Intermittent overland flow from commercial, industrial and undeveloped parcels enters the project area over a majority of its length. No defined waterways occur within the project area. Surface runoff from the intersection of Highway 6 and Wye Road flows easterly in undefined channels to the Bishop Creek Canal. At present, overland flow from the commercial, industrial and undeveloped properties as well as oil residues off the asphalt may, under conceivably high flows, be transported to the Bishop Creek Canal and ultimately the Owens River. Soils engineering boring logs drilled to a five foot depth in the Wye Street project area failed to encounter evidence of groundwater.

### **Biological Resources**

The biological setting of the project area is dominated by commercial and industrial development. The project site is currently paved and does not support vegetation. No trees are proposed to be removed or trimmed in association with this proposed project.

A query of the California Natural Diversity Data Base (CNDDDB) for the following quadrangles was conducted: Bullets, Poleta, Laws, Bishop, and Fish Slough. Given the existing commercial and industrial street development, there is a very low potential for identified sensitive plants to occur on the project site. Suitable habitat for sensitive wildlife species is not present within the proposed development envelope. Therefore, no sensitive wildlife species are expected to be present on-site. The project may result in a beneficial impact on wildlife resources downstream of the proposed storm drain because runoff from the road that may enter the ditch will be cleaner. General wildlife species may be temporarily disturbed during project construction due to short-term increases in noise and human activity.

## **V. PROJECT DESCRIPTION**

### **Land Use**

The proposed land uses are presented in the General Plan Land Use Diagram (Figure 3) and in the General Development Plan Zoning Diagram (Figure 4). The project area itself, Wye "Road" is not designated or zoned in the General Plan, however the areas adjacent to the street are designated and zoned as follows: general Commercial, heavy Commercial, parks and open spaces, and industrial.

### **Circulation**

The existing circulation system will not be changed.

### **Infrastructure & Utilities**

The proposed project will utilize water from the City of Bishop water supply or from the canal through consultation with LADWP for dust control and soil/utility trench compaction. The expected amount of water use is expected to be insignificant.

The project will not utilize sewer service except during the construction phase (via portable toilets); expected use is considered negligible.

The project will not generate additional employees, population, households or schools.

Provisions of solid waste pickup and hauling services should not be affected by the project. The amount of waste generated during construction will be small and easily handled by the Sunland sanitary landfill. Should contaminated soil be encountered within the project area, it will be disposed of at the Sunland landfill, a licensed facility. The Sunland site has a life expectancy of 35 years.

LADWP and Southern California Edison (SCE) provide electrical service to the City of Bishop and surrounding region. Telephone service is provided by GTE (formerly Continental Telephone Company). Should the project improvements necessitate utilities relocation and upgrade, interruptions to services will be minimal and temporary.



Figure 4-1 Vacant Lands Area Map

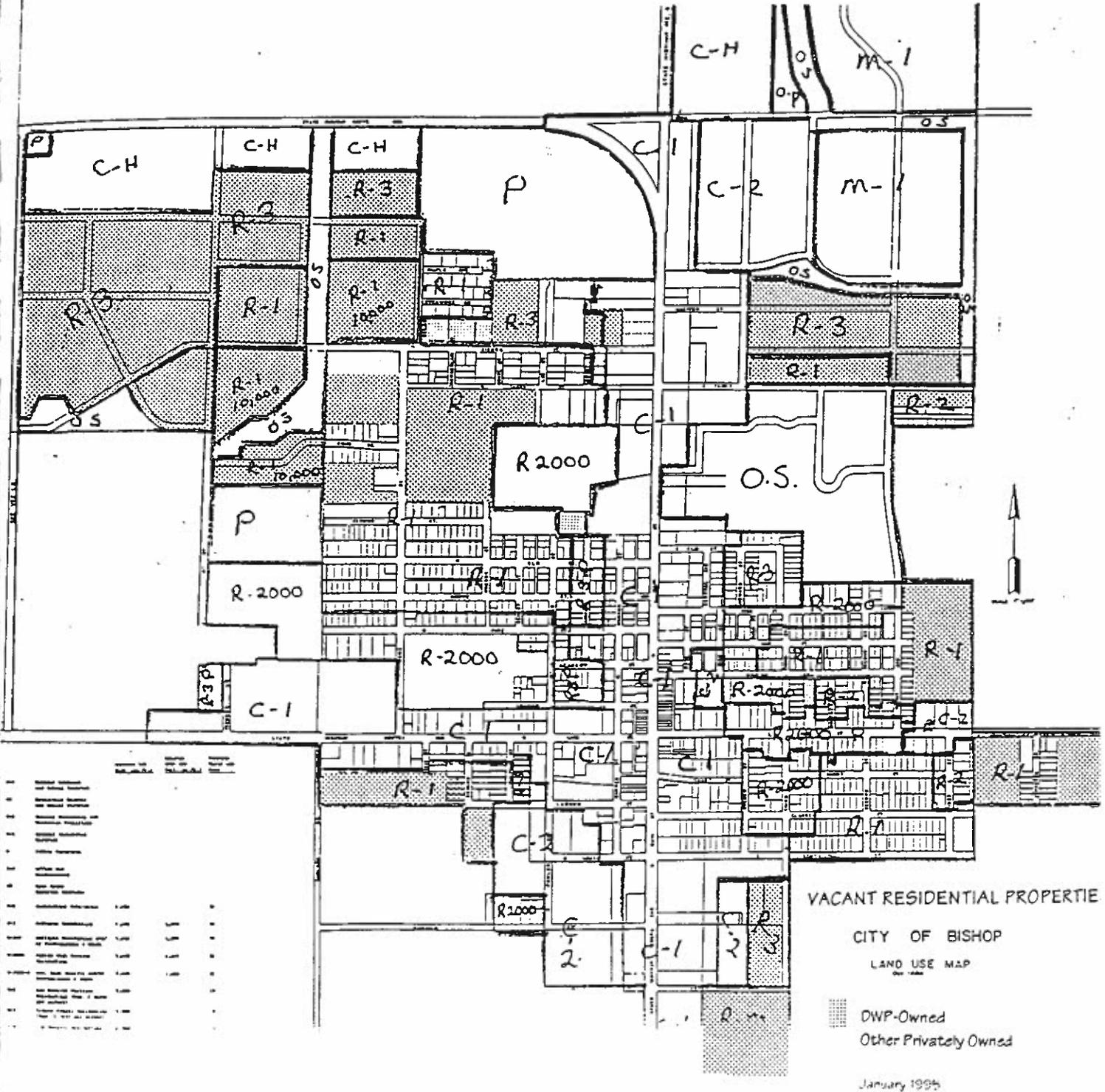


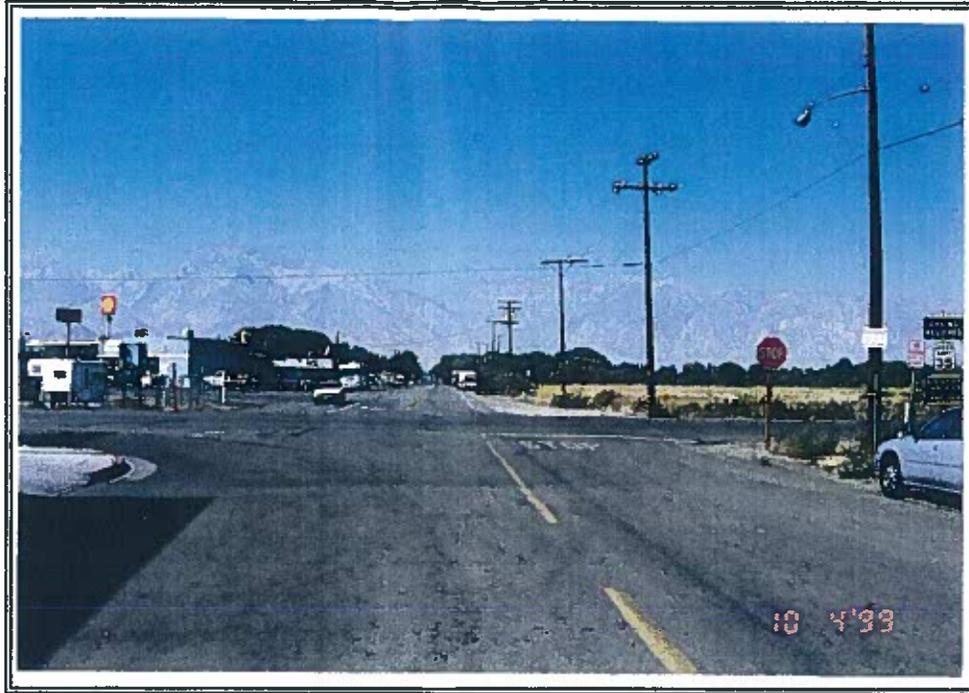
Figure 4

**VI. PROJECT ENTITLEMENTS AND PERMITS**

The checklist and Negative Declaration will serve as the principal disclosure document for the environmental effects associated with proposed City of Bishop Wye Road Improvement Project.

The City of Bishop is the local permitting agency for this proposed project.

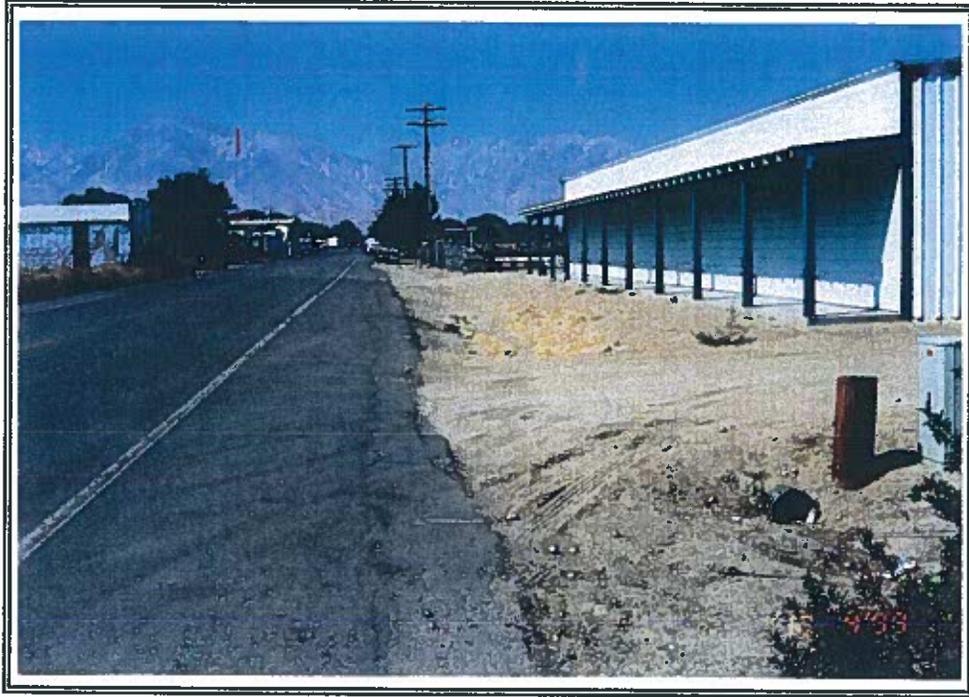
**APPENDIX 1**



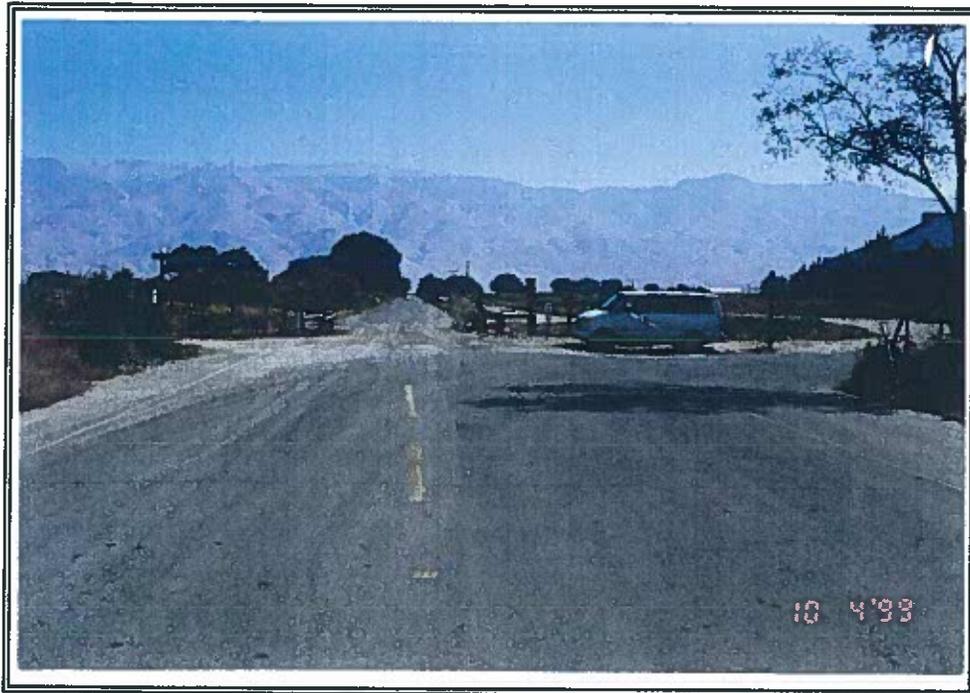
Wye Road westerly project limits near Highway 6.



Wye Road surface drainage problems.



Wye Road lack of curb, gutter, and sidewalks.



Wye Road easterly project limits.

# ENVIRONMENTAL CHECKLIST

**CEQA GUIDELINES APPENDIX G  
ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: Wye Road Improvement Project
2. Lead Agency Name and Address: City of Bishop
3. Contact Person and Phone Number: Mr. Andrew Boyd Director of Public Works (760) 873-5863
4. Project Location: The project is located in the northeast part of the City of Bishop as shown on Figure 2 – Project Location Map. The proposed project consists of approximately 1200 feet of existing street pavement and right-of-way.
5. Project Sponsor's Name and Address: Mr. Andrew Boyd City of Bishop Department of Public Works  
377 West Line Street  
Bishop, California 93514
6. General Plan Designation: The street itself which is the "project area" is not designated in the general Plan, however, adjacent areas are designated as follows: general commercial; heavy commercial; industrial; parks/open space.
7. Zoning: The street itself which is the "project area" is not zoned, however, adjacent areas are zoned as follows: general commercial; heavy commercial; industrial; parks/open space.
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)  

**The City of Bishop proposes improvements to Wye Road from Highway 6 to Spruce Street. Permanent right-of-way will be acquired on the north side of Wye Road to install approximately 1200 feet of storm drain. Also, contiguous curb, gutter, and sidewalks will be installed where currently they do not exist on both the north and south sides of the street. The installation of street light fixtures to meet City of Bishop street lighting standards is also proposed. The project will relocate existing utilities as needed and will repave Wye Road from Highway 6 to Spruce Street.**
9. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:  
Surrounding land uses include general commercial, heavy commercial, industrial and parks/open space. The project area is almost entirely flat at an approximate elevation of 4,100' above sea level.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
Project funding has been approved by RTIP and Caltrans.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality             |
| <input type="checkbox"/> Biological Resources            | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils           |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning       |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing      |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Planning |
| <input type="checkbox"/> Utilities/Service Systems       | <input type="checkbox"/> Mandatory Findings of Significance |  |

**DETERMINATION (To be completed by the Lead Agency.)**

On the basis of this initial evaluation:

- I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect on this case because the mitigation measures described on the attached pages have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that although the proposed project could have a significant effect on the environment, there **WIL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**I. AESTHETICS.** Would the project:

- a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*Implementation of the proposed Wye Road Improvement Project will not significantly alter the visual characteristics of the surrounding area, transforming the project area from undeveloped to that of an urban setting.*

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The project area does not lie within the viewshed of a designated State Scenic Highway.*

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*See Response I.a) above.*

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The K-Mart commercial property recently developed on Wye Road has already installed parking lot light fixtures. This project will install lighting to match existing K-Mart fixtures. See Response I.a) above.*

**II. AGRICULTURAL RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The project area does not support prime farmland.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

*The project area (a street) has not been assigned a zoning designation. There is no land zoned for agricultural use within the project area or adjacent to the project area.*

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

*See Response II.b) above.*

**III. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

*The proposed project does not include any activities that would affect attainment of adopted air quality standards.*

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

*See Response to III.a) above.*

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

*See Response to III.a) above.*

- d) Expose sensitive receptors to substantial pollutant concentrations?

*Exposure levels will not change as a result of the proposed storm drainage and street improvement project.*

- e) Create objectionable odors affecting a substantial number of people?

*The project will not result in the creation of any objectionable odors affecting a substantial number of people.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IV. BIOLOGICAL RESOURCES.** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*The proposed project site is currently paved and does not support vegetation. Suitable habitat to support sensitive wildlife species known to occur in the area is not present on the project site. Therefore no impacts to sensitive wildlife species are expected from project implementation. Based on a California Natural Diversity data base query and field reconnaissance of the project area, the project will not result in any impact to any habitat or species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the US Fish and Wildlife Service.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*See Response IV.a) above*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*The proposed project will not have any effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species on with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*There is no fisheries habitat within the project area, and no significant migratory routes have been identified within the project area due to the urban/commercial land uses.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*No conflict has been identified, the proposed project will comply with adopted polices and ordinances.*

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The City of Bishop General Plan Area does not include any Habitat Conservation Plan areas, Natural Community Plan areas, or other approved local, regional, or state habitat conservation plan areas.*

**V. CULTURAL RESOURCES.** Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*On-site reconnaissance revealed no evidence of cultural resource remnants, artifacts, and unusual or artificial landforms.*

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Response V.a) above.*

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*Based on a lack of recorded fossils on adjacent developed parcels, the potential for fossils to exist within this project area is highly unlikely.*

- d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*No human remains or interments are known to exist in the plan area.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VI. GEOLOGY AND SOILS.** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issues by the State Geologist for the area of based on other substantial evidence of a known fault? Refer to Div. of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The site is not within an Alquist-Priolo Special Studies Zone<sup>1</sup>. The City of Bishop is located in a seismic zone 4, and the project area is located within the "Fish Slough Fault" zone<sup>2</sup>. The projects primary consideration with regard to geology, seismicity and soils is the probability of ground shaking as the result of an earthquake. Since no buildings are involved, this potential is considered insignificant.*

ii. Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*See Response to VI.a)i. above.*

iii. Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*Groundwater is relatively high and granular soils may be present in the upper 50 feet, therefore, liquefaction may occur. However, the potential resulting differential settlement is not expected to significantly impact the project.*

iv. Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The project area is on level ground, thus there is no potential for landslides.*

<sup>1</sup> State of California, Special Studies Zones, SW 14 Bishop Quadrangle. Official Map, January 1, 1985.

<sup>2</sup> Maps of Known Active Faults, Near-Source Zones. In California and Adjacent Portions. CA Dept. of Conservation. Div. of Mines and Geology. Feb. 1998.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*Construction activities, including site grading and trenching will result in a minor risk of erosion. Erosion control practices and Best management practices will be implemented resulting in no impact.*

- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or Off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*See Response VI.a) iii above.*

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*Laboratory testing of the project area soils indicate that no expansive soils are located within the project area.*

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*The proposed project does not include the construction of permanent structures, thus septic tanks and alternative waste disposal systems are not applicable. Construction personnel will use portable sanitation units.*

**VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The construction of the proposed storm water drainage and street improvements would not pose any significant hazard to the public or the environment. Construction would involve the short-term use of hazardous materials such as diesel fuel, grease, etc. No long-term use of hazardous materials is foreseeable as a result of the project.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p> <p><i>Construction of or the proposed project itself will not create an elevated risk of upset producing a significant hazard to the public or environment. Transport of hazardous materials through the City of Bishop is subject to regulation.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> <p><i>The proposed project will not entail emission or handling of hazardous materials with the exception of those used during construction as mentioned above (See Response VII.a). Existing schools are greater than 1 mile from the proposed project.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p> <p><i>The project area is not a hazardous materials site.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p> <p><i>The project area is located within 2 miles of an airport. The City of Bishop will coordinate with Caltrans Aeronautics Program for guidance to minimize any potential safety hazards for people working in the project area.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p> <p><i>See response VII.e) above.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p><i>Implementation of the proposed project would not impair or interfere with an adopted emergency response or evacuation plan.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project area is surrounded by development and/or areas approved for urban land use. The site does not support any significant forested area. Consequently, the project would not expose people or structures to elevated risk of wildland fire.*

**VIII. HYDROLOGY AND WATER QUALITY.** Would the project:

- a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Construction of the proposed project will impact zero acres of currently undisturbed ground and is intended to decrease the existing risk of contamination and sedimentation resulting from urban runoff. Only positive impacts are envisioned for the proposed project. Should contaminated soil be encountered in the proposed project area, it shall be disposed of at the Inyo County Sunland Landfill, a licensed facility, to avoid violating water quality standards.*

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The construction of the proposed project will depend solely on municipal water sources. The proposed project is not water dependent.*

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Response VIII.a). The City of Bishop General Plan protects the principal drainages within the plan area. Runoff will continue to be discharged to the same watersheds as in pre-project conditions. The proposed project will not increase the velocity or quantity of storm water runoff.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*See Response VIII.c) above.*

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Responses VIII.a) and VIII.c).*

f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Response VIII.a). Aside from the existing sources of non point source pollution, no other notable long-term potential sources of pollution have been identified.*

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project does not include construction of housing within a 100-year floodplain.*

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Storm drainage installation will not impede or redirect flood flows within a 100-year flood hazard area.*

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project does not include construction of a levee or dam.*

j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project area is not susceptible to seiche or tsunami. Soils on the site have not been known to be susceptible to mudflow.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IX. LAND USE AND PLANNING.** Would the project:

- a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project area is an existing street. The project will not divide a community.*

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project is in accordance with the City of Bishop General Plan.*

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Response IV.f).*

**X. MINERAL RESOURCES.** Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*No. The project area does not support significant mineral resources.*

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*See Response X.a) above.*

**XI. NOISE.** Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*Standards established in the City of Bishop General Plan will not be affected by the construction of the proposed storm water drainage and street improvements.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</p> <p><i>With the exception of regulated short-term construction activities, the project will not produce significant groundborne vibration or noise.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p> <p><i>See Response XI. a) above.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p> <p><i>See Response XI. b).</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p> <p><i>The project area is located within 2 miles of an airport. The City of Bishop will coordinate with Caltrans Aeronautics Program for guidance to minimize any potential safety hazards for people working in the project area.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</p> <p><i>There are no known private airstrips within 2 miles of the project area</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XII. POPULATION AND HOUSING.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*The proposed project will not induce substantial population growth in the area, directly or indirectly.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*The proposed project does not require any change to existing housing.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*See Response XII.b).*

**XIII. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will not physically or otherwise affect government facilities or public services.*

Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will not physically or otherwise affect government facilities or public services.*

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will not physically or otherwise affect government facilities or public services.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Parks? <i>The proposed project will not physically or otherwise affect government facilities or public services.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities? <i>The proposed project will not physically or otherwise affect government facilities or public services.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIV. RECREATION**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?  <i>The proposed storm drainage and street improvement project will not result in an impact on neighborhood and regional parks or other recreational facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?  <i>The proposed project does not include recreational facilities or require the expansion of recreational facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XV. TRANSPORTATION/TRAFFIC.** Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?  <i>The proposed project will not contribute to regional traffic volumes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?  <i>See Response to XV.a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  <i>The proposed project will not impact air traffic patterns.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  <i>Existing roadway design will not be changed as a result of the proposed project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?  <i>Existing emergency access will not be altered as a result of the proposed project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?  <i>Existing parking capacity will not be altered as a result of the proposed project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?  <i>The proposed storm water drainage and street improvement project will not conflict with adopted policies, plans, or programs supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XVI. UTILITIES AND SERVICE SYSTEMS.** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  <i>The proposed project does not require waste water treatment.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  <i>See Response XVI a).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  <i>The proposed project entails the construction of new storm water facilities to remedy existing storm water management concerns.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  <i>The proposed project will not require water supplies. During construction municipal water sources will be used.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  <i>The proposed project will not require a waste water treatment provider.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  <i>Significant solid waste disposal needs are not envisioned for the proposed project. Removed asphalt and/or concrete will be disposed of as required.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The proposed project will comply with federal, state, and local statutes and regulations related to solid waste.*

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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TO: CITY COUNCIL

FROM: KEITH CALDWELL, ACTING CITY ADMINISTRATOR *KSC*

**SUBJECT: Consideration to advertise the Wye Road Storm Drain Project**

DATE: AUGUST 22, 2011

Attachments: Director Grah has provided a Summary Memo.

BACKGROUND/SUMMARY

The Wye Road Storm Drain Project, originally proposed as part of the Road project in 2004, was never funded or constructed. The 2011/2012 budget includes \$750,000 for the storm drain and intersection project. Estimated cost for the storm drain project is \$305,000 and intersection project estimates are around \$400,000.

The project funds came from Kmart and Caltrans.

RECOMMENDATION

City Council considers advertisement for construction bids for the Wye Road Storm Drain Project.



**To:** Keith Caldwell, Acting City Administrator  
**From:** David Grah, Director of Public Works  
**Subject:** Advertise the Wye Road Storm Drain Project for Bids  
**Date:** 12 August 2011  
**Previous:** 17 February 2006, 14 August 2007, 2 September 2008, 21 January 2009, 10 April 2009, 19 April 2011  
**Funding:** Wye Road Intersection Improvement Funds

**General:**

Public Works is ready to advertise the Wye Road Storm Drain project for construction bids.

**Background:**

The Wye Road Storm Drain project will construct a new storm drain on Wye Road between North Main Street (Highway 6) and the Bishop Creek Canal. The storm drain includes water treatment capability (an oil / water separator) and provides for future storm drain connections to most properties along the street.

The storm drain to be constructed by the Wye Road Storm Drain project was part of the proposed 2004 Wye Road Improvements project that was never funded or constructed. It should be noted the Wye Road Storm Drain project is a separate project from the Wye Road Intersection Improvement project, and is covered by a separate environmental document, but is funded from the same source as the intersection project.

The Wye Road Storm Drain project will make parcels in the Wye Road area more developable and otherwise complements and supports the Wye Road Intersection project. Once the Wye Road Storm Drain project is constructed, right of way acquisition needed for the intersection project should be able to be completed, and the construction of that project finally can move forward.

The construction cost of the storm drain project is estimated to be about \$305,000. The 2011/2012 fiscal year budget includes \$750,000 for both this storm drain project and the construction of the intersection project, line item 036-000-56027 (Wye Road Intersection Capital Improvements). The intersection project is expected to cost about \$400,000. These funds came from Kmart and Caltrans.

The schedule for the project is proposed to be:

Advertise	23 August
Open Bids	12 September

Award Contract	26 September
Start Construction	25 October
Finish Construction	24 November

**Recommendation:**

That the City Council approve the advertisement of the Wye Road Storm Drain project for construction bids.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ACTING CITY ADMINISTRATOR /  
COMMUNITY SERVICES DIRECTOR *KSC*

**SUBJECT: Consideration to set a date for City Council /Staff Mini-Retreat,  
October 2011.**

DATE: AUGUST 22, 2011

Attachments:

**BACKGROUND/SUMMARY**

In June the City Council and Staff conducted a full day retreat to discuss potential goals, objectives and projects for consideration. These items were recorded for future review and prioritization. A follow-up opportunity is requested for October 2011.

**RECOMMENDATION**

Consideration to set a date in October for a Mini-Retreat.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ASSISTANT CITY ADMINISTRATOR /  
COMMUNITY SERVICES DIRECTOR *KJC*

**SUBJECT: REPORT BY CITY ATTORNEY ON CALIFORNIA SUPREME COURT  
STAY ORDER ON AB 1X 26 & 27 RELATING TO THE CITY'S  
REDEVELOPMENT AGENCY**

DATE: AUGUST 22, 2011

Attachments: Email of 8/11/11 from DMD Public Affairs Manager  
Press Release dated 8/11/11

**BACKGROUND/SUMMARY**

The City Attorney has requested time to provide a report on the August 11, 2011 California Supreme Court decision to hear the lawsuit filed by the California Redevelopment Association and League of California Cities and partial stay order until it can determine the constitutionality of AB 1X 26-27.

**RECOMMENDATION**

Hear the report from City Attorney Peter Tracy, and if requested, consider any action recommended.

**City Clerk**

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**From:** Nancy Cisneros [ncisneros@cacities.org]  
**Sent:** Thursday, August 11, 2011 7:37 PM  
**To:** undisclosed-recipients:  
**Subject:** CRA Urges Agencies Appealing DOF Amounts To Meet Deadline; CRA Legal Committee Examining Questions Raised by Court's Stay

For your information  
CRA release regarding Supreme Ct RDA case

## **CRA Recommends Agencies Intending to Appeal DOF's Payment Amount File by Deadline; CRA Legal Committee Examining Questions Raised By Partial Stay**

Today's announcement that the California Supreme Court will hear the lawsuit filed by the California Redevelopment Association and the League of California Cities included a partial stay regarding the effectiveness of AB1X 26-27 until it can rule on the constitutionality of these two bills.

The partial stay of AB1X 26-27 issued by the Supreme Court today has raised a number of questions about what agencies can or should do going forward. **CRA's Legal Committee is reviewing these questions and will provide further direction as soon as possible.**

In the meantime, **CRA recommends that agencies that intend to file an appeal of their community remittance do so before the August 15 deadline.** If you have particular questions you would like the Legal Committee to consider, please e-mail them to Lillian Henegar at CRA, [lhenegar@calredevelop.org](mailto:lhenegar@calredevelop.org), and she will forward them on to the Committee.

Go to [the CRA website for the California Supreme Court order and other materials](#) related to the CRA/League lawsuit. CRA and the League issued [a press statement](#) regarding the announcement today.

This message from the California Redevelopment Association 1400 K Street, Suite 204, Sacramento, CA 95825; 916-448-8760; [www.calredevelop.org](http://www.calredevelop.org)

Questions and concerns regarding this update can be sent to Lillian Henegar at [lhenegar@calredevelop.org](mailto:lhenegar@calredevelop.org).

Nancy Cisneros  
Regional Public Affairs Manager  
Inland Empire & Desert Mountain Divisions  
League of CA Cities  
31759 Avenue E #111  
Yucaipa, CA 92399  
Cell: 909 230-3940

8/16/2011



## **STOP THE STATE'S REDEVELOPMENT PROPOSAL**

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### **PROTECT LOCAL JOBS AND THE ECONOMY**

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**FOR IMMEDIATE RELEASE**  
August 11, 2011

**CONTACT: KATHY FAIRBANKS**  
**916.443.0872**  
[kfairbanks@bcfpublicaffairs.com](mailto:kfairbanks@bcfpublicaffairs.com)

## **California Supreme Court Agrees to Hear Redevelopment Petition on Expedited Basis**

**State Supreme Court Also Issues Partial Stay Which Prevents Redevelopment Agencies from Having  
to Make Payments Until Supreme Court Resolved Case**

**SAN FRANCISCO** --Today, the California Supreme Court announced that it had agreed to take *California Redevelopment Assn. v. Matosantos* (S194861), the petition challenging the constitutionality of the recent budget bills (AB 1x 26 & 27) that eliminate redevelopment agencies unless they agree to make a "ransom" payment to fund State obligations. The California Supreme Court also granted part of the stay requested by the California Redevelopment Association and League of California Cities. The stay, in effect, prevents redevelopment agencies from being forced to make the payments until the Court could rule on the merits of the case.

"We're very gratified that the California Supreme Court has agreed to take our case, issued the stay we requested to preserve the status quo, and that it is moving on an expedited basis," said Chris McKenzie, Executive Director, League of California Cities. "The redevelopment bills are unconstitutional, violating Proposition 22 and other provisions of the state constitution. We look forward to presenting our case to the Court very soon. We're confident the State Supreme Court will ultimately strike down this unconstitutional legislation that ignores the voters' will and that will destroy local economies."

The court established an expedited briefing schedule designed to facilitate oral argument as early as possible in 2011, and a decision before January 15, 2012, the date when redevelopment agencies are required to make their first payment.

###



## CITY OF BISHOP REDEVELOPMENT AGENCY

**Monday, August 22, 2011**  
**City Council Chambers – 301 West Line Street**  
**Bishop, California 93514**

### **NOTICES TO THE PUBLIC**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the City Clerk at 760-873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 13.102-35.104 ADA Title II)

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California during normal business hours. Government Code § 54957.5(b)(1). Copies will also be provided at the appropriate meeting.

Members of the public desiring to speak on a matter appearing on the agenda should ask the Mayor for the opportunity to be heard when the item comes up for Council consideration. NOTE: Comments for all agenda items are limited to a speaking time of three minutes.

### **CALL TO ORDER**

### **ROLL CALL**

### **PUBLIC COMMENT**

**NOTICE TO THE PUBLIC:** This time is set aside to receive public comment on matters not calendared on the agenda.

### **CONSENT CALENDAR -** **(1)**

**NOTICE TO PUBLIC:** All matters under the Consent Calendar are considered routine by the Agency and will be acted on by one motion.

### **FOR APPROVAL AND FILING**

Minutes

(a) Minutes – 2/28/11

### **NEW BUSINESS**

- (2) Report on California Supreme Court stay order relating to AB 1X 26 and AB 1X 27 and possible authorization for Enforceable Obligation Payment Schedule pursuant to Health & Safety Code § 34169(g) and § 34167(h) and the effect on the Bishop Redevelopment Agency – City Attorney.

### **ADJOURNMENT**

RDA (1)

CITY OF BISHOP  
REDEVELOPMENT AGENCY MINUTES  
February 28, 2011

CALL TO ORDER President Griffiths called the meeting to order at 8:17 p.m.

MEMBERS PRESENT Smith, Cullen, Stottlemyre, Dishion, Griffiths

MEMBERS ABSENT None

OTHERS PRESENT James M. Southworth, Executive Director  
Denise Gillespie, Assistant City Clerk  
Peter Tracy, City Attorney

PUBLIC COMMENT There was no public comment.

CONSENT CALENDAR A motion was made by Member Cullen to approve the  
Consent Calendar as presented:  
(1)  
Motion/Cullen FOR APPROVAL AND FILING:  
(a) Minutes – 1/24/11  
Motion carried by a 5-0 vote.

NEW BUSINESS

REDEVELOPMENT AGENCY President Griffiths moved to accept the Final Budget  
FINAL BUDGET FY 2010-11 for Fiscal Years 2010-2011 and 2011-2012.  
AND 2011-12  
(2)  
Motion/Griffiths The motion carried by a 5-0 vote.

ADJOURNMENT President Griffiths adjourned the meeting at 8:19 p.m.

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Jeff Griffiths, President

ATTEST: James M. Southworth, Executive Director

By: \_\_\_\_\_  
Denise Gillespie, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, ASSISTANT CITY ADMINISTRATOR /  
COMMUNITY SERVICES DIRECTOR *KAC*

**SUBJECT: REPORT BY CITY ATTORNEY ON CALIFORNIA SUPREME COURT  
STAY ORDER ON AB 1X 26 & 27 RELATING TO THE CITY'S  
REDEVELOPMENT AGENCY**

DATE: AUGUST 22, 2011

Attachments: Email of 8/11/11 from DMD Public Affairs Manager  
Press Release dated 8/11/11

**BACKGROUND/SUMMARY**

The City Attorney has requested time to provide a report on the August 11, 2011 California Supreme Court decision to hear the lawsuit filed by the California Redevelopment Association and League of California Cities and partial stay order until it can determine the constitutionality of AB 1X 26-27.

**RECOMMENDATION**

Hear the report from City Attorney Peter Tracy, and if requested, consider any action recommended.

## City Clerk

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**From:** Nancy Cisneros [ncisneros@cacities.org]  
**Sent:** Thursday, August 11, 2011 7:37 PM  
**To:** undisclosed-recipients:  
**Subject:** CRA Urges Agencies Appealing DOF Amounts To Meet Deadline; CRA Legal Committee Examining Questions Raised by Court's Stay

For your information  
CRA release regarding Supreme Ct RDA case

## **CRA Recommends Agencies Intending to Appeal DOF's Payment Amount File by Deadline; CRA Legal Committee Examining Questions Raised By Partial Stay**

Today's announcement that the California Supreme Court will hear the lawsuit filed by the California Redevelopment Association and the League of California Cities included a partial stay regarding the effectiveness of AB1X 26-27 until it can rule on the constitutionality of these two bills.

The partial stay of AB1X 26-27 issued by the Supreme Court today has raised a number of questions about what agencies can or should do going forward. **CRA's Legal Committee is reviewing these questions and will provide further direction as soon as possible.**

**In the meantime, CRA recommends that agencies that intend to file an appeal of their community remittance do so before the August 15 deadline.** If you have particular questions you would like the Legal Committee to consider, please e-mail them to Lillian Henegar at CRA, [lhenegar@calredevelop.org](mailto:lhenegar@calredevelop.org), and she will forward them on to the Committee.

Go to [the CRA website for the California Supreme Court order and other materials](#) related to the CRA/League lawsuit. CRA and the League issued [a press statement](#) regarding the announcement today.

This message from the California Redevelopment Association 1400 K Street, Suite 204, Sacramento, CA 95825; 916-448-8760; [www.calredevelop.org](http://www.calredevelop.org)

Questions and concerns regarding this update can be sent to Lillian Henegar at [lhenegar@calredevelop.org](mailto:lhenegar@calredevelop.org).

Nancy Cisneros  
Regional Public Affairs Manager  
Inland Empire & Desert Mountain Divisions  
League of CA Cities  
31759 Avenue E #111  
Yucaipa, CA 92399  
Cell: 909 230-3940

8/16/2011



## **STOP THE STATE'S REDEVELOPMENT PROPOSAL**

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### **PROTECT LOCAL JOBS AND THE ECONOMY**

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**FOR IMMEDIATE RELEASE**  
**August 11, 2011**

**CONTACT: KATHY FAIRBANKS**  
**916.443.0872**  
[kfairbanks@bcfpublicaffairs.com](mailto:kfairbanks@bcfpublicaffairs.com)

## **California Supreme Court Agrees to Hear Redevelopment Petition on Expedited Basis**

**State Supreme Court Also Issues Partial Stay Which Prevents Redevelopment Agencies from Having  
to Make Payments Until Supreme Court Resolved Case**

**SAN FRANCISCO** --Today, the California Supreme Court announced that it had agreed to take *California Redevelopment Assn. v. Matosantos* (S194861), the petition challenging the constitutionality of the recent budget bills (AB 1x 26 & 27) that eliminate redevelopment agencies unless they agree to make a "ransom" payment to fund State obligations. The California Supreme Court also granted part of the stay requested by the California Redevelopment Association and League of California Cities. The stay, in effect, prevents redevelopment agencies from being forced to make the payments until the Court could rule on the merits of the case.

"We're very gratified that the California Supreme Court has agreed to take our case, issued the stay we requested to preserve the status quo, and that it is moving on an expedited basis," said Chris McKenzie, Executive Director, League of California Cities. "The redevelopment bills are unconstitutional, violating Proposition 22 and other provisions of the state constitution. We look forward to presenting our case to the Court very soon. We're confident the State Supreme Court will ultimately strike down this unconstitutional legislation that ignores the voters' will and that will destroy local economies."

The court established an expedited briefing schedule designed to facilitate oral argument as early as possible in 2011, and a decision before January 15, 2012, the date when redevelopment agencies are required to make their first payment.

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