

Weekly ReCAP for April 12, 2019

Next CPC meeting May 6, 2019, San Andreas Main Library, 1:30 pm

Sierra Nevada Film Festival / April 13 / Space limited / RSVP at https://mailchi.mp/1996b51b13ba/2019_nh-1476825

Come to the 16th annual Sierra Nevada Film Festival at Newsome Harlow. Start the evening tasting fabulous wines, and settle in for two riveting films. Each film, in its own way, begs the question: “If a crime is committed in order to prevent a greater crime, is it forgivable? Is it, in fact, necessary?” After the films, you can discuss this question with Ken Ward, who – as you’ll see in *The Reluctant Radical* – risked his freedom in hopes of preventing the greater crime.

WINE TASTING RECEPTION 6:30 PM

- 7:15 Film program starts at sundown
- 7:20 Making Waves: Rebirth of the Golden Rule
- 7:45 The Reluctant Radical (sponsored by [Sol Sierra](#))
- 9:10 Q&A with Ken Ward, the activist in “Reluctant Radical”

RCRC – The Barbed Wire for April 5, 2019

Rural Housing Update

On Tuesday, the House Financial Services Subcommittee on Housing, Community Development and Insurance (Subcommittee) held a hearing titled “*The Affordable Housing Crisis in Rural America: Assessing the Federal Response.*” The hearing brought attention to the foreclosure crisis and rental housing shortages that deprive rural families from affordable housing opportunities.

The Subcommittee considered several legislative proposals to reform Section 514 and 515 of the Housing Act, which authorize loan programs that provide housing opportunities for the elderly and low-income families in rural areas. Many of the housing contracts that are financed through Section 514 and Section 515 loans are expiring over the next decade which could displace over 400,000 households.

The aging housing stock in rural areas has increased the rate of rural residents living in substandard

housing that lack basic considerations of health, safety, and dignity. The decaying supply of housing is partially the result of a steady decline of federal investment in rural housing programs, particularly for low and very low income households. House Financial Services Committee Chair Maxine Waters (D-California) told her colleagues there is a clear need for new federal investment in rural housing to address the substandard housing supply and the impending displacement of households living under Section 514 and Section 515 loans. Chair Waters also said rural housing is an issue of bipartisan concern and a potential area for cooperation with her Republican colleagues.

Cannabis Banking Update

This week, Senators Cory Gardner (R-Colorado) and Elizabeth Warren (D-Massachusetts) reintroduced the Strengthening the Tenth Amendment Through Entrusting States Act (STATES), a bill that would enable states to enforce their own marijuana laws within their borders. The bill would amend the Controlled Substance Act, so that “its provisions no longer apply to any person acting in compliance with State or tribal laws relating to the manufacture, production, possession, distribution, dispensation, administration, or delivery of marijuana.”

Included among the provisions that would limit federal enforcement of marijuana laws, the STATES Act would lift the federal prohibition on banking services for marijuana related businesses in states where marijuana has been legalized. After the legislation was reintroduced, Senator Gardner told reporters that President Trump supports the proposal, however it remains unclear whether Senate Majority Leader Mitch McConnell (R-Kentucky) will help push the bill through the Senate. Without support from Majority Leader McConnell it is uncertain whether the STATES Act will pass the Senate, despite the promise of the President’s signature.

In the House, Representatives Earl Blumenauer (D-Oregon) and David Joyce (R-Ohio) introduced a companion version of the bill. Last month, the House Financial Services Committee approved the SAFE Banking Act, legislation that narrowly targets the federal prohibition on cannabis banking. The House may decide to take on the broader STATES Act which already has support from the White House, according to Senator Gardner.

Bill of the Week: Senate Bill 414 (Caballero) – Small System Water Authority Act of 2019

RCRC has lent its support to Senate Bill 414, authored by Senator Anna Caballero (D-Monterey). SB 414 creates the Small System Water Authority Act of 2019.

Specifically, SB 414 provides a process for failing public water systems that serve less than 10,000 people or less than 3,000 service connections to come into compliance, or be absorbed into a new Small System Water Authority (Authority) created by the State Water Resources Control Board and the applicable Local Agency Formation Commission. The new Authority would work to competently operate currently non-compliant public water systems with either contiguous or non-contiguous boundaries.

RCRC’s support letter can be accessed [here](#). Currently, SB 414 awaits consideration in the Senate Appropriations Committee. For more information, Mary-Ann Warmerdam, RCRC Senior Legislative Advocate, can be reached at (916) 447-4806 or mwarmerdam@rcrcnet.org.

BULLETIN BOARD

Announcements regarding hearings, grants, and public comment notices of importance to California's rural counties.

Cannabis Cultivation Regulation Workshop Scheduled – UPDATED AGENDA

The California Association of Environmental Health Administrators, the California Environmental Health Association, and the California Association of Code Enforcement Officers will be sponsoring a workshop to discuss environmental and safety issues associated with cannabis cultivation on Thursday, May 30, in Murphys. The purpose of the workshop is to review and discuss environmental and safety issues related to regulated and illegal cultivation of cannabis.

The workshop will feature speakers from the Integral Ecology Research Center, the California Department of Food and Agriculture, the California Department of Pesticide Regulation, the Central Valley Regional Water Quality Control Board, the California Water Quality Control Board, the Sonoma County Growers Alliance, and the Berkeley Department of Environmental Science. The workshop will be structured so that there will be plenty of time for discussion by attendees. Policy makers, regulators, law enforcement officers, and community members are encouraged to participate.

The workshop will be held Thursday, May 30, at the Ironstone Vineyards: 894 6 Mile Road, Murphys, California. Meeting materials, including agenda/registration form can be accessed [here](#).

Department of Conservation Releases Working Lands and Riparian Corridors Program Guidelines and First Two Solicitations

[California Natural Resources Agency](#) has awarded \$20 million in funding for [Regional Forest and Fire Capacity Program](#). Funded by Cap-and-Trade revenues through California Climate Investments, the [Regional Forest and Fire Capacity Program](#) aims to help communities prioritize, develop, and implement projects to strengthen fire resiliency, increase carbon sequestration, and facilitate greenhouse gas reductions. The program is one element of the state's efforts to improve forest health, protect communities from wildfire risk and implement the [California Forest Carbon Plan](#) and [Executive Order B-52-18](#). Projects funded through the program will build on priority projects identified by the Forest Management Task Force and the [California Department of Forestry and Fire Protection](#) through [Executive Order N-05-19](#). The Program is administered by the [Department of Conservation](#).

Six regional block grants are being awarded on a noncompetitive basis to support project implementation in the North Coast, Central Coast, Sierra Nevada, Klamath-Cascade, and Southern California Regions. In addition, two grants are being awarded to assist in implementing statewide efforts. Regional block grant recipients will oversee distribution of funding and collaborative planning with local entities including municipal and Tribal governments, nonprofits and community organizations, fire safe councils, land trusts, resource conservation districts, residents, private and public forest landowners and managers, businesses, and others to accomplish the program's objectives. Block grant recipients were selected based on their history of implementing related projects, demonstrated capacity to work across regional partners, and ability to serve as fiscal administrators for the program. For more information on how to participate please contact your regional block grant recipient.

The block grant recipients by region include:

North Coast:

- The North Coast Resource Partnership, \$4.25 million

Central California:

- California State Coastal Conservancy, \$4.25 million

Southern California:

- Santa Monica Mountains Conservancy, \$1.5 million
- Inland Empire Resource Conservation District, \$1.5 million
- Greater San Diego Resource Conservation District, \$1.5 million

Sierra and Klamath-Cascade:

- Sierra Nevada Conservancy, \$2 million
- Assembly Bill 2551 implementation (awardees to be determined), \$2 million

Statewide:

- Watershed Research and Training Center in partnership with the California Fire Safe Council, \$3 million
-

Reservoirs release more water in anticipation of snowpack

- [By Davis Harper](#) / The Calaveras Enterprise
- Apr 6, 2019

Local reservoir managers are proactively releasing water at higher rates than usual in anticipation of increased inflows from heavy winter rains and snowstorms.

The Central Sierra five station index has recorded 43 inches of rain since Oct. 1, the beginning of the water year – 129 percent of normal levels for April 1.

The snowpack for the San Joaquin hydrologic region, which encompasses the northern portion of the San Joaquin Valley bordered by the Sierra Nevada on the east and coastal mountains of the Diablo Range on the west, is at 165 percent of its average with about 48 inches in snow water equivalent for this time of year, based on California Department of Water Resources data.

The measurement is based on the amount of water contained within the snowpack, or more specifically, the depth of water that would result if the snowpack melted instantaneously, according to the DWR.

Water storage at New Melones Reservoir in southeastern Calaveras County is currently at 82 percent of its 2.4 million acre-feet capacity – about 30 percent higher than its 15-year average for this time of year, according to Todd Plain, a spokesman for the Bureau of Reclamation, the agency that oversees the reservoir.

Although the dam’s emergency spillway has never been tested, Plain said the bureau has been proactively releasing water in anticipation of snowpack runoff.

“This is an above-normal year at New Melones,” Plain said. “New Melones is currently encroached and with this year’s large snowpack, releases down the river are made for flood control. Our goal is to make high releases now to be able to make lower and safer flow releases in the summer.”

Downstream of New Melones, Goodwin Dam has been releasing just under 5,000 cubic feet per second (CFS) into the Stanislaus River, well above its 15-year average of 230 CFS for this time of year, Plain said.

Located below Tulloch Dam, Goodwin Dam diverts water to the Oakdale Irrigation District's main canal systems.

“(Goodwin's releases) match up with the cumulative releases coming out of New Melones so that (Lake) Tulloch maintains much the same level, within a certain amount of feet,” Plain said. “This is done so that New Melones can vary throughout the day based on hydropower needs.”

An order for March 18 through March 20 lowered releases to around 2,000 CFS temporarily to assist in the recovery effort for a drowning on the Stanislaus River near Knights Ferry, Plain clarified.

Release levels are informed by weather forecasts as they pertain to power generation, flood control and downstream demands, in addition to a number of other factors, Plain said.

Plain added that the bureau is constantly “collaborating with Tulloch Reservoir owners and operators downstream, such that flood waters have never reached the end of the New Melones' emergency spillway.”

The release rate at New Hogan Lake on the Calaveras River near Valley Springs is “a little higher than normal,” according to Michelle Frobose, the park manager for the lake.

New Hogan supplies irrigation and drinking water to the Calaveras County Water District and Stockton East Water District.

Frobose said the highest point in the reservoir's watershed is about 5,000 feet, so it's not as affected by the snowpack as other reservoirs in the county.

“We're right in that elevation that we need to be at for this time of year regarding predictions of rainstorms,” Frobose said.

Situated on Stanislaus National Forest Land in northern Tuolumne County, New Spicer Meadow Reservoir was at 37 percent of its 189,000-acre feet capacity on March 18, and had room for an additional 75-vertical feet of water, Randy Bowersox, a hydroelectric manager with the Northern California Power Agency, told the Enterprise.

CCWD owns the New Spicer Meadow Dam, and its reservoir supplies water for consumptive use, irrigation, recreation, environmental purposes and power generation, Bowersox said.

The NCPA maintains the 6-megawatt hydroelectric plant at the base of the dam, in addition to up to 253 MW of electricity from the Collierville powerhouse downstream.

“The Sierra Nevada snowpack is California's largest and most important water storage reservoir and it is in good shape, with our local snowpack around 150 percent of normal for this time of year,” Bowersox said.

Weather and additional storms between now and summer will influence when and how much water the reservoir will receive from the snowpack, but NCPA is planning for a large runoff season.

“In recognition of the snowpack and hydrology situation, we are releasing slightly more water than normal for this time of year to make sure that we have room for the snow when it decides to melt,” Bowersox said. “It is relatively rare for New Spicer Meadow Reservoir to fill and spill, having only happened a handful of times over the last 30 years, but it could happen again this year, depending on how much additional snow we receive in the coming weeks.”

CCWD spokesman Joel Metzger said the district's "water supply is looking excellent this year."

An abundance of water supply from the snowpack will not directly impact water rates, Metzger added.

Based on recent Drought Monitor numbers, the state is drought-free for the first time since 2011.

While higher precipitation rates are important in combating drought, higher evaporation rates due to climate change that are associated with warming air temperatures and lower relative humidity are also driving increased demand for water, according to Steven Sadro, a limnologist and assistant professor in the Department of Environmental Science and Policy at the University of California, Davis.

Limnologists study inland water ecosystems, including lakes, reservoirs, rivers, streams, wetlands and groundwater.

"All this precipitation is great from the standpoint of filling the reservoirs, but the reality is there's (still) probably going to be increased demand associated with climate change" due to evaporative drought, Sadro said.

Additionally, fire risk will still remain high, even during wet years, since it's driven, in part, as a "function of relative humidity and air temperatures," Sadro said.

"Precipitation in the Sierra is historically highly variable, and most climate models indicate that that degree of variability is getting larger," Sadro added.

Board spends \$20.2M Butte Fire Settlement on roads, emergency preparedness

- [By Davis Harper](#) / The Calaveras Enterprise
- Apr 9, 2019 Updated Apr 9, 2019

After several hours of deliberating in a meeting Tuesday, the Calaveras County Board of Supervisors voted to allocate its entire Butte Fire settlement from Pacific Gas & Electric Co.

Found responsible for starting the fire by the California Department of Forestry and Fire Protection less than a year after the 2015 blaze, the utility giant was sued by the county in February of 2018. Initially seeking over \$167 million in damages, the county settled with PG&E in December at \$25.4 million.

Of the \$20.2 million (after subtracting attorneys fees) at the board's disposal, more than \$13 million was allocated to Public Works to repave, improve and restore every road within the fire scar over three years.

\$2.35 million was designated as "county disaster preparedness funds" to be used for one-time expenses by designated fire agencies such as fire engines or water tanks.

Additional allotments of \$50,000, \$100,000 and \$250,000 were dispersed to Sheep Ranch Fire Station, West Point Fire District and Central Calaveras Fire, respectively for water supply needs.

The amount of \$101,398 was placed in the county General Fund to reimburse lost property taxes countywide.

Another \$1 million was allocated to the County Evacuation Center (Calaveras County Fairgrounds) to improve the septic system on the site within three years. \$600,000 in "community resiliency" funds will

be dispersed among community-based organizations for emergency evacuation site repair and preparation. Recipients include the West Point Town Hall, Mokelumne Hill Veterans District, the Mountain Ranch Youth Alliance, the Mountain Ranch Community Club, the Rail Road Flat Town Hall, the Jenny Lind Veterans District Hall and the San Andreas Town Hall.

Settlement funds in the amount of \$1 million will be allocated into a reserve account for “future unforeseen costs.” Another \$1 million will be held in a contingency account for an anticipated federal audit on Butte Fire recovery spending.

Applause rang through the board chambers after supervisors voted 4-1 to adopt the negotiated allocations.

The lone no vote came from District 3 Supervisor Merita Callaway, who opposed funds being cut from road repairs, which was originally discussed to be over \$14 million.

Callaway suggested instead cutting allotments to the fire districts by \$50,000, in addition to Jenny Lind and San Andreas evacuation sites.

The discussion was based around a skeleton proposal submitted to the board by District 2 Supervisor Jack Garamendi last month, in addition to a new one provided by District 1 Supervisor Gary Tofanelli at the beginning of the Tuesday meeting.

Tofanelli said the board should be more conservative with the money rather than spending it all in one day, citing concerns with the audit and lost property taxes going forward, among other future costs.

“I feel we should keep at least \$5 million in reserve so we can fall back on any issue related to this in the future,” Tofanelli said.

Tofanelli was also apprehensive to spend such a large sum on road improvements, arguing that communications upgrades should be a priority as well.

District 4 Supervisor Dennis Mills was in agreement.

“Maybe the roads aren’t the key issue on the list here,” Mills said. “The communications aspect is the black hole that needs to be dealt with. If we’re going to convert to (new radio technology), it needs to be done in bulk.”

Sheriff Rick DiBasilio told the board that the county is in critical need of upgrading to a high-band P25 radio system, citing communication failures and downed radio towers during the Butte Fire.

“The ability to put the digital system in place is a viable thing to do today,” DiBasilio said, adding a full system upgrade could cost roughly \$6 million, with too many variables to estimate a more definite price tag. “The system is available to us, it’s a matter of getting the bid together to put that infrastructure together.”

In response to these concerns, Garamendi repeatedly argued that settlement funds should be used for one-time expenditures in areas affected by the fire that other sources of funding would not be feasible to cover.

Callaway echoed that sentiment as well.

“We are here because of the Butte Fire,” she said.

Later in the meeting during public comment, DiBasilio clarified that “as much as I am ready to accept monies for purposes of infrastructure in a radio system, the money should be spent for damages done by the Butte Fire.”

District 2 resident Mike Falvey said the board was “losing sight” in its discussions to potentially hold \$5 million in a reserve account for “future unforeseen costs.”

Several other residents from the district expressed a similar sentiment, arguing that the board should be spending the money on repairing and improving fire-damaged infrastructure.

“PG&E gave us the money to repair the damages caused by the Butte Fire,” said Butte Fire victim Arturo Salazar, adding that communications problems and the need to improve sewer systems are not the result of the Butte Fire, but of a lack of maintenance. “I do not believe that’s what this money is for.”

Adding to these points, Former District 2 Supervisor Steve Wilensky said using settlement funds to cover years of delayed maintenance on county infrastructure would be unreasonable given the dire needs of the communities living in the Butte Fire scar.

“We’ve lost our economy, revenues for fire departments dependent on property taxes, our roads are washed out, our electricity goes on and off,” Wilensky said of District 2. “We are sitting in a third world situation while people talk about institutional needs.”

Emphasizing the need for road repairs in the fire scar, Central Calaveras Fire Chief Jeff Stone unloaded a catalogue of concerns.

The district’s water tank at the end of Worden Road – a dirt road that had been paved before the Butte Fire – was struck by a tree recently. Additionally, one of its engines failed inspection due to a cracked frame and is now out of commission.

“I am one month before fire season,” Stone said. “I don’t know what I’m going to do to repair that water truck. The amount we’re spending on roads has to increase.”

While sympathizing with the concerns of fire victims, Calaveras County Fairgrounds CEO Laurie Giannini said repairing the grounds’ sewer system is imperative for preparing for the next disaster.

After the fire tore through District 2, “we weren’t able to service our communities like we needed to,” Giannini said. “We appreciate all of the issues here, but we need to do what’s best. The Fairgrounds is everyone’s facility.”

CCWD Awards \$6.7 Million Contract To Place New Pipeline By Hwy 4

[04/09/2019 5:06 pm PST](#)

Tori James, MML News Reporter

San Andreas, CA – A Mother Lode utility services district is kicking off a multi-million-dollar pipeline replacement between Forest Meadows and Avery with plans to complete the work by next summer.

The Calaveras County Water District (CCWD) board of directors announced Tuesday it awarded a \$6.7 million to Oakdale-based Mozingo Construction for the Reach 1 Pipeline Replacement Project. The scope involves switching out 8-inch pipeline that is nearly 45 years old and failing along with installing 4.4 miles of new 12-inch pipeline as well as a quarter mile of new 8-inch line.

Construction will begin in May, according to district officials, who describe the bulk of the work area as along Highway 4 but off the pavement edge. While the construction will create intermittent traffic delays, officials say service interruptions should be minimal.

“This new pipeline will provide additional fire flows and enhanced infrastructure reliability to residents who live along Highway 4,” states Bertha Underhill, CCWD Division 3 director. She adds, “Replacing and renovating infrastructure throughout the county is one of our top priorities, and we want customers to know we are putting their rate dollars to work.”

In late April or early May, the district plans a town hall meeting with specifics yet to come, that will provide the community with a project overview and discussion of potential impacts.

As [reported here](#), almost three years ago to the day, CCWD awarded a contract for \$4.1 million for its Reach 3A transmission pipeline project from Arnold past White Pines. It completed about a year and a half later, [as reported here](#), at a cost of \$5.3 million. A USDA grant and loan, and local matching funds from the district’s Capital Renovation and Replacement Fund covered the costs.

Hwy 26 Reopening After Nine Weeks Of \$2 Million In Post Storm Repairs

[04/10/2019 3:30 pm PST](#)

Tori James, MML News Reporter

San Andreas, CA — Good news for motorists in northeastern Calaveras County who have been dealing with major delays since a winter storm event Caltrans officials are calling “The Valentine’s Day Deluge.”

As [reported here](#), the Feb. 14 weather incident reportedly created multiple washouts on Highway 26. It also necessitated some temporary closures on Highways 4 and 49. Some of the Highway 26 impacts required Caltrans to completely shut down a two-and-a-half-mile section east of Glencoe between Deardorff and Woodhouse Mine roads.

The closure created a logistics havoc and a nearly one-hour detour for many; particularly those who regularly travel between Mokelumne Hill and West Point. All eastbound traffic was redirected to northbound Highway 49 and eastbound 88 while those heading west had to follow a Highway 88 and southbound 49 to 26 detour.

Caltrans District 10 spokesperson Warren Alford shares that plans are to reopen the highway at 8 p.m. Wednesday. However, he adds that from 7 a.m. until 7 p.m. for the rest of this week and perhaps for a few days next week, motorists should anticipate ten-minute delays as crews complete finishing touches under one-way traffic controls. The work includes shoulder work and striping.

Storm Repairs Delayed By Ongoing Wet Weather

While the agency originally thought the repairs would take a month, as [reported here](#), subsequent stormy weather, the extent of repairs needed, and decisions to attend to related construction planned for later contributed to the extended work period. Alford notes that the original plan called for one-way traffic controls to be in place for a much longer time but that is no longer the case since all the work is nearly complete.

Although the final accounting is not yet available, to date, Alford says the emergency repairs have cost about \$2 million and required about 10,000 work hours.

He recounts that over 20 spots along the highway required attention and that projects within the work scope involved rebuilding roadway, re-stabilizing slopes, shoring up banks and constructing two huge retaining walls held in place with 40-foot steel girders.

https://www.mymotherlode.com/news/local/623074/hwy-26-reopening-after-nine-weeks-of-2-million-in-post-storm-repairs.html?utm_source=myMotherLode.com+Daily+News&utm_campaign=dc95fd4113-

Board extends hemp moratorium

Cannabis ordinance discussion to continue at next meeting

- [By Davis Harper](#)
- Apr 11, 2019 Updated 5 hrs ago

The Calaveras County Board of Supervisors voted unanimously to extend its temporary ban on commercial hemp cultivation to 22 months and 15 days on Tuesday.

The activity was decriminalized at the state level in October of 2018 and at the federal level two months later with the passage of the 2018 Farm Bill.

The board adopted a 45-day interim urgency ordinance in a meeting earlier this month, during which Agriculture Commissioner Kevin Wright detailed his concerns with the current state program, citing lax regulations that could allow individuals to grow marijuana under the guise of hemp, difficulties for Sheriff's Office personnel to enforce the cannabis ban and federal oversight that may eventually change state laws.

State laws do not require a state license, background check, limit on acreage, restriction on land alterations or any oversight from the water board, he said.

“When you don't know where you're going, you better be careful because you might not get there,” Wright told the board Tuesday – loosely quoting Yogi Berra – in reiteration of his comments in March.

Wright said more than 20 counties in the state have imposed moratoriums pending adoption of newstate regulations.

That list most recently includes neighboring Amador County. Tuolumne County Supervisors voted to temporarily ban hemp in early April as well.

Under the board's direction, county staff can prepare permanent regulations at any time before February of 2021, the moratorium's expiration date.

Based on the item summary/discussion section, Wright advised that before adopting regulations, the board should discuss “where, how much, and how hemp might be cultivated in the county” without creating a public nuisance, negatively impacting cannabis cultivation activities under consideration, and jeopardizing enforcement of the cannabis ban that currently remains in effect.

On April 16, supervisors will decide what should be included in regulations for commercial cannabis cultivation, District 2 Supervisor Jack Garamendi told the Enterprise Wednesday.

Garamendi could not say when or whether the board would take the same steps with hemp, and clarified that it will not be included in the April 16 meeting.

“(Marijuana and hemp) are two separate issues,” Garamendi said.

Calaveras Cannabis Alliance Director Trevor Wittke called the board’s moratorium “a short-term hiccup and a long-term gain” for a future cannabis industry in Calaveras County, and echoed Garamendi’s point that marijuana and hemp regulations should be tackled separately.

“Long-term, it looks like it’s a good thing for cannabis regulation locally,” Wittke said in a phone interview. “For us people that want to move forward with cannabis regulations, having that discussion on its own is good for us just so we have clarity. Adding this layer of regulations (on hemp) into the complexity of dealing with something they’ve never dealt with would slow the process down.”

Prospective hemp producers with their eyes on Calaveras County would likely be large landholders living on the west side of the county, since limited acreage and steep terrain would make operations less practical farther east, according to Wittke.

Wittke agreed that the board should hold off until state and federal regulations are more developed, arguing that hemp would potentially be regulated in the same manner as small-scale commercial cannabis, despite it being a federally legal “agricultural operation.”

“(Hemp growers) should not have their regulations determined by misconceptions from commercial cannabis cultivation regulatory states of mind,” Wittke said, referencing the crop’s “built-in perspectives about criminality.”

“That’s not what you’re talking about, even when producing CBD,” Wittke said. “You can produce copious amounts of a cannabinoid, but that doesn’t get you high. It’s not drug sells or marijuana that can be diverted into a black market,” Wittke said.

Regarding the upcoming meeting to discuss a cannabis ordinance, Wittke said he hopes supervisors can “rise above the partisan fray and instead ... make a set of policies that will work, produce long-term results (and avoid) unnecessary additional layers of bureaucracy.”

“I don’t want to redo the Urgency Ordinance, I don’t want a green rush, I don’t want it in neighborhoods, I don’t want to overwhelm staff,” Wittke said.

Highway 26 reopens after Valentine's Day storm

- Enterprise report
- Apr 11, 2019 Updated 1 hr ago

The California Department of Transportation announced Wednesday that State Route 26, both eastbound and westbound, is now open, and repairs are nearly completed.

A portion of SR-26 between Glencoe and West Point has been closed since Feb. 14, when a winter storm caused severe mudslides and structural damage to the roadway.

One-way traffic control will remain in effect on April 11 from 7 a.m. to 7 p.m. while shoulder work and striping is completed, according to a Caltrans news release. However, the project is expected to conclude before the end of the month, and traffic control will be lifted entirely.

"Thank you for your patience during this project," the release stated. "Please be work zone alert- slow down and move over a lane (if safe to do so) when you see our workers or other emergency vehicles on the roadside. It's the law and could save a life!"

Supervisors vote 4-1 to spend most of \$20.25M PG&E Butte Fire settlement in the burn

Guy McCarthy / The Union Democrat / April 9, 2019

The Calaveras County Board of Supervisors voted 4-1 Tuesday to spend most of their government's \$20.25 million in Pacific Gas and Electric Butte Fire settlement funds in District 2 and the 3.5-year-old, 110-square-mile burn scar that lies entirely in District 2.

Supervisors and county staff discussed multiple ways to spend the one-time settlement from the utility giant, which was found at fault by Cal Fire for sparking the costliest disaster in Calaveras County history.

Upgrading antiquated Sheriff's Office radio communications and fixing aging sewer infrastructure and other facilities at Frogtown, the Calaveras County Fairgrounds outside Angels Camp, were part of those talks.

The final breakdown on how to spend \$20.25 million was approved by supervisors Gary Tofanelli, District 1, Jack Garamendi, District 2, Dennis Mills, District 4, and Ben Stopper, District 5.

Merita Callaway, the District 3 supervisor, said she opposed the measure because it cut about \$1.15 million from road repairs in the Butte Fire burn zone, and it included \$250,000 in funds for improving Jenny Lind Veterans Hall and San Andreas Town Hall — public facilities that were needed during the Butte Fire but were not damaged by the fire itself in September 2015.

"We're here today to rebuild a community, that's we're here for," Callaway said before the board's vote. "I would cut Jenny Lind and San Andreas. I'm comfortable with that."

The final breakdown covered two pages and part of a third. It included \$13,450,636 in road repairs in the Butte Fire burn, down from \$14.6 million originally proposed by county staff. Final fund designations decided Tuesday included:

- \$2.35 million for a county disaster preparedness fund for 10 local fire districts and departments to upgrade fire engines and other fire suppression apparatus; the total includes \$250,000 each for Consolidated Fire District, San Andreas Fire Department, Altaville Melones FPD, Ebbetts Pass FD, Copperopolis FPD, Angels Camp FD, and Murphys FPD, and \$200,000 each for Central Calaveras Fire & Rescue, Mokelumne Hill FPD, and West Point FD.
- \$1 million set aside for unreimbursed Butte Fire labor and expenses due to the county general fund — the total unreimbursed amount due to county general fund is \$1.15 million
- \$1 million for the county reserve fund, which could be used by Calaveras County to repay the Federal Emergency Management Agency \$1 million or more in disaster recovery grant funding for the 2015 Butte Fire due to bad record-keeping.
- \$1 million to repair sewer infrastructure and other facilities at Frogtown, the Calaveras County Fairgrounds outside Angels Camp, which serves as a countywide evacuation center

- \$101,398 for lost property tax revenue to be reimbursed to the county general fund. That's a drop in the bucket, according to Rebecca Callen, the county auditor-controller. Callen said Tuesday property tax losses are ongoing and countywide. Asked how much in property taxes Calaveras County has lost since the 2015 Butte Fire, Callen estimated it was probably \$600,000 in the first year and half a million each year since. She was talking about property tax revenues in Calaveras County for the years 2016, 2017 and 2018.
- \$1.1 million in additional fire preparedness funding for Sheep Ranch Fire, West Point Town Hall, Central Fire water supply, Central Fire emergency recovery and preparedness, West Point Fire, Mokelumne Hill Fire, Mountain Ranch Community Club, Mokelumne Hill Veterans District, and Rail Road Flat Town Hall.
- \$250,000 for community resilience improvements at Jenny Lind Veterans Hall and San Andreas Town Hall.

Sheriff Rick DiBasilio got up to speak Tuesday afternoon before the Board of Supervisors began debating line items on the proposed settlement spending, and before their vote.

"Some people, their public comments have resonated with me," DiBasilio said. "The money's given to the county for the lawsuit for the Butte Fire, for damages due to the Butte Fire. This is not the sheriff speaking, this is Rick speaking. The money should be spent for damages done to the county for the Butte Fire. The radio infrastructure is an old problem. Spend the money for damages done. That's Rick's opinion. The fire departments should get some money. We need to fix the roads. I didn't realize, because I don't get out a lot sometimes, that some roads that used to be paved are now dirt. As a citizen of the county, those moneys should be spent on repairs."

Immediately following the Board of Supervisors' vote, Joshua Pack, the county director of public works and transportation, summarized a Butte Fire roads restoration plan that included the updated \$13.450 million to fix 85 linear miles of county roads impacted by the 2015 Butte Fire.

The board voted 5-0 to approve that plan to deal with drainages, potholes and broken pavement, roadside trees, vegetation and brush, unpaved roads and hillside slope stability. The three-year restoration plan stretches through Fall 2020.

Later near the end of Tuesday's meeting, former registered cannabis growers Beth Wittke, Neil McKeown, and Tom Griffing, who each separately own property in District 2, told the Board of Supervisors they were hurting the county by staying with the ban on commercial cannabis activities, and by continuing a moratorium on industrial hemp cultivation, which the board voted 5-0 to extend Tuesday afternoon.

The lion's share of county funds remaining come from \$9 million in Measure C taxes collected from registered growers last year and the year before the ban was approved by a split board vote in January 2018.

The Butte Fire broke out Sept. 9, 2015, and it destroyed 548 residential structures, 368 non-residential structures, four commercial structures, and damaged an additional 22 structures in Calaveras County. Two civilians died. A total of 70,868 acres burned and much of that land was private property.

In February 2018, Calaveras County filed a complaint against PG&E in Superior Court. In November 2018, Calaveras County and PG&E made a settlement agreement in which PG&E paid the county \$25.4 million in exchange for dismissal of the complaint. In addition, the county and PG&E released each other from any other claims or liability stemming from the Butte Fire.

In December 2018, after payment of attorneys' fees and legal fees and expenses incurred in connection with the settlement, the county received \$20,252,034.98 from PG&E. In effect, according to Manuel

Lopez, Calaveras County's interim county administrator, the settlement funds can be considered General Purpose Revenue.
