

Weekly ReCAP for July 3, 2020

Next CPC meeting July 6, 2020 now starting at 3:00 p.m. to 5 p.m. Until the COVID-19 is resolved in our community, the CPC meetings will be held remotely by ZOOM and/or conference calling. To participate please watch for connection information from Jenny. New members are welcome, and members only will be able to participate in any closed session

Calaveras County Reports 13 New COVID-19 Cases

By [Tori James](#) / MML / Jul 2, 2020

San Andreas, CA – With the Fourth of July weekend yet to arrive Calaveras County is reporting 13 new COVID-19 cases bringing the total to 53.

It is the largest reporting of cases since the pandemic began. “As we enter the Fourth of July holiday weekend, it is important for the public to refrain from group activities and large scale gatherings that have been shown to spread COVID-19 infection,” emphasizes County Health Officer Dr. Dean Kelaita.

“What we are seeing in Calaveras County continues to be a significant outbreak of COVID-19 in several regions of our community. Widespread community transmission is now taking place throughout Calaveras. I want to emphasize the critical importance of people taking proper precautions and act as if everyone you come in contact with has COVID.”

He adds, “If things continue at this rate, we are at a very serious risk of overwhelming our local hospital and limited ICU capacity. If this trajectory of disease continues, the virus is on the cusp of spiraling completely out of control in the Foothills.”

Kelaita advises, “If you must be out, practice physical distancing and wear a cloth face covering at all times you are around others. Additional community mitigation actions will be reintroduced if these disease trends continue. These are the actions such as the forced closing of businesses, restaurants, wineries, and other group gatherings like we have seen in neighboring counties.”

Three Mother Lode Road Projects Get Over \$23 Million In Funding

By [Tracey Petersen](#) / MML / Jun 27, 2020

Sacramento, CA — Three Mother Lode road projects, two in Calaveras and one in Mariposa County, will get a \$23 million slice of a \$1.8 billion pie state transportation officials are dishing out partly through gas tax funds.

The California Transportation Commission approved the funds to repair highways and bridges and improve the state's growing network of pedestrian, bicycle, and mass transit routes. The funding comes from the federal government and the state's 12 cent gas taxes, SB 1, the Road Repair and Accountability Act of 2017. The latter pumped \$800 million into the kitty.

Caltrans provided the below details on the projects approved in Caltrans District 10:

- Murphys Left-turn Lane Project On State Route 4 in Calaveras County: \$3.3 million left turn lane project in Murphys. The project will improve traffic operations by constructing a two-way left-turn lane from Pennsylvania Gulch Road to Mitchler Street and upgrading an existing flashing beacon.
- Angels Camp Active Transportation Project Along Route 49 in Calaveras County: \$1.8 million Active Transportation Project located on Route 49 and Main Street in Angels Camp. The project will include widening a narrow section of new pavement; construction of new curb, gutter, and sidewalk; and the roadway will be signed and striped for a new bike lane.
- Route 49 Paving Project in Mariposa County: \$18.3 million project will repave the roadway from the Madera County line to the south junction with Route 140. The project will rehabilitate pavement by grinding and overlaying with rubberized asphalt, reconstructing rumble strips, dikes, and down drains, and upgrading guardrail. This project will extend the pavement service life and improve ride quality.

Eight New COVID-19 Cases In Calaveras County Has Health Officer Alarmed

By [Tracey Petersen](#) / MML / Jun 30, 2020

San Andreas, CA – Warning of a serious potential outbreak with eight new coronavirus cases reported in Calaveras County, its health officer is sounding the alarm and urging the public to follow state restriction orders to slow the spread.

This newest spike brings the total number of cases for the county to 40. Dr. Dean Kelaita says his department is “seeing an alarming and accelerating trend of community spread in the county.” The eight new confirmed positive cases reported today (Tuesday, June 30) is the single largest one-day case count in the county since the pandemic began.

“What we are seeing in Calaveras County is the beginning of a significant outbreak of COVID-19 in several regions of our community. Widespread community transmission is now taking place in the Valley Springs area, and other locations are also reporting increasing disease activity,” said Dr. Kelaita. “If things continue at this rate, we are in very serious risk of overwhelming our local hospital and limited ICU capacity.”

He cautions that the county is at an important crossroads and needs to take immediate action to slow the spread of COVID-19. He adds, “As of now, I am not ordering any further closures, but additional community mitigation actions may be reintroduced if these disease trends continue.

However, Dr. Kelaita is calling on businesses that have reopened to closely adhere to health directives. For the public, he says to always practice physical distancing and wear a cloth face-covering around others. Those at higher risk of complications from COVID-19 are encouraged to avoid going out unless “absolutely necessary.”

The health department also targets travel as a problem with neighboring counties seeing spikes in coronavirus activity, noting that San Joaquin County reported 294 new cases on Monday (June 29th) alone, with 3,856 total cases and 133 currently hospitalized.

“This increased disease burden experienced in larger nearby counties is contributing to higher rates of infection among our populations traveling to these areas to work or shop,” stressed Dr. Kelaita. “Those infected in neighboring jurisdictions can bring the virus home and infect others around them.”

To prove his point, Dr. Kelaita, says look no farther than San Joaquin County which this weekend was placed on a state of California watch list and ordered to re-close all bars, and to better monitor mass gatherings, as its rise in cases are attributed to those decisions. Also, the state warns that more businesses and places could be shut down if the cases continue to spike.

“Calaveras will be in a similar position as our neighbors if we don’t get a handle on this outbreak quickly”, warns Dr. Kelaita.

Regarding the latest cases, all are being investigated through contact tracing. Anyone found to have had close contact with any of the individuals will be quarantined. Health officials ask that anyone in the county that test positive for coronavirus, contact the department immediately at (209) 754-6460.

Dr. Kelaita concluded that following the state guidelines can stop the spread of the virus, stressing, “If our community can do these simple actions every day, we can beat this pandemic and protect the most vulnerable members of our community.”

Green light from panel for transit proposal

By Nick Baptista / The Valley Springs News / July 1, 2020

A \$7.8 million plan to improve pedestrian, bicycle and motor vehicle safety in downtown Valley Springs received unanimous support Thursday from the Calaveras County Planning Commission.

The so-called Valley Springs Town Center Connectivity Plan has been in the works for several years and now goes before the Calaveras County Board of Supervisors and Calaveras Council of Governments for approval.

However, implementation of the plan is questionable.

Adoption of the plan by the county and CCOG only provides “a competitive advantage in future grant applications to fund construction of those improvements,” according to the staff report to the planning commission. “It will also help the county and CCOG prioritize capital improvement projects in the area.”

Since many of the suggestions are along State Route 12 and 26, Caltrans will have the final say.

Major improvements in the proposal call for a traffic signal at State Route 12 entrance to the Valley Oaks Shopping Center and a left turn lane off eastbound SR 12 into Castle Rock Mobile Home Park.

Collisions along that stretch of the highway were identified in excess of statewide averages and are deemed safety features, according to Project Manager Todd Tregenza.

Whether the light will have an adverse impact on traffic at the intersection of State Routes 12 and 26 will come under a more rigorous technical evaluation by Caltrans in the future, he added.

Another pedestrian safety feature under the proposed plan is the addition of a pedestrian crossing with flashing lights at the intersection of State Route 26 and Nove Way. This will become especially important with further development along the west side of the highway, Trergenza added.

A number of improvements in the vicinity of Valley Springs Elementary School were outlined and they would not need Caltrans approval, but funding could be an obstacle and necessitating the acquisition of grants.

Court decision could derail county General Plan update

The Valley Springs News / July 1, 2020

A recent court decision against San Diego County adds further support to the Calaveras Planning Coalition's 145-page legal case against the 2019 Calaveras County general plan.

"We are pleased that the courts continue to protect the health, safety, and well-being of citizens by ensuring that local governments follow the law," said Community Action Project Co-Chair and founding Coalition member Joyce Techel.

In *Golden Door Properties, LLC v. County of San Diego*, the Fourth District Court of Appeal concluded that San Diego County's 2018 Climate Action Plan made three of the same legal mistakes that the Planning Coalition alleges Calaveras County made in adopting the 2019 General Plan Update., according to the Calaveras Planning Coalition. Namely, the California Environmental Quality Act (CEQA) is violated when measures to mitigate for environmental impacts are not enforceable, when environmental impact mitigation is deferred without clear performance standards, and when the range of policy alternatives evaluated is too narrow.

On Dec. 9, 2019, the Calaveras Planning Coalition filed suit against the Board of Supervisor's November 2019 approval of the GPU, which was 13 long years in the making.

"I think a lot of people don't realize that the California Environmental Quality Act is enforced through litigation or the threat of litigation. So, the Planing Coalition had no choice but to sue the county to enforce the law," said long-time CPC member Muriel Zeller. "This isn't something we wanted to do. We felt we were obligated to do it."

The CPC is a federation of regional and local organizations, community groups, and concerned individuals who promote public participation in land use and resource planning to ensure a healthy human, natural, and economic environment now and in the future. The CPC is part of the Community Action Project whose mission is to protect and improve the natural and built environments in Calaveras County by empowering people to claim their rights and participate in local government.

Inspired by a recent court decision, CPC participant Marti Crane stated, "For years it seemed as if we were pulling the planning wagon uphill – with no wheels. But little by little others, including the courts, are stepping up to help."

CPC member Sue Holper agreed that an inspirational court case "nourishes our ability to persist."

In regard to violations of CEQA, the CPC complaint alleged that while Calaveras County made many promises to reduce the GPU's two dozen significant environmental impacts including increases in wildfire risk, traffic congestion, and noise, those promises were not enforceable. In its decision on *Golden Door Properties*, the court ruled that San Diego County's mitigation measures were unlawful, because they were not enforceable.

The CPC also alleged that Calaveras County's promises to reduce impacts in the future did not include specified impacts reduction targets for the county to achieve by a specified time. Thus, any negligible level of impact reduction, including no impact reduction at all, would be consistent with three promise. In its decision on *Golden Door Properties*, the court ruled that San Diego County's promise to reduce im pacts in the future was unlawful because it "lacks performance standards to ensure the mitigation goal will be achieved."

In its suit, The CPC noted that Calaveras County refused to evaluate any policy alternatives in the environmental impact report for the general plan update. Given the broad spectrum of public testimony on what should be in the GPU, this refusal was shocking. In its June 12, 2020, decision on *Golden*

Door Properties the court ruled that San Diego County had made a mistake in not considering a broader range of alternatives in the EIR for its 2018 Climate Action Plan.

In addition to alleging that the GPU's environmental impact report was in violation of CEQA, the CPC complaint also alleged that the GPU indefinitely deferred taking action on key general plan issues that were identified by local residents in 2008. Those key issues included level of service standards for water and sewer, traffic and emergency service impact fees for new development, and open space zoning. In addition, the complaint alleged that the board violated the law by rescinding the community plans for Valley Springs, Arnold, Murphys/Douglas Flat and Avery/Hathaway Pines.

The Calaveras County Board of Supervisors held a closed door session to discuss the GPU litigation on Tuesday, June 23.

Amid coronavirus spike, California Gov. Newsom announces new reopening restrictions

- Taryn Luna and Phil Willon Los Angeles Times
- Jul 1, 2020

Gov. Gavin Newsom on Wednesday ordered tougher restrictions for much of California, requiring 19 counties experiencing increased spread of coronavirus to halt visits to indoor restaurants, wineries and tasting rooms, entertainment centers, movie theaters, zoos, museums and card rooms.

Two of those counties — San Joaquin and Stanislaus — border Tuolumne and Calaveras counties, where the rate of cases has increased substantially in the past week or so but are not included in the governor's order..

The governor is imposing the restrictions on indoor activities in advance of the July 4 holiday weekend, when officials fear disaster if Californians continue to ignore safety guidelines and businesses remain open in areas already experiencing significant spikes in COVID-19 infections. Newsom is also recommending the cancellation of all fireworks shows on the Fourth of July and is urging Californians to rethink having large get-togethers with friends and neighbors to celebrate the holiday.

"This doesn't mean restaurants are shut down," Newsom said. "It means that we're trying to take the activities, as many activities as we can — these mixed activities, these concentrated activities — and move them outdoors, which is a way of mitigating the spread of this virus."

Newsom said his order closes indoor activities in Contra Costa, Fresno, Glenn, Imperial, Kern, Kings, Los Angeles, Merced, Orange, Riverside, Sacramento, San Bernardino, San Joaquin, Santa Barbara, Santa Clara, Solano, Stanislaus, Tulare and Ventura counties.

The change marks a major reversal in the state's reopening process that began in early May and quickly progressed by June 12 to allow retail stores, dine-in restaurants, bars, religious services, card rooms, hair and nail salons, gyms and other businesses to open again with modifications in counties that met state guidelines.

Los Angeles County received the green light from the state to open dine-in restaurants on May 29, more than two weeks after other counties were permitted to do so under California's regional reopening plan.

State officials have long anticipated that reopening would lead to an increase in cases and risk of more deaths. Newsom began sounding the alarm about growing spread of the virus on June 18 by requiring Californians to wear masks in public and high-risk settings. But the state continued to speed up the reopening process and allowed personal care services in one of the highest-risk sectors, such as nail salons, massage parlors, tattoo shops and waxing services, to resume in counties the next day.

The state took action on Sunday to "toggle back" reopening for the first time when it demanded a limited closure of bars in seven counties that are experiencing prolonged increases in virus transmission.

Under new standards to reverse reopening at the local level, a county is flagged and placed on the state's watch list if it reports an elevated transmission of the disease, defined as two-week average of more than 100 cases per 100,000 residents, or more than 25 cases per 100,000 residents and a weekly average positivity rate of at least 8%. A hospitalization rate increase of an average of more than 10% over three days, or a drop in hospital capacity to fewer than 20% of beds or fewer than 25% of ventilators available could also result in a county landing on the watch list.

The state is providing outreach to counties experiencing trouble. State guidance says such counties should consider adopting parts of the stay-at-home order again if they fail to make progress on containing the disease or lowering hospitalizations, or the state public health officer may take action to do so for them.

Newsom has so far resisted using a heavy-handed approach when it comes to enforcing his coronavirus restrictions, however, choosing instead to encourage compliance and educate residents about the benefits of safeguards against spread of the virus.

Still, Newsom has threatened to cut state funding targeting the coronavirus in counties that openly ignore the state's mandates to stem the spread of COVID-19.

He also has said both state and local regulatory agencies could be called upon to "exercise a little bit of persuasion." On the state level, that could include the Division of Occupational Safety and Health, which enforces workplace safety requirements, and the Department of Alcoholic Beverage Control, which regulates the sale of alcohol in bars and restaurants.

Brian Vaughan, the public health officer in Northern California's Yolo County, said that an uptick in the coronavirus has always been planned for, especially since many epidemiological experts expected another surge in COVID-19 infections to hit eventually. In an interview in June, Vaughn, said he expects residents to understand the severity of the situation and to act accordingly if tougher restrictions are reimposed.

"The seriousness in which our community has addressed it was a huge reason why we were able to flatten our curve and we didn't see a big spike," Vaughn said. "So I would assume that, if we're being

transparent we're sharing our data, and things start ticking up in terms of infections that the community would be behind us."

Imperial County in the southeast corner of California remains one of the state's hardest hit areas. Last week, nearly one of every four people tested in Imperial County has been positive for the coronavirus over a 14-day period, far above the statewide average of one in every 20 residents.

More than 500 hospital patients have been transferred out of the county to relieve pressure on medical facilities in the rural county. Newsom recommended the county reimpose a strict stay-at-home order, mandating that all residents not classified as essential workers remain at home except for trips to buy groceries, seek medical care and care for other critical needs.

The Imperial County board of supervisors on Monday released a plan to reimpose the restrictions, which is awaiting approval from the Newsom administration.

The governor's mask order also faced backlash in some parts of the state almost immediately. Sheriffs in Orange, Riverside, Fresno and Sacramento counties, among others, said they would not enforce the Newsom administration's mask order despite the fact that violating the mandate is a misdemeanor and could financial penalties.

Some recreation areas, campgrounds remain closed through July 15

- Guy McCarthy / The Union Democrat
- Jul 1, 2020
- More than a dozen recreation areas and campgrounds in the Stanislaus National Forest will remain closed through July 15 due to COVID-19 pandemic restrictions, a spokesperson assigned to forest headquarters in Sonora said Wednesday.

The announcement came out Wednesday afternoon as confirmed coronavirus cases continued to increase in Calaveras and Tuolumne counties.

More than 20 day use areas and other developed recreation sites are open, and the number of open campgrounds in the Stanislaus National Forest will increase to 20 on Thursday, when forest staff plan to open Bloomfield Campground, Pacific Valley Campground and Mosquito Lakes Campground.

A partial list of what's open in the Stanislaus National Forest is at the bottom of this report.

Recreation areas and campgrounds that will remain closed through July 15 or longer include Eagle Meadow Horse Camp, Fence Creek Campground, Herring Creek Campground, Niagara Creek Campground, and Pine Valley Horse Camp. In addition, closed through July 15 or longer are Bower Cave, Cascade Creek Campground, Clark Fork Horse Camp, Donnell's Reservoir, Herring Reservoir Campground, Hull Creek / Trout Creek OHV Area, Kerrick Corral Horse Camp, Lodgepole Overflow Campground, River Ranch Campground, and TeleLi puLaya Black Oak Campground. Beardsley Day

Use and Beardsley Dam Campground remain closed, and Beardsley Reservoir is closed to vehicle access.

All group campground areas in the Stanislaus National Forest will remain closed indefinitely due to the state's limitations on group gatherings, a Forest Service spokesperson said.

"I am proud of the work our employees have accomplished under very difficult conditions to reopen sites so our visitors can recreate in this wonderful landscape," Stanislaus National Forest Supervisor Jason Kuiken said in a statement.

The Forest Service is working with health authorities in four counties and other local partners to reopen more developed recreation sites. Kuiken urged visitors to the 1,403 square miles encompassed by the Stanislaus National Forest to expect experiences different from ever before because of social distancing and federal Centers for Disease Control and Prevention guidelines for health and safety in the midst of the ongoing pandemic.

"Employee and public safety remains our number one priority, and we will closely monitor the situation and make changes accordingly," Kuiken said. "However, please be prepared to be self-reliant by bringing your own soap, hand sanitizer, toilet tissue and drinking water."

Trash removal is very limited, Kuiken said, so forest visitors should pack out all trash and waste.

Last weekend trash piled up at trash and recyclable waste receptacles at Pinecrest. Visitors stacked trash bags and loose trash next to already-full containers, with trash propping open containers that are intended to be bear-proof, and hungry, scavenging ravens rooted in the trash in some places, further scattering human garbage at the manmade lake. Volunteers from Pinecrest Resort and Lair of the Golden Bear cleared away weekend trash at Pinecrest on Monday.

"We are seeing tremendous pressure being placed on the forest due to the increased visitation, in terms of visitors leaving trash behind and having too many people dispersed camping, and having illegal campfires," Kuiken said in the announcement distributed Wednesday. "We need each visitor to be active stewards of nature by leaving no trace of your visit."

Visitors must also respect the fire restrictions that are in place for the collective safety of the forest and surrounding communities, Kuiken said.

Open day use areas and open campgrounds are identified in forest order STF-16-2020-16.

According to the Forest Service, open day use areas are Big Meadow, Sour Grass, Marmot, Chickaree, Crandall/Deer Creek, Rim of the World, Carlon's, Middle Fork, Cherry Lake, Cottonwood, Douglas Flat, Columns of the Giants, Donnell's Vista, North Fork, Riverside, China Flat and Rainbow Pool. Also open are boat ramps at Lake Alpine, Merals Pool, and Cherry Lake, as well as the boat slide at Cherry Creek.

Open campgrounds in the Stanislaus National Forest are Sweetwater, Lost Claim, Dimond O, Cherry Valley, Pinecrest, Pigeon Flat, Brightman Flat, Fraser Flat, Clark Fork, Dardanelle, Sand Flat, Eureka,

Baker, Deadman, Lumsden, South Fork, and Pine. Some campgrounds at Lake Alpine are open and some remain closed.

A copy of the new forest order explaining the recreation site closures and campgrounds closures through July 15 is supposed to be posted on the Stanislaus National Forest web page at www.fs.usda.gov/stanislaus. A full list of what's open and closed according to the Forest Service is at www.fs.usda.gov/recmain/stanislaus/recreation.

RCRC – The Barbed Wire – July 2, 2020

Bill of the Week: SB 474 (Stern)- Development Prohibition in Very High Fire Hazard Severity Zones

RCRC has voiced its opposition to the recently-amended Senate Bill 474, authored by Senator Henry Stern (D- Calabasas), which would prohibit all commercial and residential development in Very High Fire Hazards Severity Zones (VHFHSZ) and State Responsibility Areas (SRA). RCRC believes the broad and overreaching nature of this bill will hamper the economic viability of rural segments of the state.

SRA land encompasses, in part, fifty-six of California's counties. The VHFHSZ incorporates areas for which local agencies have fire protection responsibility, which are often already significantly developed, and not suitable for other economically viable uses if further development is prohibited. By prohibiting any retail project or even placing a mobile home on family land, this bill would ban anything from a simple Christmas tree farm in one area of the state to a new restaurant in another. Depriving individual property owners of the ability to utilize land or engage in legitimate business also presents potential "takings" challenges, adding associated costs, not only for the affected individual, but to taxpayers of the state. While RCRC strongly supports the underlying goal of mitigating the loss of life and property in high fire prone areas, SB 474 will be devastating to families and businesses that have called those communities home for generations.

Meanwhile, California continues to struggle with a housing shortage, especially homes affordable to those with low and very-low incomes. In addition, the increased loss of life and structural damage caused by California's recent wildfires have caused reconsideration of housing development in fire-prone areas and the further winnowing of available lands for development. RCRC believes that these challenges require a holistic, equitable, and reasonable policy solution – something that is lacking in SB 474.

RCRC's letter can be accessed [here](#). This legislation is current awaits consideration in the Assembly Committee on Local Government. If and when the bill will be set for hearing remains unclear at this time. For more information, contact Tracy Rhine, RCRC Legislative Advocate at (916) 447-4806 or trhine@rcrcnet.org.

No Place Like Home Program Funding Awarded to 13 RCRC Counties

The California Department of Housing and Community Development announced the award of \$195 million in funding Round 2 of the No Place Like Home (NPLH) program. Awards for sixteen supportive housing projects were given to thirteen different RCRC member counties, totally nearly \$70 million in funding to those communities. A complete list of awardees can be found [here](#).

The NPLH program was created in 2016 and provides up to \$2 billion for the development of permanent supportive rental housing for people living with a serious mental illness who are Homeless, Chronically Homeless, or At-Risk of Chronic Homelessness. Small counties were set aside eight percent of the competitive funding allocations for projects in rural communities. More information on the NPLH program can be found [here](#).

Governor Signs State Budget and Budget-Implementation Bills

On Monday, Governor Newsom signed the State Budget Package for Fiscal Year 2020-21, which included the main budget bill, budget amendments, and eighteen (18) bills related to budget implementation. RCRC staff prepared an analysis of the 2020-21 State Budget Package and key impacts on California's rural counties in the latest *RCRC Rural Rundown*, available [here](#). The Governor's [press release](#), issued on Monday, addresses the approach to balancing the budget, noting that the 2020-21 budget is balanced through a combination of reserves, triggers, federal funds, revenues, borrowing/transfers/deferrals, and canceled expansions, updated assumptions and other solutions. In his remarks, Governor Newsom states that "the budget makes critical investments to save lives and promote economic recovery while closing a \$54.3 billion budget shortfall caused by the COVID-19 recession".

It is expected that further revisions to the State Budget Package will be addressed in August once the State of California fully counts personal income tax receipts (the tax filing deadline was extended until July 15th). Furthermore, several issues still need to be addressed before the Legislature adjourns on August 31st – measures pertaining to public safety, realigning juvenile justice, enacting a vaping tax, reform of the Department of Toxic Substances Control, and expenditures from the state's Cap-and-Trade auction proceeds.

Governor Signs Bill to Hold PG&E Accountable as Utility Moves to Emerge from Bankruptcy

Signed into law by Governor Newsom on Tuesday, Senate Bill 350 is another step in the transformation of Pacific Gas & Electric (PG&E) as the utility's bankruptcy proceedings reach conclusion. In a press release earlier this week, Governor Newsom lauds this bill, authored by Senator Jerry Hill (D-San Mateo), as one which "protects California by giving the state the authority to hold PG&E accountable if the company fails to adhere to public safety policies, and to put safety, reliability, and its customers at the center of its business model."

SB 350 authorizes the Governor to incorporate Golden State Energy as a nonprofit public benefit corporation to take over ownership and control of PG&E's assets in the event that the utility fails to emerge from bankruptcy as a transformed entity that is positioned to provide Californians with access to safe, reliable, and affordable service, or if the company attempts to sell its stocks or assets within that proceeding. Although RCRC did not have a position on the legislation, staff watched it closely through the process alongside the PG&E bankruptcy and reorganization proceedings.

RCRC Urges CPUC to Modify Proposed Decision to Increase Wireless Network Resiliency

RCRC recently submitted [comments](#) to the CPUC on its recent Emergency Disaster Relief Program Proposed Decision concerning wireless communications providers.

The [Proposed Decision](#), issued on June 11 is an attempt to prevent future communications system outages like the widespread network failures that occurred during last year's PSPS events. It requires wireless companies to improve system planning and resiliency to maintain minimum service levels during PSPS events and other emergencies. Minimum service levels are defined as 9-1-1 service, 2-1-1 service, the ability to receive emergency alerts and notifications, and basic internet browsing. It also requires wireless providers to have 72-hours of backup power for a number of facilities.

In its most recent [comments](#) RCRC expressed its support for the Proposed Decision as a way to ensure that the public has access to 9-1-1 and emergency services, local governments can effectively disseminate information about and respond to emergencies, and critical facilities can remain operational during a PSPS event or other loss of power. While supportive of the proposal, RCRC urged the CPUC to:

- Expand the 72-hour backup requirement (which only applies to facilities in Tier 2 or Tier 3 High Fire Threat Districts) to additionally include those wireless facilities that lost power during two or more PSPS events
- Require wireless providers to additionally discuss actions that will be taken to minimize service loss when backup power cannot be provided to specific sites or classes of facilities due to a safety risk or where it is impossible or infeasible to deploy backup power
- Make several other changes to correct factual errors and avoid unnecessary limitations on the scope of the program

The CPUC will formally consider this Proposed Decision at its July hearing. The Proposed Decision only applies to wireless companies, but similar requirements for wireline communications providers are anticipated to be included in a subsequent proposal.

RCRC is a party to the CPUC's Emergency Disaster Relief Program proceeding and urged the adoption of communications system resiliency improvements in [comments](#) filed on March 26.

Infrastructure Package Passes the House

On Wednesday, the House of Representatives passed its \$1.5 trillion infrastructure bill, the *Moving Forward Act*, that would sharply increase spending on roads and transit, push for deep reductions in pollution, direct billions to water projects, affordable housing, broadband and schools, and upgrade hospitals and U.S. Postal Service trucks. The bill passed largely along party lines after days of debate and amendments, with three Republicans voting "yes" and two Democrats casting "no" votes, ultimately passing with a 233-188 vote. House Republicans have held unwaveringly on the partisan process, noting that their views were virtually ignored as the measure was crafted. House Democrats said they did not try to garner Republican involvement in developing the bill because they were convinced that Republicans would not go along with the emissions reductions measures they wanted, which are sprinkled throughout the bill. The bill now goes to the U.S. Senate where, in its current form, it is not likely to receive much attention amongst ruling Republicans. However, the core of the bill, the transportation-specific functions, will most likely survive. Though the Senate Environment and Public Works Committee unanimously approved its version of the "Highway Bill" ([S. 2302](#)) nearly a year ago, the other three committees with partial jurisdiction in the chamber — Banking, Finance and Commerce — have yet to even produce a draft.

Rural Broadband

On Wednesday, Senate Broadband Caucus co-chair Amy Klobuchar (D-Minnesota) along with Senator Kamala Harris (D-California) [introduced](#) the Senate companion to the *Accessible, Affordable Internet for All Act*, which would slate \$100 billion for broadband and serves as a messaging boost to House Democrats and the Rural Broadband Task Force. Key components of the legislation include cash for network buildout and efforts to bolster digital equity and internet adoption. While the package has already been threatened with a veto from President Trump, it offers a sign of what [Congressional Democrats](#) may seek under a potential Joe Biden presidency, especially if they gain seats in Congress

Hemp Banking

On Monday, the Financial Crimes Enforcement Network (FinCEN), which is part of the Treasury Department, released [updated guidance](#) for banks and credit unions that service hemp businesses. The new memo explains changes in reporting requirements and emphasizes that because the crop is no longer a controlled substance, financial institutions do not have to automatically flag transactions that are from legitimate hemp business accounts. Unlike for cannabis companies, banks and credit unions do not have to automatically file suspicious activity reports solely because a business client is involved in the legal hemp market.
