North Coast Resource Partnership (NCRP)

Policy Review Panel (PRP) & Technical Peer Review Committee (TPRC)
MEETING SUMMARY

January 15, 2015; 10 am – 3 pm
Ukiah Valley Conference Center, 200 South School Street, Ukiah

I Welcome, Introductions and Flag Salute

PRP Chair, Jake Mackenzie convened the meeting at 10:05 am and welcomed all participants including State representatives. Meeting participant introductions were made (see attendee list below).

The following PRP members formed the quorum: Rohnert Park City Councilmember Jake Mackenzie, Trinity County Supervisor Morris, Del Norte County Supervisor Hemmingsen, Humboldt County Supervisor Sundberg, Humboldt County Supervisor Lovelace, Mendocino County Supervisor McCowen, Mendocino County Supervisor Gjerde, Karuk Tribe Representative Leaf Hillman, Siskiyou County Supervisor Bennett, and Sonoma County Supervisor Carrillo

II Review and Approve Agenda

Motion: Supervisor McCowen suggests moving Items IX & X before Item VIII

Motion: Supervisor Carrillo suggests adjourning the meeting at 2:00 pm to allow PRP and TPRC members to attend the Water Board Coalition conference call meeting.

Second on both motions: Supervisor Sundberg

Unanimous

III Public Comment for items not on the agenda

George Reinhart announced that the Noyo Headlands Unified Design Group (NHUDG) has maps of historic creeks at the mill site in Fort Bragg. NHUDG is involved in restoring the two creeks on the property.

IV NCRP Project Review and Selection Process Improvements Discussion

Wayne Haydon and Jen Jenkins Kuszmar provided a presentation and overview of the track changes version of the Project Selection and review process document included in the meeting materials as Attachment A. The meeting presentation and meeting materials can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

V NCRP Executive Committee Composition

Chair Mackenzie stated that In October of 2012, the NCRP PRP approved an election process for the Executive Committee as described in the NCRP Handbook (see below and at: http://www.northcoastresourcepartnership.org/files/managed/Document/8343/NCRP_Handbook_2014.pdf). During the NCRP Meeting in October 2014, Chair Mackenzie directed staff to set up an Executive Committee meeting to consider options to ensure Tribal representation on the Executive Committee and craft a recommendation for PRP consideration during the next NCRP meeting. Following is proposed language for the Executive Committee election process; underlined and crossed-out text indicates new/changed language.

> ***Executive Committee***
>
> *The NCRP Executive Committee is a Standing Committee, subject to the Brown Act. The Executive Committee is comprised of the Policy Review Panel Chair, Vice-Chair, ~~and~~ a third member, nominated and approved by the Policy Review Panel and a fourth member nominated by the Tribal representatives and approved by the Policy Review Panel. The Policy Review Panel reconsiders the third and fourth ~~member's~~ members' appointment every two years. The Executive Committee provides day-to-day leadership for the NCRP, including signing letters of support, represents the NCRP with legislators and key agency partners and makes time-sensitive decisions on behalf of the NCRP. Any time sensitive decisions made by the Executive Committee reflect previous Policy Review Panel direction and are consistent with Policy Review Panel approved goals and objectives. Decisions are made by unanimous or majority vote. When majority vote cannot be reached, the decision is brought before the full Policy Review Panel for consideration. Executive Committee decisions are reported via email or provided as an update to the full Policy Review Panel at their next quarterly NCRP meeting.*

Motion: Supervisor McCowen made a motion to accept new language that defines the Executive Committee election process

Second: Supervisor Carrillo

Public Comment: none

Unanimous

V. I NCRP Executive Committee Member Nominations and Election

Javier Siva thanked the PRP for supporting Tribal members to have a seat on the Executive Committee. He announced that the Tribal representatives nominated Leaf Hillman of the Karuk Tribe for the Tribal Executive Committee position. Leaf Hillman accepted the nomination.

Motion: Supervisor Lovelace

Second: Supervisor McCowen

Public Comment: none

Unanimous

Chair Mackenzie expressed his appreciation to the Tribal Representatives for their participation and welcomed Leaf to the Executive Committee. Supervisor McCowen stated that the Tribal representatives bring many benefits to the NCRP..

VI Strategic Growth Council Sustainable Communities Planning Grant Discussion

Karen Gaffney, West Coast Watershed, provided a presentation regarding the Strategic Growth Council (SGC) Sustainable Communities Planning Grant and explained that SGC is emerging as a major funder in the State of California and may provide opportunities for the North Coast in the future. The grant includes planning and analysis work focused in the following areas:

- greenhouse gas emissions reduction and energy independence
- economic valuation of working lands and natural areas
- climate adaptation
- model planning elements to support long term environmental and economic vitality (energy, transportation, water, waste, broadband)
- analysis of regional "grey and green" infrastructure
- economic analyses and financial plan

The final plan is expected to include stand alone reports in the above areas, yet also be well integrated across the above subject areas and with other NCRP planning documents. As is always the case with NCRP planning documents and implementation projects, local autonomy will be respected and counties and Tribes will have the option of "opting out" of particular themes that are not relevant to them, or may include statements in the document regarding their perspective on a particular topic. WCW proposes to develop the document digitally, with the entire plan and distinct chapters available for download and printing via the NCRP website. The project schedule will include incremental product development aligned with PRP meetings beginning with an interview process that will involve PRP, TPRC, Tribes, agencies, and other stakeholders. The grant is very ambitious and will require technical experts in the following fields: renewable energy, biomass/forestry, climate adaptation, local planning, economics & financing. The meeting presentation can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

The PRP expressed its appreciation of the SGC Grant design that respects local autonomy and allows for opting in/out of particular elements. Karen stated that SGC staff are very supportive of the North Coast region and will be looking at the NCRP as a model for a decentralized approach.

Supervisor Bennett described a nanocellulose project that Siskiyou County is investigating, in collaboration with the Forest Service.

VII Presentation: Proposition 1, California Water Bond

Tracie Billington, Chief, Financial Assistance Branch, California Department of Water Resources provided a presentation about the California Water Bond. The meeting presentation can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

Tracie stated that there was an opportunity to provide input to encourage economically disadvantaged community involvement; specifically the process for rolling these funds out and the types of projects these funds would support.

VII. i. Authorize the Executive Committee to take action related to implementing legislation for Proposition 1 in keeping with previous Policy Review Panel direction and criteria

Discussion: The PRP discussed how the Water Bond Coalition helped facilitate North Coast priorities in the bond language. It was recognized that the North Coast was split in its support of the Water Bond. Given that the Water Bond was passed by California voters, the NCRP has the opportunity to provide leadership and direction during the development of the implementing legislation and program guidelines. . Supervisor Bennett suggested that it was important to review the NCRP goals related to salmonids, disadvantaged communities, failing infrastructure and local autonomy when developing common messages. Supervisor Sundberg and Tribal representatives stated that another avenue for outreach and messaging is through the North Coast and Central Tribal Chairman's Associations.

Motion: Supervisor Carrillo made a motion to authorize the Executive Committee to take necessary actions to provide input on behalf of the NCRP as implementing legislation is developed and to o direct staff to set up meetings in Sacramento with key legislators and agency staff to deliver these common messages and promote NCRP goals and objectives.

Second: Supervisor McCowen

Public Comment: none

Unanimous

VIII North Coast Marijuana Issue Discussion: Policy Engagement & PRP Direction to Staff

Supervisor Morris provided a presentation that reviewed some of the key presentation points and comments from the NCRP October 2014 meeting panel discussion and provided a pending legislation update per the meeting materials. The meeting presentation and meeting materials can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

Erin Mustain, Senior Water Resources Control Engineer, State Water Resources Control Board (SWRCB) stated that the proposed new SWRCB regulatory program was designed to bring cannabis farmers into compliance with state laws governing water use and water quality. The proposed program takes a 3-

pronged approach: outreach, permitting, and enforcement including penalties for egregious operations. Printed outreach materials will be developed targeting growers, licensed contractors and suppliers in many different languages. They will be coordinating with local law enforcement in Humboldt, Mendocino, Trinity and Siskiyou. The BMP (Best Management Practices) manual will be posted to the SWRCB website soon and incorporated/referenced in the permits. Tiered regulations will be determined by how far an operation is from a water resource. The Water Board is performing internal review to ensure there is continuity with other regions. Recently the SWRCB shared a review draft with key partners. The SWRCB hopes to make the guidelines available for Public Comment in February.

PRP/TPRC discussion points:

- The counties cannot set up a permitting program in the absence of a state program.
- All contractor suppliers should include those that provide water, large equipment, and soil movement services. There was concern expressed that suppliers will be considered an enforcement tool.
- There was a suggestion regarding a pilot program in the Mad River watershed to test the effectiveness of the State Board permitting program.
- CDFW has been doing a lot of research and outreach about the impacts of marijuana cultivation. They found that there were more plants being grown in the Mad River watershed than anywhere in Humboldt County. They estimate that the economic value of the water used in the watershed is a billion dollars.
- Planning departments can be an effective mechanism to identify users and operations.
- BMP should also include non-pesticide practices.
- Given that many operations are transient, there is concern about the waste that is left.
- Amongst the North Coast Tribes there was a mixed reaction to the U.S. Justice Department memorandum titled *Policy Statement Regarding Marijuana Issues in Indian Country* issued in October 2014. A number of Tribes were unhappy with the memo, citing that Tribal sovereignty trumps any memos from the Federal government. Some Tribes plan to be proactive and will consider permitting as a potential approach. An Ukiah Tribe plans to develop a 2 acre inside grow operation.
- Tackling this issue is critical and we need to better understand the metrics for all the potential impacts.
- It is possible that this will no longer be a critical issue for the North Coast if marijuana is legalized.
- Having a voice in the legislative process needs to be accelerated.

Staff Direction: To send out an invitation to poll for interest for a North Coast marijuana issue ad hoc committee to be chaired by Supervisor Morris that would report to the Executive Committee regarding pending legislation and future steps for the NCRP.

IX Presentations: Planning Grants to Counties and Tribes

Deborah Stanger Edelman, Mendocino Resource Conservation District provided a presentation regarding Mendocino County Water Emergency Preparedness for Underserved Districts. The presentation can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

The Trinity County Water Resources Planning, Five Counties Salmonid Conservation Program presentation was cancelled.

X Updates

i. Legislative news

Tim Anderson, Sonoma County Water Agency provided a presentation regarding upcoming legislative topics.

- **Sustainable Groundwater Management Act.** The Department of Water Resources, Sustainable Groundwater Management (SGM) Program will implement the new and expanded responsibilities identified in the 2014 Sustainable Groundwater Management Act. Some of these expanded responsibilities include: (1) developing regulations to revise groundwater basin boundaries; (2) adopting regulations for evaluating and implementing Groundwater Sustainability Plans and coordination agreements; (3) identifying basins subject to critical conditions of overdraft; (4) identifying water available for groundwater replenishment; and (5) publishing best management practices for the sustainable management of groundwater. http://www.water.ca.gov/groundwater/sgm/index.cfm

- **Proposition 1 - Water Bond** was solidly supported by the public 2:1. The Water Bond coalition was instrumental in getting an additional $5 million to the North Coast for a total allocation of $26.5 through the IRWM program. There are other funding opportunities through Proposition 1 that may be available for the North Coast. http://www.water.ca.gov/waterbond/Regional_Bond_Summary_2014_Final_web_2.pdf

ii. North Coast Tribal Engagement Update

Sherri Norris, California Indian Environmental Alliance; Javier Silva, Sherwood Valley Rancheria provided a presentation regarding Tribal outreach, coordination and representation in the North Coast region to date. Javier, a descendent of the Yokayo Tribe, explained that the Ukiah Valley is the traditional homeland of the Yokayo Tribe and welcomed everyone to the area. The presentation can be found on the NCRP website at http://www.northcoastresourcepartnership.org/app_folders/view/8541

iii. Executive Committee, PRP direction and staff action

Executive Committee Action documents and materials can be found at: http://www.northcoastresourcepartnership.org/app_folders/view/6947

The NCRP Executive Committee met on December 8, 2014 to discuss PRP direction items per the NCRP Meeting in October, 2014:

- NCRP Executive Committee Composition & Recommendation for PRP consideration
- Marijuana cultivation topic & potential next steps for PRP consideration
- Suggestions from the TPRC regarding revisions to the NCRP Project Review process for PRP consideration

The NCRP Executive Committee met on January 5, 2015 to review the NCRP Quarterly Meeting Agenda and Materials for January 15, 2015.

XI Public Comment

XII Next NCRP meeting date: April 16, 2015, Yreka

XIII ADJOURN

The meeting adjourned at 1:50 pm

Meeting Attendees

Policy Review Panel Members

Chair: Jake Mackenzie, Council Member, City of Rohnert Park, Sonoma County
Vice-Chair: Supervisor Judy Morris, Trinity County
Supervisor Gerry Hemmingsen, Del Norte County
Supervisor Ryan Sundberg, Humboldt County
Supervisor Mark Lovelace, Humboldt County
Supervisor John McCowen, Mendocino County
Supervisor Dan Gjerde, Mendocino County
Leaf Hillman, Karuk Tribe, Northern District
Supervisor Grace Bennett, Siskiyou County
Supervisor Efren Carrillo, Sonoma County

Technical Peer Review Committee Members

Co-Chair: Wayne Haydon, Certified Engineering Geologist, Sonoma County
Javier Silva, Sherwood Valley Rancheria, Central District
Carol Rische, General Manager, Humboldt Bay Municipal Water District, Humboldt County
Patty Madigan, Mendocino County RCD, Mendocino County
Sean White, Russian River Flood Control and Water Conservation Improvement District, Mendocino Co
Toz Soto, Karuk Tribe, Northern District
Richard Tinsman, Planning Division, Siskiyou County
Dale Roberts, Engineer, Sonoma County Water Agency, Sonoma County

Other Attendees
Tim Andersen, Sonoma County Water Agency
Grant Davis, Sonoma County Water Agency
Susan Haydon, Sonoma County Water Agency
Margie Graham, Northern District, California Department of Water Resources
Tracie Billington, California Department of Water Resources
Kelsey McGrath, California Department of Water Resources
Erin Mustain, State Water Resources Control Board
Paul Kelley, PK Consulting
Ron Sundberg, RCAC
Sherri Norris, California Indian Environmental Alliance
Earl Crosby, Karuk Tribe
George Reinhardt, NHUDG
Doug Kern, Mendocino Land Trust
Kagat McQuillen, Kashia Band of Pomo Indians
Jennifer Jenkins Kuszmar, Humboldt County
Devin Theobold, Humboldt County
Katherine Gledhill, West Coast Watershed
Karen Gaffney, West Coast Watershed