



**GREAT REDWOOD TRAIL AGENCY
Special Board of Directors Meeting**

MINUTES

Thursday, March 28, 2024

10:30am

Meeting Location:

Eureka City Council Chambers
521 K Street, Eureka
Humboldt County

Teleconference Location for Board and Public Participation [Cal Gov Code § 54953(a)]:

Healdsburg City Council Chambers
401 Grove Street, Healdsburg
Sonoma County

A. CALL TO ORDER

Chair Hart called the meeting to order at 10:30 a.m.

B. ROLL CALL

Directors Present: Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

Directors Absent: Haschak and Hunerlach.

Other Present: GRTA General Manager – Elaine Hogan, Legal Counsel – Elizabeth Coleman, GRT Project Mangers - Louisa Morris and Hannah Bartee, and Recording Secretary – Hiedy Torres.

C. AGENDA APPROVAL

Upon Motion by Director Campbell, seconded by Director Madrone, the Agenda was approved as presented.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

D. PUBLIC COMMENT

Michael Evenson, Lost Coast Ranch – This comment was received prior to the meeting, was distributed to the Board, and will be included in the minutes.

Jason Bezis, Attorney for TRANSDEF – This comment was received prior to the meeting, was distributed to the Board, and will be included in the minutes.

Gary Rynearson, 1st Vice Chair, The Buckeye – The written version of this comment was provided at the meeting and will be included in the minutes.

Chris Peters, President of 7th Generation Fund for Indigenous Peoples – He expressed concern with the trail proposal being blazed through traditional territory. He said that Indigenous People are different people with certain rights that we need to be aware of, including the Resolution of Indigenous Rights accepted by the President of the United States in 2007, which calls for free prior informed consent of the tribes. Mr. Peters stated that he firmly opposes the trail, and that several tribal groups are supporting this stance and are opposed to the Great Redwood Trail.

Perry Lincoln – He agreed with The Buckeye comments and what Chris had to say. Mr. Lincoln asked for consultation and to have the Kinst'e and Wailaki people, representing from North Fork to the Weott area and tribes north and south of us, to have support, consultation, and to be notified when consultations take place. He said that they were at the Board meeting as a coalition of people who have concerns because the native people did not have a voice when the railroad came through and that the bones of their slaughtered ancestors are still under those tracks. He stated that people have been looting and vandalizing those areas for years and that native people have had no way to protect, preserve, visit, or hold ceremonies at those sites. He expressed that only native people have the right to have access to those cultural resources and should be included in trail planning.

Nikcole Whipple, Round Valley Indian Tribes Member – Ms. Whipple said she is a Yuki descendant, as well as a Little Lake Pomo and that she was here today in support of the Kinst'e Tribe and all the Eel River Tribes, to continue to protect the river. She said that she was not here to disagree with the trail in general but considered it offensive to have a tourist attraction slapped down on their territories. She expressed that this is not something that is in the past, but current, and that they come with these concerns and issues today. Ms. Whipple stated that there are families in need of housing, healthcare, and mental health and for all those issues we don't need a trail. She said she is a fond supporter of putting our children outside in the natural environment and rebuilding those relationships with the Earth, but trail contradicts all the fights they have had as Native people, to steward, bring back and revitalize their lands.

Michelle Merrifield, Round Valley Tribal Member and Resident – Ms. Merrifield voiced her opinion in opposing the trail and sees no benefits from it. She said that as an indigenous person, she is spiritually and culturally bound by the land, and to Mother Earth, and her DNA runs deep in the rivers and mountains. She stated that she is bound to preserve and protect the land, the rivers, and the wildlife. When she sees the abandoned railroad, she sees trash and a railroad that has been abandoned for over fifty years. She wants to see it properly cleaned up, trash disposed, and the metal sitting in the river recycled. She expressed concerns about trash, homelessness, safety issues related to lack of cell phone service and access for emergency personnel, and desecration of tribal lands and village sites.

Vernon Wilson, Cahto Nation, Laytonville – Mr. Wilson shared support for the Wailaki Nation and addressed the spiritual connection indigenous people have to the land and how they see things differently. He expressed that as a Native American, he believes everything has a life and that all these things are sacred for 1,000 years and more. As a cultural monitor and cultural resources preservation officer, he understands that there is more value in that land than monetary value. Mr. Wilson shared concerns about wildfires, the safety of resources, and the protection of resources being done in a Western vision rather than through a native lens. He said the Indigenous people have an inherited responsibility to treat the land in a cultural way and they should be put back on the land have priority in saying on how the land is used.

Quentin Bell – I am being harassed by the Eureka PD and being told I am breaking laws. The neighbors are breaking the law and violating my civil rights under Civil Code 325, adverse possession. I filed a complaint with the city about his business license and am being treated unfairly.

Dir. Mulheren – She clarified that this was a meeting for the GRTA, suggested he speak with the City, and thanked Mr. Bell for his comments.

Richard Gienger – He stated that he sent three documents this morning and would like the board to review those documents, including 1) a copy of the EPIC vs JOHNSON court document which discusses timber harvesting on land that has Native archeological sites and an impact upon the natural environment; 2) a partial history of The Archeology Program of Cal Fire; and 3) a news article that summarizes aspects of the relationship between the laws of the land and native people. Mr. Gienger requested that the Board restart this project with tribal involvement in the management of state-owned land and state-controlled right-of-way.

Melodie Meyer, Environmental Protection Information Center (EPIC) – Ms. Meyer stated that EPIC supports the Great Redwood Trail in general and understands the importance of the project for river restoration and long-term conservation and connecting people to the outdoors and natural spaces. She said that this is a wonderful pursuit and has many benefits including; education for the public, and increased support for other conservation projects. She also expressed that she's speaking about this issue as an indigenous woman and hopes that the board understands that there is an opportunity here for restorative justice for tribes. She suggested several steps the board can take to show that they are going to be good partners and

include tribes in the process. Her suggestions were that the Board have a position for a tribal representative, that the Board consult tribes early on, that they provide more funding for tribes and tribal representatives to attend consultation meetings, that there be more direct communication between the Board and tribes, and the Board needs to have cultural and indigenous language representation on the project so that the public can be educated on the history of this area and the Eel River. She expressed that without this representation, that this is erasure of people, and it is not appropriate to move forward without that component in place.

Brian [no last name provided] – He asked for the Great Redwood Trail Agency to listen with their hearts and reset this project because he believes there has not been prior informed consent from the tribes and the community. He described the former railroad right-of-way as a ceremonious place and expressed that people should have a right to their ancestral homeland.

Merry Kate Lowry, Northern California Tribal Court Coalition – Ms. Lowry said that she was there to support the tribes in the area and to state that these tribes were not informed about this project, prior consent needs to happen, and that this process of consultation needs to be reset. She told the Board to see this as an exciting healing process and gave examples of land back and co-management projects in Humboldt County by the National Parks Service, State Parks, and the City of Eureka. Ms. Lowry asked the Board to participate in consultation and co-management.

Georgina Quinn – Ms. Quinn echoing what she's heard about this healing process, expressing support for resetting the process and seeking consent. She said that if there is not a reset with inclusion of these indigenous tribes and people, it will be a continuance of historical trauma. She feels this is an exciting opportunity for people to work on building relationships.

Taylor Ann Finch – She expressed support of the voices she heard today, including the Wailaki Coalition, and repeats that there should be a restart of the process with meaningful conversations. Ms. Finch said that everything that has been discussed here is possible when there are people at the table to talk about the history of what has happened and make it more apparent. This would pave the way for the agency to have an opportunity to correct this mistake of not communicating with our tribal members across the board. She shared the need to protect the rights of the trees, the water, and the animals, and this project needs to be more holistically considered.

David Shonbrunn, President, Transportation Solutions and Defense Education Fund (TRANSDEF) – He shared thanks for reinstating access to these meetings via ZOOM because it would be a burden for me to attend these meetings in person as he no longer own a car as an environmentalist. He expressed that as a bonus of Zoom, he had the opportunity to hear indigenous voices from people that he would otherwise never run into because they live in a remote area, and that it was profoundly moving to hear their comments.

Mike Pechner, North Coast Rails with Trails – He said he is working with a coalition called North Coast Rails with Trails and is concerned about the section between Cloverdale and Willits, where the coalition’s goal is to restore freight service. Railbanking this section is not something they want to see. They intend to work with indigenous people and all the tribes along the line and the Russian River. North Coast Rails with Trails has met with stakeholders, shippers, and other people who would like to take traffic off U.S. 101. He shared that there are several lumber companies that want freight rail service; two in Cloverdale, five in Ukiah, and two in Willits. Mr. Pechner stated that the use of rail freight instead of trucks would reduce traffic and greenhouse gas emissions along the corridor, would be more efficient, and would reduce the current health effects and pollution of the Russian River from truck traffic.

Brenda Juarez, Loleta Community Member – Ms. Juarez introduced herself as an advocate for Loleta. She thanked previous commenters for their comments, saying she has learned a lot from hearing their voices. Ms. Juarez shared that she works in a school that the majority is Native American or Latinx, and feels voices have not been heard, so she wanted to reiterate that our youth are watching. They deserve this healing, should be a part of this conversation, and their knowledge will be a part of the trail’s future.

Shannon Wilhite, Kinest’e Community Coalition, Attorney for Native Health and Native Hands – Ms. Wilhite stated that Indigenous people in this area have had their families, their land, and their rights all stolen without any prior consultation; more recently, it seems like native rights are gaining some ground. She asked that California and the Great Redwood Trail Agency recognize the sovereign rights of the Indigenous people and acknowledge that they are the true original owners of the land and know how to manage the land in a way that is sustainable. She shared that many native groups are asking that the trail be rerouted to avoid their original lands and expressed that this is a spot where trail planning has not valued the native people’s input. Ms. Wilhite expressed that she would like to see the Great Redwood Trail work with indigenous people in a nation-to-nation relationship, step backwards to reorganize the structure to have tribal input on the decision-making process, hire and train cultural monitors, increase funding for outreach efforts, and present to Tribal Councils.

Jama – No audio connection was made. No comment made.

E. REPORT FROM CHAIR OF BOARD – Caryl Hart

Chair Hart – To respond to comments made here today, the agency’s intention is to have a wide-open approach to public input as it’s on the GreatRedwoodTrailPlan.org website, all current and future meetings, and tribal outreach. Saying that, this process is just beginning, and we are going to begin the CEQA process for the Master Plan and that is the formal process for addressing many of the concerns that have been brought here today. We intend to engage with tribes during this process and fully involve tribal communities.

Chair Hart asked for a Master Plan update from GRT Project Manager, Louisa Morris.

Louisa Morris, GRT Project Manager – The Coastal Conservancy has sent out two rounds of letters to Tribal Chairs, THPOs, and contacts on the Native American Heritage Commission

(NAHC) list over the course of the project. One letter went about two-years ago, and another in October 2022, with the kickoff of the Master Plan process. The letters offered government to government consultation and opportunities to meet. North Coast Opportunities, Redwood Community Action Agency, and the GRT Project Managers from the Coastal Conservancy followed up on those letters via email, phone calls, and by making visits to tribal offices. We have made great efforts to reach out to California Native American tribes and engage them in the project. We offered a webinar for tribes two years ago and one in February of 2024 and both were well attended with 16 people from 11 different tribes present. We contacted several Wailaki family groups, who are not on the NAHC contact list, to ask for tribal input and contacted other tribes that are not federally recognized as well. We offered several workshops, which included one in Covelo and others in Humboldt County. GRTA wants to collaborate with California Native American tribes to co-create the Great Redwood Trail and have cultural sensitivity to see this as an opportunity to heal wrongs from the past and to work together. The Master Plan will come out on April 3rd and you will see that we really endeavored to capture the comments and concerns that have been expressed by tribes, and to lay out some next steps together. We've been working with a group from Alderpoint that has applied to the Coastal Conservancy for a grant to do planning and coordination with the Kinest'e Coalition to start looking more closely at tribal concerns and considerations in their local area and to conduct tribal cultural resource studies in about a four-and-a-half-mile stretch of the trail around Alderpoint. As Chair Hart mentioned, we will be kicking off a programmatic EIR process and will have a scoping meeting on May 14th. Part of this process will be an AB 52 consultation with California Native American tribes, so it will be another opportunity to work with tribes to address concerns and propose mitigation and protection measures for any ancestral lands, ceremonial sites, cultural sites, or native plants. We are endeavoring to work with our tribal partners and community members to make sure this project is the best possible project for everyone.

Chair Hart – We welcome all members of the public, your comments and concerns, and our goal moving forward is to work together in a respectful way.

Chair Hart gave a railbanking case update.

Chair Hart – On March 14th, The Great Redwood Trail Agency filed its Notice of Intent to File Application for Adverse Abandonment of the Mendocino Railway Line, at the same time, the Great Redwood Trail Agency filed its Environmental and Historic Report for the abandonment, which states that the Great Redwood Trail Agency will file its application on or about April 5th. Once filed, all parties will have 45-days to submit comments in support, opposition, or make general comments. This notice has been published in The Ukiah Daily Journal in accordance with Surface Transportation Board requirements. After filing the application, the Board will also provide notice of the preceding in the Federal Register. The Surface Transportation Board's Office of Environmental Analysis will review the Environment and Historic Report and provide its own report of the abandonment, request comments on the Environmental Report and historical impact of the abandonment, and at some point, issue an Environmental Assessment. Once comments have been submitted and an environmental review completed, the STB will issue a decision. There is no time requirement on issuance of STB decisions.

F. CONDUCT OF BUSINESS

1. Discussion and Possible Action to Authorize the Executive Director to Execute Two (2) License Agreements between the Great Redwood Trail Agency and Sparetime Supply, Inc., for the Use of Property: (1) Located at Milepost 138.77 in Willits, for a Period of One Year; and (2) Located at Milepost 139.16 in Willits, on a Month-to-Month Basis, in a Form Approved by Counsel.

Chair Hart called for public comment.

Nikcole Whipple – Pointed out that the Impact Reports should have comments from the tribes and that trust responsibilities be brought up to the tribes. Asked that in these agreements and considerations, that the agency is aware that FERC modeled a process of no longer permitting without the consent of tribes.

Chris Peters – Expressed his concern with the approach to tribal groups and shared that it seems like the process has already started with no opportunity for tribal involvement.

Merry Kate Lowry – Requested that there is no interruption of speakers when there is public commenting. Ms. Lowry said she was impressed by the compassion shown for other commenters here today whose comments were not related to this meeting.

Brian - Agreed with what Chris Peters said and it feels like contracts are being put in place without tribal input or comments. He said these contracts impact the Religious Freedom Act because religious freedom existed before the railroad right of way and he feels that these contracts are being passed without consideration and that it's not acceptable.

Shannon Wilhite – Ms. Wilhite said she would like to reiterate what everyone has stated and point out that these licenses seem like a circumvent to the CEQA process. She strongly encourages the board to consult nation to nation with the tribes in the area prior to approval. She expressed that it matters to the local indigenous people in the area, even if this is just because of a name change. Ms. Wilhite referred to the Declaration of Indigenous Rights requirement for prior consent and asked that the Great Redwood Trail Agency put more money towards contacting more people, doing more outreach, and providing cultural monitors in these rural areas.

Upon Motion by Dir. Sackett, seconded by Dir. Hagele, Executive Director was authorized to execute two (2) License Agreements with Sparetime Supply, Inc.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

Dir. Mulheren – Asked if the Willits tribes had been contacted about this matter.

Executive Dir. Hogan – We are not the lead agency on this project, the City of Willits is the lead and would be the party conducting AB 52 consultation. The City of Willits has adopted CEQA findings with appropriate mitigation measures and GRTA ratified them at our last special meeting.

2. Discussion and Possible Action to Authorize the Executive Director to Execute:

- a. A License Agreement between the Great Redwood Trail Agency and Mendocino Forest Products, LLC for the use of Property Located at Mileposts 115.92, 116.17 to 116.47, 116.38, 116.41, 116.45 to 116.55, 116.59, 120.35, 120.36, and 142, and
 - b. A License Agreement between the Great Redwood Trail Agency and Mendocino Redwood Company, LLC for the use of Property Located at Milepost 115.92,
- each for a period of one year, in a Form Approved by Counsel.

Chair Hart called for public comment.

Nikcole Whipple – The Round Valley Indian Tribe is the only tribe federally recognized with legislation stating that the Wailaki and Yuki territories will be recognized as well as the Little Lake Pomo. She has concerns about who was consulted about this project and requested that the Round Valley, Redwood Valley, and Potter Valley Indian Tribes be consulted in the future. Ms. Whipple stated that there is state legislation, that came before the Great Redwood Trail legislation, that states tribes will be recognized in the Yuki territory from the Mid Ranges to the Sacramento Valley, all the way to the coast, including from Willits up to Leggett. She said that one third of the proposed trail runs through Yuki territory and the Round Valley Indian Tribe needs to be consulted when projects within these territories are being discussed.

Upon Motion by Dir. Bagby, seconded by Dir. Campbell, Executive Director was authorized to execute License Agreements with Mendocino Forest Products, LLC and Mendocino Redwood Company, LLC.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

3. Discussion and Possible Action to Approve Resolution 2024-02 to Revise the Adopted Regular Meeting Calendar for 2024 and Adopt a Policy Regarding Establishing Teleconference Participation Location for Board and Public Participation at Regular Board Meetings.

Dir. Hagele – This is working great in Healdsburg. How is Zoom working in Eureka?

Dir. Mulheren – Zoom is working great. Having a hybrid format is great for public attendance. I plan to alternate meeting locations if possible and the public will appreciate seeing Board members at both locations.

Dir. Sackett – I appreciate having the virtual meeting capabilities and I will try to alternate the meeting location if scheduling allows. Can we move the November meeting to December 5th to avoid conflict with the California State Association of Counties meeting?

Legal Counsel, Elizabeth Coleman – I recommend not revising the Resolution and for the Board to schedule a Special Meeting on December 5th.

Chair Hart called for public comment.

Shannon Wilhite – Is it possible to allow Zoom attendees to show participant video during the meeting?

Chair Hart – We will fix that and try to make it possible for the next meeting.

Zoom commenter, no name provided - She appreciates having Zoom access and hopes that it continues.

Upon Motion by Dir. Sackett, seconded by Dir. Madrone, the Board approved Resolution 2024-02 to revise the adopted regular meeting calendar for 2024, adopted a policy regarding establishing teleconference participation location for Board and public participation at regular meetings, and approved a special meeting on December 5, 2024.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

4. Annual Presentation from the Timber Heritage Association (THA) to Satisfy Terms of the Memorandum of Understanding between GRTA and THA.

THA President, Sean Oliver provided a brief history of the THA, provided a presentation of slides showing maintenance work performed by the THA, and described various recent, current, and future public events hosted by THA.

Chair Hart called for public comment.

Pete Johnston – Stated that he has served three terms of President with the THA, and is currently the Vice President. Shared that THA is an extremely dedicated group, and they are tickled to see this new youth movement and that brings a new level of professionalism and community dedication to the organization. Mr. Johnston said that in his first term as President of the THA in 2011, they had many interactions with the North Coast Railroad Authority that went on for many years. THA kept the tracks maintained and kept the railroad in the public eye long before the idea of the Great Redwood Trail Agency was conceived. He said that THA became the stewards of the unmaintained rail around Humboldt Bay and have worked with the Eureka Police Department on illegal camping cleanup. He expressed that this has been a very rewarding community experience, THA is along for the ride with the agency transition, and has kept up their end of the bargain and will continue to do so.

Mike Pechner – He stated that the North Coast Coalition for Rails with Trails supports the THA and would like the Great Redwood Trail Agency to support of the previous NCRA setbacks which allow for the legacy NWP Railroad tracks to remain with the GRTA trail next to the tracks. Mr. Pechner believes that the right-of-way is wide enough for the trail to be built with the tracks in place and would help make way for world-class events and the functionality of the THA museum.

5. Discussion and Possible Action to Approve a Memorandum of Understanding between Great Redwood Trail Agency and Timber Heritage Association for the Use of Property Located between Mileposts 284.25 and 285.64 in Eureka, and between Mileposts 297.44 in Manila and 300.43 in Samoa, in Humboldt County, in a Form Approved by Counsel.

Dir. Madrone – I want to commend the Timber Heritage Association for decades of hard work and dedication to try and help preserve the tracks, maintain them, and provide a very beneficial tourism element on portions of Humboldt Bay. He looks forward to continuing to work together and thanked the THA for all their good work.

Chair Hart called for public comment.

David Shonbrunn, Vice President, Train Riders Association of California – We strongly support your approval of this agenda item and appreciate the cooperation of GRTA with THA.

Dir. Sackett – I want to share my appreciation for Sean Mitchell and the work he is doing with students giving them hands-on, real-world experience.

Upon Motion by Dir. Sackett, seconded by Dir. Madrone, the Board approved Memorandum of Understanding between GRTA and the THA.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

6. Discussion and Possible Action Regarding Selection of Chair and Vice Chair

Dir. Madrone nominated Mary Sackett as Chair of the Board.

Chair Hart called for public comment. No public comments made.

Upon Motion by Dir. Hagele, seconded by Dir. Bagby, the Board appointed Mary Sackett as Chair of the Board of Directors.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

Upon Motion by Dir. Hagele, seconded by Dir. Bagby, the Board appointed Steve Madrone to continue as Vice Chair of the Board of Directors.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

Dir. Bagby – I want to thank our current Chair for your leadership and moral compass. I also want to thank David Hagele for transitioning us through to the Great Redwood Trail. I want to remind Mary to keep her railroading activities with SMART and we will continue with the trail building here. I wanted to express my gratitude for the real principled leadership that has occurred here, and I have so much trust for the incoming Chair and continuing Vice Chair.

G. CONSENT CALENDAR

1. Approval of Minutes – January 25, 2024 and February 13, 2024
2. Approval of Financial Statements – January and February 2024
3. Approval of Warrants Issued – January and February 2024
4. Approval Cal Card Statement – January and February 2024
5. Approval of Aycock and Edgmon Contract for Accounting Services through June 30, 2025
6. Approval of Amendment to Employment Contract with Elaine Hogan to Correct Position Designation to “Executive Director” to Comport with Existing Policies and Classification System.
7. Commencement of 45-day Public Comment Period on Proposed Revisions to Conflict of Interest Code

Chair Hart called for public comment. No public comments made.

Upon Motion by Dir. Bagby, seconded by Dir. Campbell, the Board approved Consent Calendar items G.1 through G.7 as presented.

Motion Carried:

AYES: 7 – Mulheren, Bagby, Madrone, Campbell, Hagele, Sackett, and Chair Hart.

NOES: 0

ABSENT: 2 – Haschak and Hunerlach.

ABSTAIN: 0

H. STAFF REPORT – Elaine Hogan, GRTA Executive Director

Ms. Hogan reported that the draft Master Plan for the GRT is about to be released publicly on April 3rd, and thanked the board for the comments that you gave. There will be a 60-day public comment period after the release that will end on June 3rd. The Master Plan will be published on the GreatRedwoodTrailPlan.org website and linking will be provided on our main website. Public comments will be received through the website on an online commenting tool, a voicemail number provided for verbal comment, via a “Contact Us” form, and via email.

Also, three public meetings on the draft Master Plan are scheduled, one on April 9th in Eureka, April 10th in Ukiah, and an online meeting on April 17th. Ms. Hogan asked the Board to use handouts and their social media to help advertise and encourage the public and their constituents to attend these community meetings. The in-person meetings are scheduled to be an open house style format where there are different stations that will represent sections of the draft Master Plan. There will be staff and Alta consultants available at each station to answer questions and engage with. Ms. Hogan stated that 14,000 postcards were sent out to property owners within a quarter mile of the GRTA corridor, as she hoped to further engage with the GRTA neighbors. An e-newsletter blast is set to go out to over 700 subscribers and a press release is set to go out to the counties the right-of-way covers. The GRTA has radio ads running, social media posts, and the handouts that were mentioned earlier for public distribution, all to publicize the draft Master Plan release, public meetings, and public comment period.

Ms. Hogan next talked about the PEIR mentioned earlier. On May 14th, there will be an online scoping meeting that will kick off the programmatic EIR (PEIR) process. That PEIR is going to guide the analysis of alternatives and mitigation for adoption of the Master Plan and will be helpful to implementing agencies who want to implement individual trail projects under the Master Plan.

Ms. Hogan shared that there is an initial study being done by the California Energy Commission in partnership with the Schatz Energy Research Center at Cal Poly Humboldt to assess different rights-of-way in California for the possibility of locating the electrical lines that are on the proposed wind farm project outside of Humboldt Bay. The GRTA was contacted and Ms. Hogan expressed interest to the consultants in analyzing the GRTA right-of-way for that purpose.

Ms. Hogan then reported on agency operations. She has been working with staff on smoothing out processes for Board materials and updating the GRTA website. GRTA staff have developed a contract renewal database for the timely renewal of Professional Services Agreements. In May, she expects to bring budget amendments before the board for the end of this fiscal year. A budget for the next fiscal year will also be brought to the board for discussion and approval at its next meeting. A three-year audit is being prepared for FY 20/21, 21/22, and 22/23 and we hope to have that audit wrapped up and have someone from the auditing team here to present to the board.

Lastly, Ms. Hogan discussed the GRTA-owned box cars and asked for direction from the Board. The GRTA owns 33 box cars that have been previously leased to Boston Transit Group since 2005. Since the end of December 2023, that contract expired and the company GRTA leases to typically sub-leases to another company, but they have been unable to find any company to take on the lease of these box cars. At this point, the GRTA cars have been marshalled for inspections in Arkansas as staff wrap up the final terms of the contract that called for the inspection. At the moment, GRTA does not have any promising prospects for the lease of the cars and has not had any offers from the top 17 companies in the U.S. for the sale of the cars. Ms. Hogan has explore the salvage value of the cars, which was not preferred, explored because the GRTA may start to incur storage costs for the cars. Ms. Hogan said she would continue investigating, but the sale option seems to be the most viable at this point and she would return to the board in May with more concrete figures.

Dir. Bagby – It sounds like long-term sale is the most direct option, but have you approached SMART about storage because there is some space available there.

Executive Dir., Elaine Hogan – No we have not but thank you for that suggestion. We have approached the top 17 brokers, and they work with a variety of companies across the country. I have not directly approached SMART, but that is a great idea.

Dir. Campbell – The audit firm we are using, is this one we used with the NCRA?

Executive Dir. Hogan – Yes, we have used them previously.

Dir. Campbell – It's a regular practice to switch auditing firms every couple of years, and it's standard good practice. I know from the last audit for this agency we have had the same firm for a few years, so I'm just thinking that we should probably implement those best practices.

Executive Dir. Hogan – I will definitely reach out to some additional companies and bring this matter back to the Board.

Chair Hart called for public comment.

Joseph Oliver, member of Timber Heritage – Definitely consider us as a leasing or buying option for box cars because we are going to need storage for maintenance stuff in the future.

Dir. Bagby – Thank you for your comment, Mr. Oliver. I suggest contacting the Golden Gate Rail Museum because they might be interested and make cars available to our local community.

Dir. Madrone – I thank Elaine for her excellent work and all our staff for their hard work and getting Zoom up and running. This board wants to be responsive and clearly the public is appreciative of this. I want the money that was taken for trestle maintenance put back into the budget because we used those funds for railbanking needs.

I. MATTERS FROM THE BOARD

Chair Hart called for public comment on Closed Session.

David Shonbrunn, President of TRANSDEF.org – Stated that his group represents environmentalists interested in reducing GHG's with a focus on transit advocacy. He stated that he wished to speak on item A of the Closed Session. Mr. Schonbronn asked the Board why they are treating Mendocino County differently than Sonoma and Marin counties, which both have trails and rails. He expressed that TRANSDEF urges the Board to suspend the railbanking filing until after the FRA has acted on the matter of releasing loan funds to the Mendocino Railways to repair its tunnel and operate its railroad. Mr. Schonbronn suggested that productive use of the public's funds would be to negotiate with Mendocino Railway on having them build the trail between Cloverdale and Willits.

Mike Pechner – He shared that the Mendocino Railways operates the Skunk line and bring in 100,000 people a year into Mendocino County and expressed opposition to adverse abandonment of the line. Mr. Pechner stated that they also have a freight potential which would go with the goal of Cloverdale to Willits and allow for transload from Humboldt County and to reduce the greenhouse gases along the 101 corridor and decrease pollution going into the Russian River. He expressed support for David Schonbrunn’s comments.

The Board adjourned to Closed Session at 1:02 p.m.

J. CLOSED SESSION

- a. Discussion with Legal Counsel Regarding Pending Litigation:
Abandonment and Railbanking Filings, before Surface Transportation Board
[Government Code section 54956.9(a)]
- b. Discussion with Legal Counsel Regarding Anticipated Initiation of Unlawful Detainer
Action on GRTA Property APN 211-141-001 at 901 Dyerville Loop Road in Redcrest, CA
[Government Code section 54956.9(d)(2)]
- c. Discussion with Legal Counsel Regarding Anticipated/Potential Litigation:
Dispute Regarding Disbursement of RRIF Loan Insurance Risk Premium Refund with
North Western Pacific Railroad Company.
[Government Code section 54956.9(d)(4)]

The Board reconvened to Open Session at 1:21 p.m.

K. ANNOUNCEMENT OUT OF CLOSED SESSION

Regarding Agenda Item J.a – Direction was given to counsel.

Regarding Agenda Item J.b – Direction was given to staff and counsel.

Regarding Agenda Item J.c – Direction was given to counsel.

L. ANNOUNCEMENT OF NEXT MEETING – MAY 16, 2024 AT 10:30AM

Regular Meeting Location:

Eureka City Council Chambers
521 K Street, Eureka
Humboldt County

Teleconference Location:

Healdsburg City Council Chambers
401 Grove Street, Healdsburg CA
Sonoma County

Zoom and phone participation information will be on the next agenda.

M. ADJOURNMENT

Chair Hart adjourned the meeting at 1:25 p.m.

Comment: Great Redwood Trail

Michael Evenson <mike@lost-coast-ranch.com>

Tue 3/26/2024 5:01 PM

To:GRTA Staff <info@thegreatredwoodtrail.org>

Cc:emely.lopez@scc.ca.gov <emely.lopez@scc.ca.gov>

Dear Chair and Board,

The construction of a foot/horse/bike trail from Humboldt to the Bay Area is a good thing. In planning, I urge you to conduct meaningful consultation with the indigenous tribes and landowners that the trail passes through. Before proceeding much further, consultation on the actual route of the trail should be determined.

Tribal friends and fellow ranchers have concerns with the route along the rail corridor along the Eel River. Please take those concerns seriously.

The old trail south ran along Mail Ridge, which does not experience the turbulent and erosive flows of the River. It was passable in all seasons. Tribal friends tell me they would like you to get together with all stakeholders to consider locating the trail in the stable geography of Mail Ridge. I realize the rail right of way was the starting point for this great endeavor. However, once you are empowered to move the trail from vision to reality, you must think historically as well as socially. All potential trail routes should be looked at, especially those that do not disturb sacred and historic archeological sites that must not be disturbed, nor should those who frequent their ancestors' sites be disturbed by the noise, debris, and secular activities that occur on recreational trails.

I look forward some day to walking or riding a horse from Humboldt to the Bay Area, but not if it results in desecration of important cultural sites.

Very Truly Yours,

Michael Evenson

Michael Evenson

Lost Coast Ranch ®
Petrolia, California
707-629-3506

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3661-B Mosswood Drive Lafayette, CA 94549-3509
(925) 708-7073 Jason@BezisLaw.com

March 26, 2024

VIA E-MAIL ONLY

Caryl Hart, Chair
Great Redwood Trail Agency
info@thegreatredwoodtrail.org

Re: March 28, 2024 Special Board of Directors Meeting
Agenda Item J.a (Closed Session: Abandonment and Railbanking Filings, before STB)

Dear Chair Hart and Board Members:

This office represents TRANSDEF, the Transportation Solutions Defense and Education Fund. TRANSDEF has been involved in protecting the NWP, starting in the days of the NCRA, through the legislation that created the GRTA, and opposing railbanking. This letter is in opposition to any further railbanking of the NWP, as TRANSDEF is confident that profitable freight is not only possible, but **mandatory** from a State climate change policy position.

GRTA's strategy of seeking adverse abandonment of Mendocino Railway, in order to meet the demands of STB policy on railbanking the NWP, is now highly unlikely to succeed. The FRA's funding of an RRIF loan to Mendocino Railway changes everything. It destroys GRTA's primary claim that Mendocino Railway is incapable of operating its line.

Any decision in Thursday's closed session to proceed with an STB filing, in light of the likelihood that it will not be successful, opens not only the agency but also its **individual Board members** to liability for the waste of public funds, under Code of Civil Procedure section 526a. "[P]ublic spending may qualify as waste if it is " 'completely unnecessary,' " or " 'useless,' " or "provides no public benefit.'" (*Chiatello v. City and County of San Francisco* (2010) 189 Cal.App.4th 472, 482.) The funding of the RRIF loan makes the filing of an adverse abandonment action "completely unnecessary," "useless," and/or "provides no public benefit." "[I]f the official does not use due care or reasonable diligence in authorizing the expenditure of public funds, the official may be subject to personal liability for the improper expenditure." (*People ex rel. Harris v. Rizzo* (2013) 214 Cal.App.4th 921, 943.)

TRANSDEF urges Board members to think long and hard about **their personal liability** before authorizing the expenditure of public funds on litigation that no longer offers a likelihood of success.

Thank you for soberly considering these comments.

Sincerely,

/s/ *Jason A. Bezis*

JASON A. BEZIS, Attorney for TRANSDEF



Buckeye Comments to Great Redwood Trail Authority Board

March 28, 2024, Eureka City Council Chambers

Thank you for holding your meeting in Eureka and for the opportunity to provide comments. The Buckeye was formed in 2000 and our membership includes ranchers, farmers, timberland owners, and natural resources professionals. Our vision is "Working lands and open spaces in Northwestern CA are viable and conserved in perpetuity for future generations" and our mission is "To promote stewardship of working landscapes through shared experience, hands-on education, and collaboration".

We have been actively engaged in the discussions regarding the Great Redwood Trail (GRT) and were invited by staff to participate in the Technical Advisory Committee. Through this process we have provided input on the draft "Operations and Maintenance" section of the draft plan. While staff accepted some of our suggested changes/additions, other comments were not accepted or were deferred until later in the process.

While we recognize there will be benefits to our local area by the GRT, we have concerns regarding potential impacts to private landowners and law enforcement/first responders. These concerns include: illegal trespass, risk to livestock and wildlife from trail users dogs, wildfire risk from campfires, illegal hunting, access for construction and maintenance of the trail, inaccessibility for fire and rescue personnel, rerouting of trail to avoid unbuildable sections, increased staff needs for sheriff, CAL FIRE and DFW, and additional unfunded requirements for rural fire/emergency services.

We understand the draft plan is soon to be released to the public. This will start a long process of public input regarding the planning, construction, and maintenance of the trail. Ultimately staff and their consultants will develop a draft Environmental Impact Report for the GRT that will have to meet the requirements of the California Environmental Quality Act. We encourage the GRTA Board to incorporate considerations to address Buckeye's concerns into the EIR process.

Buckeye will continue to be actively involved in the GRT process and look forward to providing additional input.

Thank you for your consideration,

Gary Ryneason, RPF 2117

Incoming Chair

The Buckeye ♦ P.O. Box 1310 ♦ Ferndale, CA 95536

www.thebuckeye.org ♦ christie@thebuckeye.org

501-C(3) Non-Profit California Corporation Tax I.D. No. 94-3368651