



Westport Municipal Advisory Council

P. O. Box 307, Westport, CA 95488
www.westportmac.org

Draft Minutes of April 6, 2021 meeting

Revised as of 5-28-2021

1) Roll Call: Mr. Scott (Chair) called the Meeting to order at 7:01 pm. In attendance were the following Directors: Thad Van Bueren, Bill Knapp, Gary Quinton, Robert Scott and Sally Grigg.

Eleven members of the public were also present: California State Senator Mike McGuire, Emily Cornett, Taylor Morrison, Tina Sutherland, Robert Finnell, Patricia Rabano, Victoria Patterson, Eddie Knight, Melanie Rafanan, Karen Shepherd, and one other who was identified only by telephone number.

2) Approval of Prior Meeting Minutes: The draft minutes of the March 2, 2021 WMAC Meeting, having previously been circulated to the Directors in draft form were now before the Board of Directors for discussion, review and approval.

Upon motion duly made and second, the Board unanimously approved the March 2, 2021 Board of Director minutes.

3) Public Expression. Mr. Scott (Chair) called for public expression or comments. There were none.

4) Old Business:

A. Senate Bill 231 Blues Beach Property (“Property”). After a brief introduction and overview by Mr. Van Bueren, Senator McGuire (Senate sponsor of SB 231) then described the geography and topography of the Property, the interest since approximately 2019 by three local indigenous tribal communities to manage the Property, the evolution and current expected process forward for draft SB 231. Senator McGuire spoke to CalTrans ownership and management of the Property and concerns raised in Mendocino County Sheriff’s office reports. Senator McGuire noted that CalTrans has no statutory authority to independently transfer the Property to Tribal Nations, but it does have the right, upon due diligence, to transfer the Property only to another government or non-profit charitable entity. Senator McGuire stated the intent is to transfer the Property solely for cultural and environmental purposes and use.

Senator McGuire stated the SB 231 is still very early in the process. Senator McGuire expects SB 231 to procedurally advance first to the Senate Transportation Committee in late April 2021, then to the full Senate floor, and then to State Assembly’s Natural Resources Committee and then full State Assembly by late May of 2021. From there, SB 231 is targeted for review and

consideration by the California Governor by late August or September 2021. Senator McGuire stated no commercial activity would be allowed on the Property.

At approximately 7:21 p.m., Mr. Scott (Chair) requested discussion and inquiries from the Board. With questions asked and answered, aside from the information in SB 231 as currently drafted, additional new questions and responses were led by Senator McGuire and discussed by the Board of Directors as noted below

a. The intent is to close all access to the Property from sunset to sunrise. The statement was that this would be designed to stop overnight camping and limit access to the beach to foot traffic.

b. Currently, there is no management plan drafted by any group or entity to describe and disclose the proposed management of the Property.

c. Mr. Knapp inquired on the process to date for establishment and qualification of the proposed non-profit entity. Upon further discussion, it was noted that the precise Tribes or corporate and organization structure of the proposed non-profit have yet to be decided (and reviewed by their legal counsel), which would include the Articles of Incorporation and Purpose statement and other statutory requirements for such a non-profit organization.

d. Mr. Van Bueren stated the local concerns about how the property would be utilized had not been directly responded to by Senator McGuire or any of the representatives of the Tribal groups present. Ms. Rafanan spoke briefly to the intent to preserve the Property's natural beauty and significance for ceremonial and educational purposes. Senator McGuire noted that his office expects to have an update within the next two months and pledged to transparency and collaboration with the community. Questions were asked about the process to have additional interested parties involved.

e. Senator McGuire stated, as of this date, that no other non-profit entities were contacted to see if they were interested in the Property.

f. Mr. Quinton noted that none of the contiguous property owners to the Property had been notified of the SB 231 during its initial evolution.

f. A discussion ensued, with questions asked and answered on issue related to CalTrans recent and past issues and challenges in managing the Property well. Questions were asked and discussion ensued as to the current Tribal Nations competency to manage the Property versus CalTrans ability or interest and the need to have a public declaration to have a reasonable comparison.

g. At approximately 7:32 p.m. Mr. Scott (Chair) recognized Mr. Van Bueren who spoke to the significant history of the Property and his view that the Tribal Nations would be the best stewards of the Property. Questions were asked and answered. Ms. Rafanan spoke to the intent of the Tribes interest in the natural beauty of the Property and the land and ocean plants that would not be over collected. Senator McGuire spoke about the possibility of some measure of initial federal funding and noted he would follow-up on that point.

h. At approximately 7:42, Mr. Scott (Chair) expressed concern regarding continued open and free public access, highlighting a concern from the March WMAC meeting that a community member was concerned about any “access fees” being charged to the public. Senator McGuire noted that there would be no commercial use and there would likely be amendments to SB 231. Ms. Grigg sought confirmation that no overnight camping on the Property would be permitted and Senator McGuire confirmed that the sunrise to sunset limited access would address that issue. Mr. Scott (Chair) suggested exploring some form of possible alliances involving the Mendocino Land Trust.

i. After further discussion, Mr. Van Bueren proposed a motion that the WMAC soon send a letter of support for the SB 231 to the Mendocino Board of Supervisors and copy Senator McGuire’s office. There was no second to this motion and the motion was dropped.

j. Mr. Knapp expressed concern that before such a letter of support could be considered, more details on the plans for the Property and its management are needed and noted that he could see SB 231 as a good idea and would prefer more solid facts and information to frame it as a “positive idea.” Senator McGuire suggested that an ad hoc committee be formed composed of the WMAC Chairperson and at least one other WMAC Director to interact with his Senate office and possibly the Tribal group forming the non-profit. All members of the WMAC expressed interest in the Ad Hoc Committee and it was so decided, with Mr. Van Bueren as the lead contact. Mr. Scott (Chair) noted that the SB 231 “concept” currently sounds appealing and would require and support further investigation and inquiry before any support for SB 231 as legislation would be considered by the WMAC. At approximately 7:58 p.m., Mr. Van Bueren stated that since the “concepts” are appealing it would be reasonable to have concerns as to whether the implementation would follow the law and asked how can the WMAC be assured that there would be no future development. Mr. Van Bueren then spoke to the process and success over the many years for the Westport Headlands processes.

k. After further discussion with questions asked and answered, upon motion duly made (Mr. Van Bueren) and seconded (Mr. Quinton), and no further discussion, the Board of Directors unanimously approved:

RESOLVED, the WMAC would continue to work with Senator’s McGuire’s office with all Directors acting as the Ad Hoc Committee/Working Group.

(At approximately 8:06 p.m. Senator McGuire, all of his staff attending the meeting and most if not all of the Tribal Nation attendees departed the Meeting).

B. Old Business (continued): Passing lane safety at mile marker 73.5

Ms. Grigg led the discussion and provided the factual background and concerns. After questions asked and answered and further discussion it was decided that Ms. Grigg will compose a letter to CalTrans regarding the trimming of a tree that is materially blocking the line of sight in the passing lane at Mile marker 73.5. She will distribute the letter to the WMAC members for review and edits before it is sent out to CalTrans.

5. New Business: At approximately 8:16 p.m., the Board discussed the CalFire Safe Council new proposed rules regarding road standards in the County (a 77 page document), with notation by Mr. Van Bueren that CalFire was moving very quickly on these County rules.

After discussion it was clear that the WMAC did not have enough information at this time. Mr. Scott (Chair) is to obtain more information on the subject and distribute to the Board members then draft a letter to CalFire expressing concerns about the impracticality for the new proposed rules in the WMAC region.

6) Announcements/Correspondence: None.

7) Set preliminary agenda for next WMAC Board meeting— After discussion, the Board decided on the following initial items:

Report on SB231

Report from Ms. Grigg regarding tree trimming at mile marker 73.5 area. Report from Mr. Scott (Chair) on CalFire road standards

8) Adjournment: 8:34 pm.

Respectfully submitted

Gary Quinton, Director and Secretary