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March 23, 2009

State of California
Department of Housing and Community Development
Division of Housing Policy Development
P.O. Box 952053
Sacramento, CA 94252-2053

RE: 2008 General Plan Annual Progress Report

To Whom It May Concern:

Please find enclosed a copy of the County's 2008 General Plan Annual Progress Report and associated Board of Supervisors' Agenda Request Form.

Thank you. Please call me at (760) 878-0263 or email me at jhart@inyocounty.us if you have any questions.

Sincerely,

Joshua Hart, AICP
Senior Planner

HOUSING POLICY
DEVELOPMENT, HCD
MAR 26 2009

HOUSING POLICY
DEVELOPMENT, HCD

MAR 25 2009

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Commission

FOR THE BOARD MEETING OF: March 17, 2009

SUBJECT: Inyo County 2008 General Plan Annual Progress Report

DEPARTMENTAL RECOMMENDATION:

Accept and provide comments on the draft Inyo County 2008 Annual Progress Report (APR), and direct staff to forward the APR with any modifications to the State of California's Department of Housing and Community Development (HCD) and Governor's Office of Planning and Research (OPR).

SUMMARY DISCUSSION:

Government Code Section 65400 requires that local agencies prepare a General Plan Annual Progress Report (APR). The purpose of the document is to report on the County's progress in implementing its General Plan. The Planning Commission reviewed the draft APR and provided input at its regular February 25, 2009 meeting. Comments provided by the Commission have been incorporated, and the document is now being presented to the Board of Supervisors for its review and comment. Subsequently, it will be submitted to OPR and HCD. The APR is exempt from the requirements of the California Environmental Quality Act per Guidelines Section 15306.

As indicated in the draft APR, the General Plan is the County's constitution and guiding vision, and upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process. However, the County has encountered difficulty in making the voice of its citizens heard in some State and federal planning issues.

The County provided leadership and participated in many planning activities in 2008, as identified in the attached report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. Minor updates to the General Plan have commenced or been approved in the last year. A larger more inclusive update is planned in 2009.

ALTERNATIVES:

- Direct changes to the APR.
- Do NOT accept the APR.
- Return the APR to staff with direction.

OTHER AGENCY INVOLVEMENT:

State of California – OPR and HCD

FINANCING:

No direct impact. Resources from the Planning Department's general budget were utilized to prepare the APR.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)*
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

Date: 3-3-09

Attachment: Draft APR

General Plan Annual Progress Report

2008

County of Inyo

Prepared by Inyo County Planning Department

Final Version
March 2009

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Appendix A Government Code Section 65400
Appendix B Draft Housing and Community Development Department Annual Element Progress Report Forms

I. Introduction

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR)[1].

The purpose of the document is to report on Inyo County's progress in implementing its General Plan. The document was provided to the Planning Commission and Board of Supervisors for their review. Subsequently, it will be submitted to OPR and the Department of Housing and Community Development (HCD).

Background

The County adopted a comprehensive update to the General Plan on December 11, 2001, and has amended the Plan on certain occasions since. The planning process for the update took over four years, many public hearings and meetings, and substantial effort on the part of staff, the Board of Supervisors, the Planning Commission, local organizations and interest groups, and the general public.

The Plan replaced, reformatted, and/or updated a number of older General Plan Elements and other planning documents that had been adopted over the years. In addition to the many working documents, staff reports, and outreach materials, the Plan resulted in the following major documents that are utilized on a day-to-basis in the County's planning processes:

- General Plan Summary
- Background Report
- Goals and Policies Report
- Land Use and Circulation Diagrams
- Environmental Impact Report (EIR)

The Inyo County General Plan received awards of excellence from local chapters of the American Planning Association in 2001. The policy document and diagrams are available on the Planning Department's website at the following link: http://inyo planning.org/general_plan/index.htm.

Informational Document

This document is a reporting document, and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

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1 General Plan Annual Progress Report Guidance. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit. Revised July 11, 2007. Refer to http://www.opr.ca.gov/planning/publications/GP_APR_Guidance_2007.pdf.

Organization

This report is organized similar to the General Plan policy document. After this Introduction, a summary of projects and issues addressed in 2008 is provided, and then each General Plan element is addressed. Following these topics, the County's planned General Plan and Zoning Ordinance update are addressed. Appendix A includes Government Code Section 65400. Appendix B includes the draft HCD reporting forms.[2]

II. Plans, Projects, and Accomplishments

During 2008, the County processed numerous projects and participated in a variety of planning programs. The following summaries provide a brief overview of these projects and programs, and are not intended to be exhaustive.

Building Permits

During 2008, the Department of Building and Safety issued approximately 360 building permits. Of these, about 100 were reviewed by the Planning Department for zoning and General Plan consistency issues. Approximately 16 dwelling units were permitted. Negligible non-residential development was permitted, and several commercial buildings in Lone Pine were demolished. Approximately 12 dwelling units were destroyed by the Oak Creek flood and mudflow. Work on demolishing the Big Pine care facility also began.

Planning Permits

The Planning Department processed a variety of planning permits during 2008, including variances, conditional use permits (CUP), subdivisions, and associated environmental reviews. The breakdown in applications received is as follows:

- 5 Certificates of Compliance
- 3 Parcel Mergers
- 3 Lot Line Adjustments
- 1 Road Abandonment
- 4 CUPs
- 1 Variance
- 1 Reclamation Plan

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2 HCD is promulgating rules for implementation of the Government Code Section 65400 requirements to provide standards forms for reporting Housing Element implementation status. The current versions of the draft forms have beeen completed and are included in Appendix B – these data may be modified as part of the Housing Element update. Refer to http://www.hcd.ca.gov/regulations/ for more information regarding the rule-making process.

- 1 Design Review

In addition, 10 zoning violations were logged.

During the past year, the Planning Commission agendas included the following application types:

- 4 Certificates of Compliance
- 2 Tentative Parcel Map
- 2 Parcel Mergers
- 1 Tentative Tract Map
- 7 CUPs (including extensions)
- 1 Variance
- 4 Reclamation Plans (including amendments)
- 1 Appeal (heard numerous times)

Of these, the subdivision applications were presented to the Board of Supervisors. The Commission processed environmental clearance for these cases, plus adopted Negative Declarations for the Schabbell Lane Improvement and the Brill Car projects. Planning staff works with local agencies and other entities to provide for CEQA clearance for projects in the County. In addition, the Lone Pine Architectural Design Review Board heard one design review case. No emergency ordinances or moratoria were approved in 2008. Ordinance No. 1133 was enacted to allow for restoration of non-conforming structures destroyed by the Inyo Complex Fire.

Zoning and General Plan Amendments

The following zoning/subdivision and General Plan amendments were reviewed by the Planning Commission and Board of Supervisors during the past year:

Zone Reclassification No. 2008-01/Bird – rezoning of property in Laws from M-1 (General Industrial & Extractive) to M-2 (Light Industrial).

General Plan Amendment No. 2008-01/Zone Reclassification No. 2008-02/Hinds – subdivision and modification of boundaries to zoning district/General Plan land use designations about eight miles west of Big Pine, adjacent to Glacier Lodge Road.

Subdivision Amendments/Ordinance No. 1139 – amended the subdivision ordinance to allow for administrative approval of lot line adjustments and parcel mergers, and create a parcel map waiver approval process for parcels 40 acres or larger in size.

Staff also worked on modifications to the zoning ordinance to (1) implement the General Plan's direction to provide for multi- and mixed-uses in commercial zoning districts, and (2) modify certain floor-area-ratio (FAR) requirements. These projects are anticipated to be brought forward in early 2009. Staff also continued work on implementation of the Central Business (CB) zoning district regulations.

Other Projects

The following discussion summarizes other current projects regarding which the County expended substantial efforts.

Conditional Use Permit #2007-03/Coso Operating Company LLC ("Hay Ranch" Water Extraction & Delivery System) – in 2008, the County prepared and circulated draft and final EIRs for this project, which proposes to pump water from Coso's Hay Ranch property in Rose Valley near Coso Junction to a geothermal plant in the China Lake Naval Air Weapons Center. Decision-making for this project continues in early 2009.

Tentative Tract Map 239/Walters (Whitney Portal) – a 27-lot subdivision originally approved in 2005. The project EIR was recirculated in 2008 to address alternatives and other issues raised. Decision-making is scheduled for 2009.

Tentative Tract Map 246/Hooper (Pine Creek Village) – involves a proposal in and adjacent to Rovana to improve and sell 85 existing units and four existing lots, create lots for 47 manufactured homes, provide for 28 patio homes and associated lots, and create 10 new large lots. Staff continued working with the applicant regarding water and wastewater issues. Once resolved, it is anticipated that the environmental review process may commence.

Tentative Tract Map 247/Hill-Lopez (Bishop Summit/Starlite) – a 48-lot subdivision in Starlite, west of Bishop. Staff coordinated with the applicants for water supply, fire suppression, and environmental clearance. These activities continue, and it is anticipated that the environmental review process will move forward in 2009.

Mining – pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of minerals and minimize any associated environmental impacts. Staff inspected approximately 100 mines and processed reclamation plans or amendments for Timberline Exploration (Conglomerate Mesa) near Keeler, Hiatt Ready Mix (Adams Pit) near Bishop, Inyo Marble (F.W. Aggregate) east of Lone Pine, and Pruett Ballarat Inc. located east of Ballarat. The County is working with the Pine Creek Mine towards an appropriate closure plan and financial assurances.

Los Angeles Department of Water and Power (DWP) Land Release – the County continued its coordination efforts with DWP to release lands for private ownership. An auction held on April 28 provided opportunities for purchase of 18 DWP properties. Three bids were received, and one transaction has been completed.

Inyo Complex Fire and Mudflows Response – fires in the Oak Creek drainage in 2007 denuded the land. A subsequent rainfall event resulted in mud debris flows that impacted the Mount Whitney Fish Hatchery, campgrounds, residences and other structures, and

Highway 395. The County provided emergency response services, and continues to work to minimize risks to life and property in the area, as well as plan for reconstruction and mitigation. Ordinance No. 1133 was also enacted to allow for restoration of non-conforming structures destroyed in the fire.

Highway 395 Widening – two projects to widen portions of Highway 395 through central Inyo County on either side of Independence continued in 2008. The County coordinated with Caltrans to minimize impacts during construction. The County also continued to coordinate with Caltrans regarding future widening planned in Olancha. Due to the State budget crisis, progress on these projects could be threatened.

Planning Programs

In addition to the cases described above, the County participates in numerous programs and policy discussions at the local, State, and federal levels. The following list summarizes some of the more active projects from 2008.

Joint Land Use Study (JLUS) – the California JLUS is a collaborative study between active military installations, local communities and other stakeholders, coordinated by OPR. Although the planning effort is State-wide, the County is primarily interested in issues pertaining to China Lake. The County provided input into the JLUS in 2008, including commenting on the draft and final JLUS documents.

West Mojave Plan – the County continued its coordination input into the implementation of this plan, which is a Habitat Conservation Plan and amendment to the California Desert Conservation Area. Funding issues have curtailed the overall planning effort, but the County will continue to participate if the project resumes.

Inyo County Collaborative Bikeways Plan – Inyo County and the Local Transportation Commission (LTC) adopted this plan in 2008 to provide for long-term bicycle planning. Numerous public workshops, hearings, and opportunity for public input were included. The document identifies needs and opportunities for the growth of the County's bikeway system, including in the City of Bishop. The Plan facilitates funding for bicycle facilities.

Regional Transportation Plan (RTP) – Work began in 2008 on updating the County's RTP, which serves as the planning blueprint to guide transportation investments in the County involving local, state, and federal funding over the next 20 years. The LTC held hearings and workshops in 2008, and hopes to adopt the plan in 2009.

Regional Transportation Improvement Program (RTIP) – The RTIP is a list of proposed transportation projects submitted to the California Transportation Commission by the LTC for state funding, and is the largest source of transportation capital funding in the County. The RTIP has a five-year timeframe and is updated every two years. The LTC worked cooperatively with the Caltrans District 9 Office and regional planning partners to identify capital projects, and adopted the 2008 RTIP on February 13, 2008.

Coordinated Public Transit – Human Services Transportation Plan – in coordination with Mono County and Caltrans, the LTC adopted this plan on October 15, 2008. The plan recommends strategies to enhance transportation services to seniors, the disabled, and low-income individuals.

Eastern Sierra Transit Authority (ESTA) Short Range Transit Plan – the County coordinated with ESTA in its work on this plan in 2008. A draft plan was released in November 2008, and a final plan is expected in early 2009. The plan provides opportunities for public input into the future of public transit services in all areas of Inyo and Mono counties; establishes goals and performance standards; documents transit needs; provides service plan recommendations; establishes a detailed operating and capital financial plan; and provides a comprehensive marketing plan.

Lower Owens River Project (LORP) – Work continues on LORP, which expands on initial work by DWP to create or enhance riparian and wetland habitats for a wide variety songbirds, waterfowl, and shorebirds along the lower Owens River. LORP provides recreational opportunities for anglers, botanists, hunters, hikers, bicyclists, and bird watchers and preserve historical uses of the land, such as ranching and farming. Funding issues due to the State budget crisis have impacted LORP implementation.

Housing Element – a request for proposals was released in the fall of 2008 to update the Housing Element prior to the August 31, 2009 deadline. A consultant was selected in January of this year, who is working actively on the update effort. The program includes tasks to evaluate regional housing needs, address new rules and regulations, and evaluate past County housing programs.

HOME Grant – the First Time Home Buyer Program funded four successful applicants, three of which were approved in 2008. The County did not apply for funds for the 2008 Notice of Funding Availability.

Onsite Wastewater Treatment System Coordination – the State is promulgating new regulations per AB885 to provide for standardized regulations throughout California for onsite wastewater treatment systems. The County is continuing to work with its partners and the State to tailor the standards locally.

Inyo County Wildfire Protection Plan – the County began working on this plan in 2008 pursuant to the Healthy Forest Restoration Act of 2003, with community outreach continuing into 2009. The plan works to identify high-risk communities, proposed fuel-reduction projects, preoperational suggestions, and other measures to reduce fire risk.

Multi-agency Regional Planning Projects – the following projects are independent, but exhibit similarities in certain respects. Therefore, the work efforts have been combined to the degree possible to minimize duplication of efforts.

Blueprint Project – this project involves iterative land use/transportation modeling and scenario planning in Inyo and Mono counties. Training and modeling has commenced, which will lead to evaluation of future land use scenarios based on transportation decisions, and vice versa. Comparison of the future scenarios will inform land use and transportation decisions today.

395 Corridor Plan – this project is working to build a common theme/identify for the 395 Highway Corridor (including State Route 14) in Kern, Mono, and Inyo counties. A consultant has been procured to prepare the Plan, and is moving forward.

Land Tenure Project – focusing on opportunities and priorities for land exchange in Mono and Inyo counties, including public outreach and education about land exchange processes. Work began on this project in earnest in mid-2008, including convening the coordinating committee and selecting a consultant for public outreach. Relying on a grant from the Sierra Nevada Conservancy, this project is on hold pending State funding issues.

Inyo National Forest Motorized Travel Management Plan – the County worked with the Forest Service to minimize road closures due to this Plan. As discussed below, the County continues its coordination efforts in this regard.

Inyo National Forest Motorized Travel Management Plan Environmental Impact Statement – the County has initiated coordination with the Forest Service regarding the scope of the Environmental Impact Statement (EIS) for the Plan and the specific affected routes. The EIS was released in early 2009, and the County will continue its coordination efforts and work to improve access to public lands.

Wilderness Proposals – the County continued to provide input on the various wilderness proposals that will impact it. Public meetings and information dissemination will continue.

Yucca Mountain Repository Assessment Office – On December 22, 2008, the County filed a Petition for Intervention to the U.S. Department of Energy's license application to the Nuclear Regulatory Commission, to construct and operate the nation's first geologic repository for high-level nuclear waste at Yucca Mountain, Nevada. Several monitoring and deep wells have been drilled with funds from a Cooperative Agreement between the County and the U.S. Department of Energy. The Geographic Information System (GIS) that is housed in the Planning Department works to augment the County's emergency preparedness, hazard mapping and risk analysis capabilities. A data inventory of known wells in Inyo County and the Death Valley region has been imported into the County's GIS database system.

Geographic Information System (GIS) Upgrade – the County received a Homeland Security grant to upgrade the County's GIS, and began the process of procuring a new dedicated GIS server. Contractors were also solicited to provide high-resolution aerial photographs of the County. All data will be verified (and if necessary corrected),

combined with the new data, and migrated to the new server. In the long term, the project will provide limited GIS access for County staff and the public via web-based applications.

III. General Plan Elements

The General Plan details the County's guiding principles for a variety of planning topics and is the constitution for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD), although some oversight of the Safety Element is provided by the State Geologist.

The Inyo County General Plan consists of the following Elements:

- Government
- Land Use
- Economic Development
- Housing
- Circulation
- Conservation/Open Space
- Public Safety

Subtopics are included in the elements to meet California's requirements. The following sections address implementation for each of the County's General Plan Elements.

Government Element

The Government Element works towards (1) coordination by federal land managers in the preparation of plans that impact the use of lands they manage; (2) improving overall communication and coordination between the County and federal, state, and local

agencies and Native American tribes; (3) enhancing and collaborative planning with other federal, state, and local governmental agencies working in California; (4) establishing issues to be considered in the transfer of land between government agencies and with the public; and (5) administrative and maintenance of the General Plan. Towards these ends, the County has continued dialogue with local, regional, state, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts of the Collaborative Planning Team. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, state, and local regulations. The County works to make such agencies aware of County programs and policies and bring their actions into conformance with the General Plan. Although not always successful in achieving conformance, the County has raised important issues for consideration by decision-makers in other agencies. In particular, the County has worked with the Forest Service regarding its EIS for Motorized Travel Management Plan, and with Senators Feinstein and Boxer, and Representative McKeon regarding pending wilderness proposals to address local concerns.

The County involves the citizens, Native American tribes, and public interest groups in the planning process whenever feasible. Routine feedback and public input is requested, and the County's website is maintained to provide for current up-to-date information regarding planning issues. The County works with other public agencies to minimize impacts to the County's revenues due to land exchanges, and DWP lands were auctioned for release in 2008. The County continues to strive to keep the General Plan current, and is working towards updating the General Plan and zoning ordinance, as discussed in Section IV.

Land Use Element

The Land Use Element guides County land use policy to allow appropriate development with adequate provision of public services and utilities. Land use designations are specified, defined, and mapped in the Land Use Diagrams. The land use designations roughly correspond to the County's zoning districts. Public services and utilities are also addressed in the Land Use Element. Development in and around existing towns is encouraged, which is where most building permits are issued.

During 2008, only one amendment to the land use diagram was approved to make minor adjustments to the boundaries on one property west of Big Pine. Although no other amendments have been processed, the General Plan/zoning code update project described in Section IV will work to improve consistency between the documents. Title 16 (Subdivisions) was amended to allow for administrative approval of lot line adjustments and mergers. County staff is working on amending the zoning ordinance to provide for mixed and multi-family uses in commercial zoning districts as required by the General Plan, a project scheduled to be complete in spring of 2009. The County also began working on increasing FARs in certain zoning districts, a project which is also scheduled to be completed in early 2009.

Potential impacts from new development are assessed under CEQA. Several major EIRs were processed in 2008, including for the Coso/Hay Ranch and Whitney Portal projects. The County continues to apply CEQA to projects with potential impacts, as appropriate. Additional conditions of approval and mitigation may be required where deemed necessary to provide for screening, parking, noise-reduction, or otherwise address issues per the General Plan's direction.

Economic Development Element

The Economic Element works to support long-term efforts to improve economic conditions for all County residents, and addresses tourism, natural resources, and retail sales. Towards these ends, the County has continued to promote access to public lands and limit new restrictions being planned. Promotions regarding Inyo County in major population centers elsewhere in the State (including at the State fair) are carried out. Filming opportunities are exploited, and several dramatic locations were featured in film, television, and other venues in 2008.

Housing Element

The Housing Element works to provide housing for all of the community, and addresses the needs of specified populations. As discussed previously, the County began working on procuring a contractor to update the Housing Element as required by Housing Element law. A consultant was selected in early 2009, who has begun working on the update. Preliminary data indicate that in 2008 approximately 16 net new housing units were produced.[3]

The County continues to work with service providers to provide for the needs of lower-income households, the disabled, and other special needs populations, per the direction provided in the Housing Element. A more in-depth review of the Housing Element's goals, policies, programs, and implementation measures will be provided in the update.

Circulation Element

The Circulation Element addresses a wide variety of topics, including roads, scenic highways, public transportation, bicycles and trails, railroads, aviation, canals, pipelines, and transmission cables. During the 2008, the County updated the RTP and RTIP, thereby achieving the Circulation Element's policies to maximize State and federal funds and plan a comprehensive transportation system. These planning programs prioritize improvement to achieve implementation measures for roadway repaving and reconstruction projects. Widening of Highway 395 as recommended by the Circulation Element continues, and other County roads are improved and maintained as funding permits. Due to current State budget issues, maintenance of existing facilities and continuation of these improvement projects will be challenging.

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[3] These data may be adjusted through the Housing Element update effort.

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development. The County has coordinated with Caltrans to minimize environmental impacts from the 395 four-lane projects. Viewshed issues along scenic highways are also addressed, as they may apply. The County continues to press the Forest Service and other federal agencies to address local concerns regarding appropriate motorized transport on federal lands and to otherwise maintain and improve access.

The County continues to work with and support ESTA to implement transit service throughout the County and beyond. The transit plans completed in 2008 implement the General Plan's direction to support and promote public transit and accessibility. Modified service in 2008 worked to improve transit access not only locally, but also regionally by providing connections to other regional and State transit service, despite difficulties brought on by the State budget crisis.

The County worked with the City of Bishop, Caltrans, and other local stakeholders to adopt the Collaborative Bikeways Plan in 2008. This project implements the Circulation Element's bicycle goals, policies, and implementation measures. Continued coordination with DWP, the Forest Service, and the Bureau of Land Management ensures appropriate trail maintenance and access to public lands. The County continues its planning efforts to improve the Bishop airport, which experienced increased flight operations in 2008 during the closure of the Mammoth Lakes airport. The County is working on improving other airports in its jurisdiction by seeking grant funds and coordinating with Caltrans and the Federal Aviation Administration.

The County has been involved in planning activities for utility transmission and distribution systems passing through it, working to facilitate appropriate resource development and minimize visual and other potential environmental effects. Although much of the County's effort to minimize impacts from telecommunication facilities was completed earlier in the decade when individual telecommunication plans were reviewed, staff continues to implement the plans.

Conservation/Open Space Element

The Conservation and Open Space Element works to provide for resource management, open space for recreation, and park development. Inyo County's Element includes sections on soils, agriculture, minerals and energy, water, biology, cultural (i.e., archaeology), visual, and recreation.

The County continues its programs to support agriculture and ranching. Mineral resource development is encouraged, and the County reviews projects to ensure compliance with SMARA and other regulations. As discussed above, the Planning Commission continues its work providing oversight for reclamation plans, and staff inspected approximately 100 mines in 2008. The County is working with State and federal agencies to encourage

mineral production, but has had difficulty limiting wilderness proposals and other actions that adversely impact mining viability.

The Environmental Health Department provides oversight and permitting for potable water and wastewater treatment systems to manage and improve water quality. Individual projects are reviewed to ensure that they do not adversely impact groundwater quality or quantity. Work on LORP and other enhancement projects improve surface water quality through biological filtering. Water transfers are reviewed to minimize environmental and economic effects. The County has intervened in the Yucca Mountain project to work to protect groundwater supplies in the vicinity of and downgradient from the site. Potential impacts on biological, cultural, and visual resources are analyzed and minimized for projects and programs through environmental review processes. Design review in Lone Pine is carried out to ensure compatibility, and the County is participating in 395 Corridor planning to strengthen identity along the highway.

The County continues to work to improve its parks. In 2008, a lawn and sprinklering systems were added at Lone Pine Park, and a fishing deck was added at Diaz Lake. Maintenance and improvements are becoming problematic with the State budget crisis. The County continues to work to provide access to federal lands.

Public Safety Element

The Public Safety Element works to reduce hazards regarding air quality, floods, avalanches, wildfires, geology and seismicity, and noise. The County continues to cooperate with DWP to reduce dust from Owens Lake, and evaluates air quality issues for major discretionary projects. Building permits and other development proposals are reviewed for flooding, fire, avalanche, and faulting hazards. The General Plan EIR's mitigation requirements for avalanche hazards are enforced in areas subject to avalanche hazards. As discussed previously, the County is working on fire management plans, as well as responding to the Inyo Complex Fire and Oak Creek mudflow. Noise issues are addressed through environmental review, but the County Code has not been updated with a noise ordinance.

IV. General Plan and Zoning Code Update

The County has contemplated an update to the General Plan to address issues that have arisen since the 2001 General Plan was adopted. Several items were addressed individually since then, but a holistic review and update is desired. Some follow-up modifications to the zoning ordinance specified in the General Plan have yet to be implemented, and a comprehensive update to the zoning is also being pursued. The County has been working on the scope for this update process, and is hoping to move forward in 2009.

The project will involve the following major tasks:

- Reconcile the General Plan and Zoning Ordinance;
- Work with the GIS database to ensure proper identification of the Land Use designations and zoning;
- Reformatting;
- Address specific issues;
- Public outreach.

County staff maintains a list of issues to be addressed, including the following major topics:

- Reconcile specific inconsistencies between the General Plan land use diagrams and the zoning maps;
- Strengthen State and federal consistency with local planning;
- Expand language regarding natural resource production to encourage mining and rural agricultural uses;
- Address changes in General Plan requirements that have occurred since 2001, including climate change, environmental justice, etc.;
- Provide consistent definitions and language in the zoning ordinance;
- Provide standards for wind and solar energy development:
- Incorporate noise standards into the County Code;
- Review and update animal keeping standards in residential areas, if appropriate.

V. Conclusion

The General Plan is the County's constitution and guiding vision. Due to the world's ever-changing nature, upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process. However, the County has encountered difficulty in making the voice of its citizens heard in some State and federal planning issues.

The County provided leadership and participated in many planning activities in 2008, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. Minor updates to the General Plan have commenced or been approved in the last year. A larger more comprehensive update is planned in 2009.

Appendix A

Government Code Section 65400

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583. The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

(b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the

housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

Appendix B

Draft Housing and Community Development Department Annual Element Progress Report Forms

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction County of Inyo

Reporting Period 1-Jan-08 - 31-Dec-08

Table A

Annual Building Activity Report
Very Low-, Low-, and Moderate-Income Units and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income		See Instructions	See Instructions	
None										
(9) Total of **Above Moderate** from Table A2 ► ► ► ► ► ►						16	16			
(10) Total by income units (Field 5) Table A ► ► ►							16			

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction County of Inyo

Reporting Period 1-Jan-08 - 31-Dec-08

Table A2

Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total
No. of Units Permitted for **Above Moderate**	8			1	7	16

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction County of Inyo

Reporting Period 1-Jan-08 - 31-Dec-08

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2007	2008								Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	116											116
	Non-deed restricted												
Low	Deed Restricted	70											70
	Non-deed restricted												
Moderate	Deed Restricted	83											83
	Non-deed restricted												
Above Moderate		188	18	16								34	154
Total RHNA for Uninc. County. Enter allocation number:		457											
Total Units ► ► ►			18	16								34	423
Remaining Need for RHNA Period ► ► ► ► ►													

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction County of Inyo

Reporting Period 1-Jan-08 - 31-Dec-08

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including progress in removing regulatory barriers as identified in Housing Element .		
Name of Program*	**Objective**	**Deadline in H.E.**	**Status of Program Implementation**
CBD Zone Reclassification	Rezone to provide for R-3 and R-2	2005-06	Complete
	permitted densities in new CB zone		
Commercial Zone Reclassification	Rezone to provide for R-3 and R-2	2005-06	In process
	permitted densitiies in C zones		
Other identified ongoing programs	Multiple	2004-08	In progress

* Housing Element programs are being updated currently for the 2007-14 period.