

BOARD OF SUPERVISORS MEETING
April 19, 2016

“For all items *NOT* on the agenda”

(Each Speaker Limited to 3 Minutes)

Voluntary Sign-In Sheet
(Public Appearances – 9:00 am)

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Tricky waters impact shipping

Long-term plan to address shoaling under discussion

By Will Houston

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Abnormally large waves at the entrance of Humboldt Bay caused by its shallow depth are creating treacherous conditions for boaters and barges as well as impacting shipments in and out of the bay, local officials state.

While the dredge is set to be dredged next month due to the hazardous conditions, local and federal entities are now discussing long-term solutions to the issue.

Fortunately for the U.S. Coast Guard Humboldt Bay Sector, nobody has been injured or required rescue from the rocky waters so far this year.

"With the closure of the crab fishing season, I think we've gotten lucky that nobody has been transiting on the bar," U.S. Coast Guard Humboldt Bay Sector petty officer Garrett Hamilton

SHIPPING » PAGE 3

Shipping

FROM PAGE 1

said, while also acknowledging the alertness of the local fishing fleet to ocean conditions.

Waves broke at around 20 feet in the bay entrance and shipping channel near the south jetty last week, which local officials say was the result of sediment filling in bay after recent winter storms.

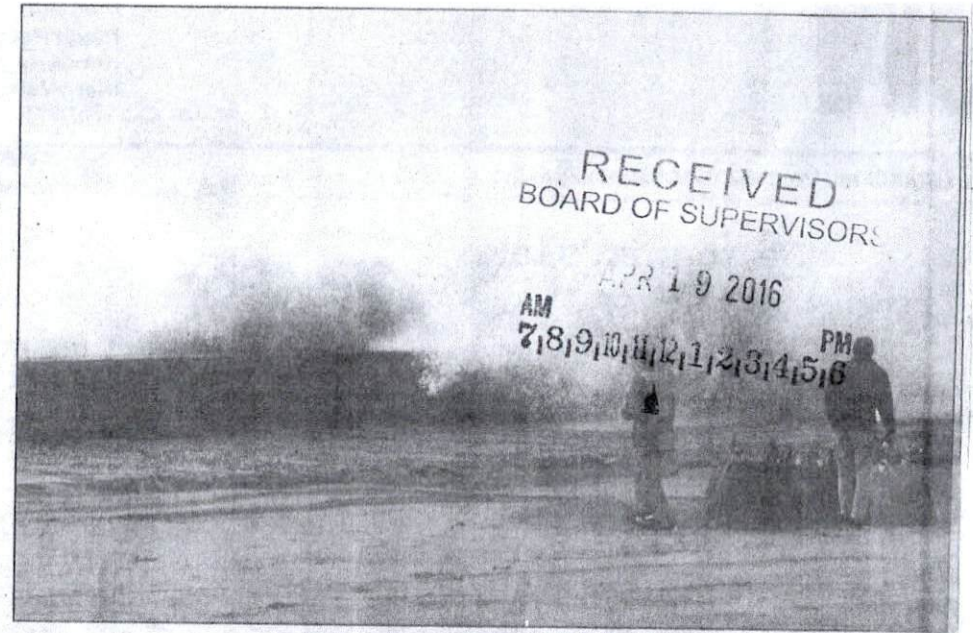
Known as shoaling, this sediment buildup has caused some areas of the bay entrance to have only a 15-foot depth, when it should be closer to 48 feet, Humboldt Bay Harbor, Recreation and Conservation District Deputy Director Adam Wagschal said.

"(Shoaling) causes waves to break in the entrance and at the bar, which is a safety hazard for boats of all sizes," Wagschal said. "It also prevents ships from entering the bay. Depending on their draft, which is how much water a ship needs below it, it might not be able to enter the bay."

Timber shipments have recently been resigned to head ship out with lighter cargo loads. The rough conditions have led to some discussions within the Coast Guard about whether to temporarily close off the bay entrance to commercial ships during these rough water periods.

Humboldt Bay Bar Pilot John Powell said ships are now required to leave only at high tides, and those ships must have at least a 25-foot draft.

"That doesn't give them much of a load they can put on a cargo ship," he said. "They like to leave with



PHOTOS BY SHAUN WALKER — THE TIMES-STANDARD

Two men watch as 20-foot waves rolling into the entrance of Humboldt Bay on April 14. These larger waves are atypical and are caused by the shallow conditions of the bay due to an influx of sediment from the Eel River this past winter.

heaver loads."

Since Green Diamond Resource Company finished rebuilding its chip dock in 2013 and its first cargo ship sailed out in July 2014, shoaling on the bay has impacted half of the company's shipping operations, Green Diamond Forest Policy and Sustainability Manager Gary Rynearson wrote in an email to the Times-Standard.

"To date we have shipped four cargos of wood chips, but unfortunately have cancelled four ships due to shoaling," Rynearson wrote.

Wagschal said the waves also create a potential problem for the Chevron fuel barges which provide most of the county's fuel supply.

Last week, the harbor district announced that the bay entrance is set to be dredged to around 48 feet by the U.S. Army Corps of Engineers in May. The announcement came after the

harbor district and 2nd District California Congressman Jared Huffman (D-San Rafael) urged the federal government to provide dredge funding due to the hazardous conditions. The Army Corps of Engineers allocated \$7.5 million for the project last week. The bay's bar and interior channels are set to be dredged in June.

National Weather Service Eureka station meteorologist Matthew Kidwell said shoaling occurs every year on Humboldt Bay as sediment from the Eel River flows into the bay entrance.

However, this year was different, with Hamilton noting that the more recent waves were the largest he's seen along the jetty during the last four years he has been stationed in Eureka.

"It's breaking a lot closer and it's directly in the channel and in the entrance," he said on Monday. "Even with

smaller weather like today, being out there, the north spit buoy is reading at six or seven feet."

Kidwell said more sediment was transported from the Eel River out into the bay due to the large amount of recent rainfall.

"We had a lot of high flows on the Eel this winter," Kidwell said.

Wind patterns also helped drive a northbound current which carried the sediment toward the mouth of the bay.

Humboldt Saltwater Anglers Association Director Casey Allen said crossing the bar on Humboldt Bay can be a dangerous endeavor even without shoaling.

"When the outgoing tide meets the ocean swell, is the most dangerous time," he wrote in an email to the Times-Standard. "The two colliding forces can create steep breaking waves that



A vehicle parked alongside the entrance of Humboldt Bay takes a splash from waves that reached as high as 20 feet on April 14.

can capsize a boat. The incoming tide is the safest because all the force of swell and tide are traveling in the same direction."

But with the recent shoaling, Allen said that the waves can break at any tide.

"An angler leaving the bay today might see breaking waves at the end of the south jetty, but calmer water in the middle ground," he wrote. "It will take some time for boaters to get used to where the dangers are at each tide and how to maneuver around them. Hopefully, folks are smart enough to not take chances."

Powell, who is also a sport fisherman, said it is important for the fishing community to know how dangerous the south jetty can be even on a seemingly calm day, especially with the salmon season opener fast approaching.

"A lot of the sport fishing boats go off the south jetty there and this is right in their path if they're going south to Cape Mendocino," Powell said.

Allen said that the shoaling issue prompted a meet-

ing with the Harbor District on April 15 where it was agreed by multiple entities to look into creating a long-term sediment control plan, with one option proposing to build an artificial reef south of the south jetty to trap and divert the sediment farther off into the ocean.

Rynearson said Green Diamond has also been working with the county, federal entities, and the harbor district to address the shoaling issue.

"A predictable shipping schedule is critical to our customers," he said. "We plan to work closely with all of the parties to develop a plan for a safe and predictable entrance channel."

While the large waves have mostly been a detriment to the bay's operations, Hamilton said they've been put to some good use.

"We've had more consistent waves out there and better weather in our eyes," he said. "We get a lot of training in those bad conditions."

Will Houston can be reached at 707-441-0504.

'Cottage' cannabis bill advances

Growers oppose medical marijuana tax proposals

By Will Houston

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@Will_S_Houston on Twitter

A proposed modification to the state's medical cannabis licensing program targeted toward small North Coast farms has cleared its first committee hurdle, but still has two more to overcome before reaching the Assembly floor.

Currently, the state's licensing framework in the Medical Marijuana Regulation and Safety Act only focuses on cannabis grows that are at least 5,000 square feet in size — nearly one-eighth of an acre. North Coast Assemblyman Jim Wood said his new bill, AB 2516, will support the smaller, "cottage" growers on the North Coast.

"Last year's Medical Marijuana Regulation and Safety Act (MMRSA) established cultivator licenses and guidelines for a safer, cleaner and more transparent industry," Wood said in a statement. "However, it is not fair to require the small cannabis farmers to adhere to the same standards as larger operations."

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North Coast Assemblyman Jim Wood speaks to a Senate committee in July 2015 to argue to approval of the Medical Marijuana Regulatory and Safety Act.

ASSEMBLYMAN JIM WOOD'S OFFICE — CONTRIBUTED

Cannabis

FROM PAGE 1

Wood's bill would create a specialty cottage license for mixed-light growers with 2,500 square feet or less of total cannabis canopy, outdoor growers with 25 plants at most, and indoor growers that have 500 square feet or less of canopy. The bill also directs the California Department of Food and Agriculture to create rules "specific to small farmer practices," Wood stated.

"Creating a new license for small cannabis farmers will help maximize the number of growers that come into compliance with the MMRSA regulations and sustain many of the farmers who have been in business for years," Wood said.

The bill passed through the Assembly Agriculture Committee on Wednesday and will advance to the As-

COTTAGE CANNABIS BILL (AB 2516)

- Introduced by North Coast Assemblyman Jim Wood (D-Healdsburg) on Feb. 19.
- Creates a new licensing category in the state's Medical Marijuana Regulation and Safety Act to regulate smaller farms.
- New Type 1C or "cottage specialty" license would apply to mixed-light grows with 2,500 square feet of medical marijuana canopy or less, up to 25 plants for outdoor grows, and up to 500 square feet for indoor grows.
- Directs the California Department of Agriculture to develop regulations tailored to these grow sizes.
- Passed Assembly Agriculture Committee on Wednesday.

Source: Assemblyman Jim Wood's Office, Assembly Bill 2516

sembly Business and Professions Committee next week, according to Wood's spokesman Paul Ramey.

If the bill is ultimately signed into law, Redcrest resident and medical cannabis farmer Sunshine Johnston would fall under this new license tier with her 2,500-square-foot grow, which also includes other produce. Johnston said she is grateful that the state is working to recognize smaller growers.

"For a lot of us, it's really a lifestyle choice that you make to be a small farmer," she said. "It's important that they're recognizing us at that size because we are different culturally."

Johnston said she also hopes that as the state develops its regulations, it will allow these smaller grows to vertically integrate into the market by being able to make their own products and sell it straight from the farm. Currently, the state

allows a single person or entity to have up to two different license types to ensure that a single provider or company will not dominate the market.

The grower advocacy organization California Growers Association also voiced its support of the bill.

"This license category is definitely something that will have a positive impact on my community and will help more folks come into compliance," the association's board Chairman Casey O'Neill said in a statement. "We also hope this license category will help build stronger relationships between small growers and local governments."

If AB 2516 passes through the Business and Professions Committee next week, it will move on to the Assembly Appropriations Committee before going to the Assembly floor for a vote.

Wood has also introduced an excise tax bill, AB 2243, that would charge li-

censed cultivators \$9.25 per every ounce of cannabis flower, \$2.75 per pound of leaves, and \$1.25 per immature plant provided to a licensed distributor.

The Legislature will also decide on another medical marijuana tax bill, North Coast Sen. Mike McGuire's Marijuana Value Tax Act or SB 987, that would levy a 15 percent tax on the sale of marijuana at retail locations.

The revenue would go toward paying for the state's marijuana regulatory system as well as environmental enforcement agencies such as the Department of Fish and Wildlife and State Water Resources Control Board aimed at preventing impacts from illegal operations.

Wood and McGuire said the tax rates in their bills are also included in the Adult Use Marijuana Act — a marijuana legalization voter initiative backed by Silicon Valley billionaire Sean Parker and California Lt. Gov. Gavin Newsom.

Both Johnston and the California Growers Association are opposing the medical marijuana tax proposals.

Johnston said that cultivators are already being mandated to pay for state and local permit fees, water quality permits, as well as other costs associated with coming into compliance under the new rules.

"We're already paying for our permits to the county, then property taxes, but we also have fees with regulations and those fees can take a huge chunk out," Johnston said. "If you add taxes on top of that, it can finish you off."

SB 987 is next set to be heard by the Senate Appropriations Committee. AB 2234 is currently in the suspense file and will likely be reviewed by the Assembly Appropriations Committee in late May, according to Ramey.

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Another view

How to spend other people's money

By Jon Coupal

An earlier edition of this column focused on government waste due to gross mismanagement and fraud on the part of California state and local governments. The argument then, as it is now, is that elected representatives should be spending much more of their time and energy on oversight of existing programs, rather than posture for a photo op or press release announcing a "new" program that, in all likelihood, is redundant with a dozen or more existing programs covering the same subject matter.

The problem, of course, is that elected officials and bureaucrats have no incentive to be cautious regarding how they spend our tax dollars. Here, the observations of Nobel winning economist Milton Friedman are instructive. He noted that there are four ways people can spend money:

- You can spend your own money for yourself. (Being careful both about how much you spend and on what you buy);
- You can spend your own money for somebody else. (Being careful about how much you spend but less careful about what you buy);
- You can spend somebody else's money for yourself. (Being careful about what you buy but less careful about how much you spend); and
- You can spend somebody else's money for somebody else. (Where you care less both about how much you spend and what you buy).

Friedman's thesis is that what government does is spend money in the fourth way. And that is why any discussion about California government spending needs to include the question of whether taxpayers are getting value for the tax dollars we send to

Sacramento and local governments.

But let's consider another way that government spends "OPM" or, Other People's Money. Sure, they can waste our money directly. But they can also force us to spend money on things we would otherwise not. Two recent examples will help to clarify.

First, as everyone now knows, California has passed a law imposing the highest minimum wage in America. Over the next few years, it will rise to \$15 per hour.

The devastating impact this new law will have on California's business climate, the state's already below average employment numbers and to the economy generally is understood by all except the economically illiterate. Indeed, just a few months ago Governor Brown himself acknowledged how a rapid rise in the minimum wage would hurt California's economy and cost taxpayers billions. His concerns were confirmed by a host of studies and analyses, including from the Legislature's own Legislative Analyst.

But the majority party in California doesn't care what damage it inflicts by having

employers pay a premium for hiring. This way, politicians can claim credit with the interests that give them buckets of campaign cash while, at the same time, have someone else pay for it. What could possibly be better than to please a valued special interest by giving them OPM?

Second, California's ill-fated effort to deal with climate change has not only resulted in no measurable impact in helping the environment, but it has been horribly expensive for California's drivers. According to the Legislative Analyst, because of the cost this year of California's one-of-a-kind "cap and trade" regulation, motorists will spend an additional \$2 billion more than they would but for this controversial program.

But again, this is just another example of government agents using OPM to satisfy their own bureaucratic desires. Not only that, well financed interests who have invested heavily in "green industries" desire to keep that gravy train rolling. And what better way to pad their own investments than having other people — i.e., hard working California citizens — pay to prop up business interests that would not be nearly so lucrative in other states.

As California continues to see an exodus of businesses, young people and retirees to other states, we can only hope that our political leadership begins to understand that the reservoir of OPM is limited. And you can't extract money from a business or person who has made the very rational decision to leave the once Golden State to a place where they are not treated like an ATM.

Sure, they can waste our money directly. But they can also force us to spend money on things we would otherwise not.

Jon Coupal is president of the Howard Jarvis Taxpayers Association.

Date: 5/18/16

To: Anyone

Subject: Being ignored, interrupted, and shouted down regarding real world truths

I participate in a lot of meetings, and I was at a Taxpayer League meeting and asked why I was always negative. This question got me to thinking.

Being in the real world as a 70 plus year-old in good health, over fifty plus years with the timber industry as lead land manager in northern California with Crawford and Schmidbauer, Georgia Pacific, Louisiana Pacific, working with a local forestry consultant in the timber industry, with disabled and bed-ridden dad through college, worked all my life, and lived life as a rural person in the real world, I have experienced and learned a lot.

We live in a rural area, Humboldt County, and we have a lot going for us which is being held back.

I say what I do say, because working folks are too busy to vote. I see those who do vote being routinely controlled by the media, **especially local media**, those with money and power, legalese, politicians, and inexperienced Fourth Branch of Government regulators. Registered voters are not the populous, voters are split among many issues, and picking who is on committees and other rules and law making bodies leaves a voting minority in control. Local issues involve east-west railroad, properly damming water, highway 101 north blockage, harbor use, by far largest private economy, timber industry, largest contributor to local economy being destroyed, populace areas controlling the vote which is highlighted by Republican Trump and Cruz delegate process, increasing taxes when I see around half Humboldt County's economy already supported by taxpayer money, when I believe a good private economy would generate more tax money, **hi-tech and polls not showing what the working person and rural areas think**, and many other things.

My being negative and saying minority controls is an attempt to open eyes about this local rural area's potential. I would be more positive things were handled differently, old folks like me were better utilized, and those in control were not doing more to open people's eyes about this local and other rural areas' potential. Right now, I see us, other rural areas, this country, and this world headed to a bad place.

Charles L. Ciancio

(An old tired field forester, who has lived the real world no one gives much attention)

California Registered Professional Forester (RPF) #317

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**A meeting with me
Would be a start to learning about the real world
In Rural Humboldt County**

Otherwise

I and many others
Are left to assume your TV station is controlled
By
A minority with position, money, and power

And
(Like other local media)
KIEM does not care what is happening to Rural Humboldt County

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