



COUNTY OF HUMBOLDT

For the meeting of: 1/22/2019

File #: 19-8

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

Memorandum of Understanding for Funding with Bear River Band of the Rohnerville Rancheria

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the Memorandum of Understanding by and between County of Humboldt and Bear River Band of the Rohnerville Rancheria for fiscal years 2018-19 and 2019-20; and
2. Authorize the Director of Planning and Building to sign the Memorandum of Understanding by and between County of Humboldt and Bear River Band of the Rohnerville Rancheria for fiscal years 2018-19 and 2019-20.

SOURCE OF FUNDING:

Applicant fees.

DISCUSSION:

The County Planning and Building Department is requesting permission to allow the Director of Planning and Building to sign a Memorandum of Understanding (MOU) with the Bear River Band of the Rohnerville Rancheria (Rancheria) to assist in funding additional Bear River staff to review projects within the jurisdiction of the Rancheria.

Both the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Commercial Cannabis Land Use Ordinance (CCLUO) require all applications be reviewed by the Tribal Historic Preservation Officer (THPO) in for the areas of Traditional Tribal Affiliation. This often results in the review of an archaeological report and/or a site visit. The department has received over 1,600 permit applications for cannabis cultivation within the area of traditional tribal cultural affiliation for the Bear River Band of the Rohnerville Rancheria. This is an enormous workload for a single THPO and has resulted in significant processing delays. The Rancheria indicated that they do not have the funding to pay for additional staff to review these projects.

The proposed MOU would provide funding to allow the Rancheria to bring on staff in order to be

better equipped to respond to the referrals from the county. The term of the MOU is for a maximum of one year or until the funds have been expended, whichever occurs first.

FINANCIAL IMPACT:

The Rancheria will invoice the County for work done by the extra help position, not to exceed \$37,200.00. These costs will be borne by the applicant as part of the cost to permit the project.

This action is consistent with the Board's Strategic Framework by building interjurisdictional and regional cooperation.

OTHER AGENCY INVOLVEMENT:

Bear River Band of the Rohnerville Rancheria Tribal Heritage Preservation Office

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the MOU. This is not recommended as processing delays will continue due to limited staffing to review the large number of permit applications.

ATTACHMENTS:

1. Memorandum of Understanding by and between County of Humboldt and Bear River Band of Rohnerville Rancheria
2. Insurance Certificate

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A