

Trinity River Watershed Council

September 12th, 2023 at 10:00am – 12:00pm

TCRCD Conference Room, #30 Horseshoe Lane, Weaverville

Our Mission:

To protect, enhance, restore and revitalize the watershed through collaborative efforts that leverage external resources, work toward common goals, educate and engage community stakeholders, address natural resource issues, and support healthy ecosystems for future generations.

Agenda

- 10:00-10:10** Welcome and Introductions
- 10:10-10:15** Land Acknowledgement and Blessing from Sonny Hayward with the Nor Rel Muk Wintu Nation
- 10:15-10:45** Guest Speaker Lisa Wright with Flowra talking about Legal Cannabis and Watershed Conservation in Trinity County
- 10:45-11:55** Partner Updates
- a. USFS – Shasta Trinity National Forest
 - b. USFS- Six Rivers National Forest
 - c. Bureau of Land Management (BLM)
 - d. California Department of Fish and Wildlife (CDFW)
 - e. Natural Resources Conservation Service (NRCS)
 - f. Trinity River Restoration Program (TRRP)/ Bureau of Reclamation (BOR)
 - g. Trinity County
 - h. The Nature Conservancy
 - i. North Coast Regional Water Quality Control Board (NCRWQCB)
 - j. Hoopa Tribal Fisheries
 - k. Yurok Tribal Fisheries
 - l. Tsnungwe Tribe
 - m. Nor Rel Muk Wintu Nation
 - n. Trinity County Resource Conservation District
 - o. The Watershed Research and Training Center
 - p. 5 Counties Salmonid Conservation Program/ Northwest California Resource Conservation & Development Council
 - q. Trinity County Fish and Game Commission
 - r. Trinity County Agricultural Alliance
 - s. Sierra Pacific Industries
 - t. Flowra
 - u. New Attendees
- 11:55-12:00** Close

Next Meeting is December 12th, 2023 at 10am-12pm

Virtual Meeting Information

Zoom link: <https://us02web.zoom.us/j/89707228772?pwd=WUo1VW5hS2x0UC85ODE4dFViNEFYUT09>

Meeting ID: **897 0722 8772**

Passcode: **96093**

+16694449171,,89707228772#,,,,*96093# US +16699009128,,89707228772#,,,,*96093# US (San Jose)

Meeting Notes

Questions?

Contact Annyssa Interrante at 530 623 6004 X 209 or email at ainterrante@tcrd.net

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Meeting Notes

Attendance

In Person (10):

Kayla Meyer – Trinity County Resource Conservation District Watershed Programs Coordinator
Tracy Foster Olstad – Cultural Resource Officer Nor-Rel-Muk Wintu Tribe
Bob Warden - Nor-Rel- Muk Wintu Tribe
Chris Losi – Flowra Marketing Branding Consultant
Danielle Putman – Environmental Consultant Flora
Lisa Wright –CEO & Founder Flowra
Sonny Hayward – Tribal Chair and Spiritual Leader Nor-Rel-Muk Wintu Nation
Cyndie Childress – Nor-Rel-Muk Wintu Nation
Kyle De Julio – Senior Fisheries Biologist Yurok Tribe
Mike Dixon – Executive Director Trinity River Restoration Program

Online (16):

Gregory Pasternack – Professor of Hydrology U.C. Davis
Roman Pittman – NOAA Fisheries (put a plug in for restoration \$\$ for the South fork Trinity, they have phase II funding available if anyone is looking for money they can email him)
Liam Gogan – Supervisor District 3 Trinity County
Dave DeLange – Vegetation Program Manager Trinity Public Utilities District (PUD)
Mark Lancaster – Salmon Conservation Program Director and Director Northwest California RC&D Council
Patrick Flynn – Trinity County Planning Department
Kate Blanchard – Senior Environmental Scientist California Department of Fish & Wildlife (CDFW)
Kellan Korcheck – Environmental Consultant Flowra
Sandra Perez – Environmental Specialist Yurok Tribe
Amelia Fleitz – Fisheries USFS
Karla Avila – Executive Director Trinity County Agriculture Alliance
Kelly Sheen – District Manager Trinity County Resource Conservation District
David Colbeck – Senior Environmental Compliance Specialist Trinity County Department of Transportation
Josh Smith – Watershed Research & Training Center Watershed Stewardship Program Director
Cindy Buxton- Watershed Research & Training Center Watershed Program Manager

Total Attendance: 26 people

Questions?

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Meeting Start: 10:00am

Land Acknowledgement and Blessing from Sonny Hayward with the Nor-Rel-Muk Wintu Nation took place

Guest Speaker Topic:

Legal Cannabis and Water Quality Preservation in Trinity County with Lisa Wright (Flowra CEO & Founder)

- Flowra has been around since 2018, with cannabis legalization in the state of California
- Background on Regulatory Environment
 - In California, there are four main regulatory bodies that Flowra deals with. All legal, licensed, and permitted cannabis cultivators must be in compliance with all four of these regulatory bodies in order to receive their permits.
 - Local Jurisdiction (Trinity County)
 - State Water Resources Control Board (SWRCB)
 - CA Department of Fish and Wildlife (CDFW)
 - CA Department of Cannabis Control (DCC)
 - Trinity County Regulations
 - Application process with annual fees/renewals
 - Cap of 530 applicants
 - Around 250 permits have been issued and around 400 applicants have submitted CEQA documents
 - Program running very well currently in terms of its processing.
 - Will see a few tweaks to the ordinances with requested public input.
 - Enforcement of the California Environmental Quality Act (CEQA) is an important thing that the local jurisdiction does as the lead agency
 - County Cannabis Program Final EIR enacted in December 2019
 - Included Appendix C: Cannabis Program Environmental “Checklist”
 - Translates into site specific mitigation measures
 - Everyone in the program has to undergo a full CEQA review to ensure that they are in compliance with the EIR requirements and that they’ve done the site specific analysis and that they have presented site specific mitigation areas— there are 20 different resource areas that need to be analyzed in CEQA (biological disturbances, cultural assessments, etc.—ends up becoming a 200+ page document)
 - State Water Resources Control Board
 - Program participants for cannabis cultivation are required to enroll under the State General Order of the State Water Resources Control Board
 - There are regional boards as well that had orders that are now all under the same umbrella of the State General Order
 - There are different tiers that you can fall into which drive your fees each year
 - There is an annual program fee that participants must pay, and most people are tier 1- low risk, and that requires a site management plan
 - Site Management Plan – technical report everyone is required to do
 - Complete, full parcel overview
 - BPTCs, used to be BMPs, are the best practical treatment and control measures

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- Mitigation measures are built into the State General Order to preserve water quality
- Everything underlying the regulatory environment in California traces back to ensure they are not negatively impacting waters of the state
- When going onto sites, they do data collection to make sure they are employing measures required in the Site Management Plan, and if they are not, then they make sure they understand what they need to be doing
- Picture on slide “State Water Resources Control Board”: There are some straw wattles, probably some grading that was done there, and some reseeding—those are all the kind of things that Flowra works towards in Site Management Plan to reduce and control sediment and erosion
- Other technical reports may be required by the State Water Board if they fall into those higher tiers or different risk levels
 - Higher tiers would be greater than an acre of disturbed area, slope greater than 30 percent, disturbance in the riparian setback, etc. – this is all spelled out in the State General Order
 - The riparian setbacks, based on the water course classifications, you have to be so far out—50 – 100 – 150 (class I, class II, class III) from disturbance and cannabis cultivation activities
 - Example of a higher level technical report: Nitrogen management plan

Questions:

“I am assuming that people that are using the, I call them, dangerous and toxic chemicals for cannabis concentration or any chemical use production, and those would be in the second tier, right, higher?”

- “In cannabis, you are not allowed to use pesticides or toxic chemicals, your product won’t test. It has to have zero ppm in cannabis. It is a higher standard than our food supply, so they are not allowed to use anything that would be considered toxic or chemicals. The only thing that may be is if they had an operator ID from our local ag commissioner that allows for pesticide application that would be in the non-cannabis area. So, let’s say if you had a really big star thistle infestation and you really want to control that, you would need to have an operator ID from the ag commission to employ any type of pesticide, but there is very limited things that you can use on cannabis itself and be legal.”
 - “On certain surveys, I didn’t know if they were errors or not but we have come across some of that so that is a huge concern of mine, but we can talk about it later”
 - “One of the requirements of the State General Order is the proper storage of ag and any chemicals and ag products or pesticides have to be off the ground and roofed, so there are requirements on how to store what you are applying on your property or on the cannabis area.”
 - “We have a sheet at the office for pesticides you can use, pesticides you can’t use, etc)
- California Department of Fish and Wildlife-- play a key role as well with cannabis cultivation

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permitting

- They have parcel-wide jurisdiction even if unrelated to cannabis premises area
- There is a requirement in order to get your county permit as well as your state license, that you have to have addressed either a notification of need/ no need for Lake and Streambed Alteration Agreement (LSAA)
 - CFWS's permitting is called EPIMS, and Flowra goes in and identifies what the project may be, or if it is just cannabis. A project would be anything where you would be diverting surface water or crossing over water courses- the two main things– as well as seep wells, diversions and culverts, these are the two main things that Flowra encounters in a general cannabis project way
 - Analysis needs to be done-- if the project is a culvert, Flowra needs to make sure they have it properly sized, make sure that it is not being impeded, it is being cleaned out yearly, and that it can withstand a 100-year flooding event, so there is some engineering that going into that
 - If it is not adequate, then that is a project- would need to do a replacement of it
 - Well split mix between 'agreements' and 'no need'
 - Agreements are typically for a 5-year period so they have the ability to do the work in that period
 - 2018/2019—Flowra could get through the process with fish & wildlife of notifying if agreements were needed, but because CEQA hadn't been completed at the county, then FW wasn't counter-signing, and so the people weren't able to execute on those projects until a counter-signature. There was a stack that was building up for a while. But now that Flowra is getting the NODs on the CEQA compliance determination from the county, FW has been moving forward on finalizing those so that people can actually move forward in implementing their projects.
 - If they have a diversion and a water right associated, because the regulations are really over surface-water, there is a forbearance period as well for cannabis cultivation use from April 1 until November 15, where cannabis farmers are unable to use direct diversion of water for cannabis production (really only during the wet season)
 - Many people who have that water right and want to use it for cannabis will put it into water storage tanks, but most people primarily use groundwater wells for their cannabis cultivation
 - Seep wells (shallow well) are considered waters of the state/surface water, and Flowra will do an analysis where we will do an analysis to verify that they exist, see what the infrastructure looks like and that it is well maintained, etc.
- Required to mention for DCC annual license issuance—the difference between provisional at the state DCC
 - Provisional will be phased out, but that will enable DCC to issue licenses while CEQA analysis and CDFW agreements were still pending
- CDFW has a Cannabis Restoration Grant Program – Qualified Cultivators +
 - Flowra is currently a sub-contractor for the largest grant CDFW has given so far

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(\$1.5 million for Cannabis for Conservation—the nonprofit based out of Arcata) to assist with this conversion from provisional to annual licenses and everything that is needed along the way

- DCC- Department of Cannabis Control
 - State licensing authority for cannabis cultivation
 - Requires local jurisdiction authorization as long as there is a local program in place
 - Annual renewals, fees based on license type/size
 - In Trinity County, most people have a 10,000 square foot—what is called a ‘small’—outdoor, which allows for light depth
 - Those fees start out at a \$535 application fee, and an annual fee of \$4,820
 - 10,000 square foot is max size for green houses in Trinity County unless there is a small number that are allocated for 1-acre licenses, but the majority of cannabis cultivations are either outdoor or light depth in Trinity
 - METRC use required (track and trace program)
 - There is a full seed-to-sale system that people are required to enter their information into and maintain
 - Plants are tagged
 - 1 tag per 100 seedling, then once flowering each plant gets a tag
- Quote on slide: “As cultivators navigate the complex licensing requirements, existing water quality issues are identified and fixed as conditions of receiving permits/ licenses”
 - A lot of that is uncovered in the site visits, site management plan, CEQA document, and with CDFW as well
- Slide with photos: Titled “Site Example 1” with visual examples of before & after
 - Extensive projects that received a notice of violation in around 2019
 - Some extensive engineering and correction was needed
 - What had been done was there had been some culverts, which created some fill put into streams, so there was what they call “substantially divert or obstruct”, substantially changed or used material/ bedbank in channel of the stream without notification
 - Notification would be the Lake and Streambed Alteration Agreement (LSAA) that you would need to submit before you do work
 - Describing photos: You can see that the culvert in the picture on the left-hand ‘before’ side is not adequate for the drainage—it is small, you can see the erosion and the sediment, etc.
 - As a result, there was a Lake and Streambed Alteration Agreement (LSAA) that was put into place for this work.
 - CDFW was able to do a counter-signature because they did their own notice of exemption to allow the project to move forward under CEQA, so it didn’t sit in the pile because of the urgent nature of the sediment that had gone into the channels
 - There were at least 2 or 3 culvert crossings that weren’t properly notified, trash and debris fill in a crossing, etc.
 - Ended up with 9 different CDFW violations
 - Because of this, they got into the cannabis program and Flowra worked with them and an engineering group through the process of implementing what was required in the LSAA. There are still ongoing requirements that they need to do to make sure they are in compliance.

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- Slide with photos: “Site Example 2” with visual examples of before and after photos
 - This second site is another one that received a violation
 - This project spurred the grading ordinance in Trinity County because there wasn’t one in place after
 - Before photo: You can see the extensive grading that was done, can see a steep graded hill of dirt, no vegetation
 - After: required to be reseeded – hydro seeded
 - There was quite a bit of extensive other work required, such as a whole stream channel restoration project
 - Some of this spill had gone into streams and were closing up parts of streams and closing them up—impact for fish, wildlife, etc. and sedimentary discharge into water course
 - The water board is and continues to be involved as they implement other restoration measures there, so this is someone that we are involved with in the county cannabis as well and are working on getting them back into the program
- Recap: Legal cannabis operations are protecting and restoring water quality in Trinity County
 - Heavily regulated
 - Flowra’s goal: getting as many people into the program as they can
 - The numbers have likely dropped off for unpermitted cannabis cultivations, but it can be hard to identify them unless someone reports them and CDFW or Water Board does a violation
 - Need to enroll people into the program and discuss how they can lift the cap for the program
 - Without the regulatory framework around cannabis cultivation, those protections for our water quality are not in place—Flowra’s key focus
 - Flowra’s non-cannabis projects:
 - Just received an award as a sub-contractor for the 319 Clean Water Act Award for the analysis of the sedimentary impact of the road conditions in the Trinity Pines, which will roll out in 2024, and implementation will be the next phase and Flowra will not implement but they will do the analysis when it rolls out
 - Bigger view of wondering how Flowra can do more to assist in areas like that where there is such a concentration and there has been such big degradation of the environment and streams, etc. so that is being discussed and widely accepted by a number of different groups, so some of you may be called on for projects like that and how they can be called on.

Messages in the Chat:

Pat Frost: “nice presentation”

Josh Smith and Cindy Buxton, WRTC: “Congrats on the 319th grant: Who is doing your analysis and who will be doing the implementation?”

- “Flowra is doing the analysis part. We did a similar project for the Feather River RCD and the Plumas Forest over there to do a road analysis. We have people with that skillset. For the implantation, there is a potential for this project to roll into that implementation side of things, but we are definitely not

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implementers of road construction and we don't have people on the ground who can do that kind of work. If there are people in your groups who can do that kind of work, hit me up and when we can get to that point we will certainly be looking for partners for the implementation."

Questions:

"I guess my only question is, we've been fighting this for the last three or four years as a tribe (Nor Rel Muk Wintu), we never get notified for any of this stuff, as a lot of the sensitive areas are in Trinity County for us, where we have never been notified. Because under AB 52, we are supposed to be notified and review the permits and we have never been notified for any of these things."

"How we find out through the consultants that work for Lisa and Flowra and we have done projects that have been overseen by Flowra, but I think the message he is sending is, prior to this process, we aren't getting notified by the county and this is just a thing we have been dealing with and we are still working with them to get the MOUs and the new ordinances that you mentioned so that is all in process. But it is very frustrating and heartbreaking that it has been a long time coming and hopefully we are coming to the end of that but I think it will get straightened out. "

- "I think there is time during the EIR for that type of input from the tribes and that potentially was missed. And I think the AB 52 certification was put into place after the EIR certification as well, so yeah that would be a discussion with County Cannabis division."
 - o "I'd like to jump in here if I could. That is incorrect, no. AB 52 was absolutely adhered to during the EIR process. AB 52 came into effect prior, and so TC DOT followed through the EIR and we know this well, TC DOT have talked with the Nor Rel Muk Tribe several times absolutely and discussed that the AB 52 doesn't apply for the EIR for individual licenses, it did apply for the programmatic EIR. But as you notice, and it is an ongoing conversation with the cannabis department itself."

"I just wanted to quickly thank you Lisa, for the presentation. I think there are a lot of details that it is so helpful to see the flow of what the regulation actually requires and I just wanted to extend to the tribe that if you guys would like, you actually were out at my place for the cultural resources, but I would love to have you come visit and have a walk through the farm with Lisa's presentation in mind. If that is helpful to see, things that I noticed you said when you went on some visits you saw some pesticides and maybe there is things that are questionable that you are seeing, sometimes boots on the ground and seeing things in action can be helpful and so that invitation is open. I think that what is really important here is that we are all working on a process, like Sonny just said it is a process. And I hope that in this group there is this deep level of understanding of what typical regulation around water, around agriculture, around these resources looks like, and sometimes it is jaw-dropping to be on the cannabis side of things and see how far we need to go with the amount of regulation we are actually putting on licenses farmers versus other agriculture or the mining company on the river, for example. And the ongoing need to recognize that hopefully we can pull resources in a way that will help continue to do the work that Flowra is doing. Their grant to move farms from provisional to annual is one of the only funding sources that cannabis farmers have in our area to actually utilize to fix any problems on their land, which may or may not have been caused by them. There are many legacy issues in Trinity County where you have a piece of property and there is a culvert that has been there since 1898 or whatever, and it is your

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problem to fix it. Other agriculture, other land owners, they have resources and other types of grant funding, and there is still a deep fear, I think, in Trinity to open up our resources to these funding programs for cannabis farmers. These farmers do not have other resources other than the money in their pocket, and I think there is still a lot of misinformation still which I hope this presentation has helped to clarify. But I guess that what I am trying to say is that I hope that in this group we can continue to think about how we can move forward in this ongoing process and we have made a lot of huge steps forward, but one of the things I think I am still seeing is that there is a huge lack of willing agencies or nonprofit people who qualify to receive the grant funding from the state being willing to move forward with cannabis-related grant programs because of cannabis and because of things that have happened in our past like the county being sued over CEQA. So I understand why there is that fear there, that fundamental unknown, but I really hope that in this group that we can continue this conversation beyond today and that we can use our resources together because when we are seeing that when we do implement this level, this is a very high level of scrutiny over this entire property and when we do implement this level it is incredible what we see—it is what we want to see across the whole county. So, the more that we can reduce the fact that cannabis is a barrier and just use it as a model, the better we are going to be. And that is a huge mind paradigm shift, but I want to thank all of you for your patience in this process and hopefully we can keep working together on how to keep facilitating these things because Cannabis for Conservancy is full to the max with this project that Lisa was just describing. There is other grant programs out there, we currently cannot find a 502 (C) 3 agency in our area who is willing to take some of these programs on, and I understand capacity is always an issue, but that is just something we see where cannabis gets a harder time when actually the regulations are really high scrutiny and if we were able to implement this across the board, we would just have more and more improvements to the resource protection. Thank you, Lisa.”

Partner Updates

- United States Forest Service – Shasta Trinity National Forest (Amelia Fleitz)
 - Wrapping up the Pilot Project and moving on into some of the Petti John work and then into the Hyampom planning and Big Branch
 - Eric has been on the deep fire and is now down in Happy Camp and Galen has been on the South fires so they will be back in the office in a few weeks
- United States Forest Service – Six Rivers National Forest -- not present
- The Bureau of Land Management – not present
- California Department of Fish and Wildlife (Kate Blanchard)
 - Tagged along with the Watershed Center on the Barker Valley tour last week, which was a great field tour for the cannabis grants program
 - The Watershed Center received a grant to do road inventory for the Barker creek roads system and I think this is a good opportunity for the cannabis grants to help improve the roads in Barker valley, so I look forward to that being implemented eventually
- National Resources Conservation Service – not present
- Trinity County
 - Trinity County DOT (David Colbeck)
 - The good neighbor authority and supplemental project agreement with the USFS and Trinity County has been signed this past month, so there are seven work elements in there that may be of interest to this group and related to the Trinity River Watershed
 - Got our chip grinder up and running

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- Dealing with slash piles, fire lines, invasive weed management
 - Hoping to include creating a storage location for weeds so that they can be kept at some stable location and be dealt with properly when they are pulled—some research needed for that
- Roads, use of temporary bridge, and some engineering support for \$1.4 million over next years and hoping for more to come

Questions:

“Did you say ‘tub grinder?’”

- “That’s right. That is under solid waste, but there are some funds within this USFS agreement that are looking to pay for that and put that on the ground. So there is quite a bit more to work out with Solid Waste, but that is the hope.”
 - “Thank you, and will it be mobile or stationary there as a solid waste?”
 - “That is part of what needs to be determined of whether it is more economical to move it to different sites or move the material to the site where the tub grinder sits, as well as the removal of the chips and what to do with that there are some regulations to be concerned about. This is multi-departmental within the county, so all I can say is that the funding exists for some work to be done with it.”
- Trinity River Restoration Program and Bureau of Reclamation (Mike Dixon)
 - Putting a bow on the Oregon Gulch Restoration Project – has been the biggest project we have constructed and has been under construction since June 2022
 - All hauls are about done and they are completing the emulated landslide deposit that makes sure that the river, for the foreseeable future, stays in its new channel, should be done by beginning of October
 - Reveg is out there kicking off this week and will be continuing that reveg through the winter
 - Otherwise, about to start NEPA on the upper Conner Creek channel rehabilitation project all along highway 299 just downstream of Junction City, have hit some challenges with landowner participation and have worked through those so will get going with NEPA
 - Continuing to plug away on watershed programmatic environmental assessment which provides cover for partners to do tributary restoration work and upslope restoration work which benefits our shared objectives
 - Will be up for public comment around the holidays and hope to have a decision by early next Spring

Question:

“For this project on Oregon Mountain, my concern is we didn’t have any monitors on that job and we are concerned about monitors and we know you have at least \$10,000 to put into monitors and we are a little upset because we aren’t being notified if you have monitors out there. At one time, the monitors on the restoration on the river was brought up from Hoopa and Yurok and our monitors were sitting here twiddling our thumbs. We are a bit upset about that and we would like you to really consider monitors on these jobs or we will raise a stink.”

- The Nature Conservancy – not present

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- North Coast Regional Water Quality Control Board – not present
- Hoopa Tribal Fisheries – not present
- Yurok Tribal Fisheries
 - Just wrapped up juvenile out migrant monitoring in Willow Creek- had a good year, saw pretty good out migration class
 - Improvements in data collection and data entry from help from USFWS, that data has become available much quicker which is really nice and were able to present on some of that data
 - Just started spawning surveys – looking for the adults in the main stem river—started two weeks ago. Not much activity.... Hatchery started spawning spring chinook last week
 - Fall run on its way. River conditions good.
 - Indian Creek project phase II underway
 - Starting at County Bridge going down below to do a planning for that section of creek to improve local habitat and have been working with local land owner.
 - Weaver creek 1.5 mile section starting at confluence of E and W Weaver creeks
 - Will return to work on designing in what is left on 2023
 - Implementation could be early next year to potentially 2025
- Tsnungwe Tribe – not present
- Nor Rel Muk Wintu Tribe
 - Trip to headwaters of Trinity River
 - Going to get some work done up there
 - Fuel reduction
 - Get meadows cleaned up
 - Saw lots of bear grass, pitcher plants, wild azaleas
 - Fire is medicine- necessary for keeping the balance of the flora and fauna
 - Many partners attended trip
 - SPI, USFS, etc.
- Trinity County Resource Conservation District (Kelly Sheen)
- 5 Counties Salmonid Conservation Program/ Northwest California Resource Conservation & Development Council (Mark Lancaster)
 - East Weaver Dam
 - Everything is staged and will start removing dam next week
 - Will go downstream first and put in grade structures and then physically remove dam and then reposition streambed materials to hit the desired grade
 - Will finish October 15 and will be in a monitoring phase
- Trinity County Fish and Game Commission – not present
- Trinity County Agricultural Alliance (Karla Avila)
 - Link cannabis farmers and landowners with resources in what they need
 - Looking at expanding TCAA to have a 501 c 3 branch to not lose the opportunity to have the funding into our County to help cannabis farmers for water quality health
- Sierra Pacific Industries – not present
- Flowra (Lisa Wright)
 - Doing a NEPA project in the Mendocino Forest on a land exchange—trying to get more into some of the non-cannabis areas, so if any of you have resource needs, we may be able to

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partner up when it comes to NEPA

- The Watershed Research and Training Center (Josh Smith and Cindy Buxton)
 - Trust for public lands project decommissioning roads
 - Planning projects (Crow Gulch and Salt Creek) plugging away
 - Barker Creek and Klamath Meadows partnership
 - Barker Creek roads improvement planning project meeting with CDFW, NOAA, Trinity Ad Alliance, local land owner
 - Excellent conversation not only with roads, but also with stream incision and what we can do as a community within a farming community
 - Barker Valley was once a giant ranch that has been broken down into smaller parcels
 - For some CDFW forks, it was their first visit to the area and they were very excited to see what connects this community, which is the roads
 - Next steps: finishing design: bridge and stream crossing, then general road maintenance, culvert replacement, upgrades, etc.
 - Were awarded the Klamath meadow partnership grant from the Wildlife Conservation Board
 - Further preservation of meadows in headwaters of Klamath River, including Eel River, spots to the South, all the way out to Sacramento
 - Coordinating lots of nonprofits, state agencies, federal agencies, etc for meadow restoration work
 - Doing feasibility study to see if the Weaverville CSD can expand to Junction City for water reliability for humans and fish
 - Tanks and forbearance projects
- Trinity County Department of Transportation (David Colbeck)
 - Carve out space for tribal monitoring
 - New policy in TC DOT for cost recovery agreements
 - If need for county engineers to review a project, TC DOT must be paid to do that
 - When doing analysis and finding priority locations, it is important to consider and factor in the fact that county engineers should review construction efforts of roads and other areas under their jurisdiction
 - TC DOT would have an agreement with organization, and anything not used will be returned to organization
 - This may be difficult for organizations that are grant-funded
 - Can touch on Salt Creek, Indian Creek with the Yurok Tribe, Weaver Creek, and it can touch on anything that has a county-infrastructure nexus for county-owned areas
 - Does not apply to Barker Creek project because there are no county culverts in play there
 - Could apply to Post Mountain project that Flowra is involved in for project analysis

Comments & Dialogue:

“Thank you for that, David. Once Flowra moves into the implementation phase, it seems like that is when we would want to move in to that process.”

- Even in phase I for initial analysis, finding priority locations and planning and CEQA locations, and especially for implementation. If there is a county nexus for county ownership with CEQA, then TC DOT

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would potentially be a responsible agency for CEQA action potentially. So it could apply in the first phase with analysis and would definitely apply in the second phase with implementation.”

“My first reaction is that when we have a project that is on a county road, we are going to have to go to the state and federal agencies and determine if ‘take’ is occurring by the county so that we can then pursue this question? Because we know ‘take’ is occurring”

- “So, just to clarify for the group, you are talking about ‘take’ of a listed species such as coho, that in relation to a county facility.”
 - o “Yes, specifically. So I think what will happen is we are going to look to the regulatory compliance, because if we are going to be doing your regulatory compliance, then your cost is just the cost of business and it is something I think we should all come back to and look at.”
 - “If the project is in direct relation to a listed species, then what you are saying absolutely makes sense. My comment is sort of across the board, for anything of impact to county infrastructure, whether it is improving it or not improving it, it takes county staff time to review. This is a policy I am just trying to let the whole room know about...”

“If there is any nexus with the TRRP, whether it is a project where TRRP funds a design, does compliance on, that we are adopting under our programmatic biological opinion, ESA coverage or anything of that nature, TRRP would be happy to discuss, if it is a grant-funded entity and if it would be a problem writing that into the grant, TRRP would be happy to discuss whether we can use our existing agreement with the county to pay for that because we understand where the county is coming from, but this could be an impediment to getting things done and TRRP would be happy to leverage the existing five-year grant with the county to pay for that.”

- “Thank you for that, Mike. That is great. The money is one side of it, but also within your project schedules and timelines please consider the time it may take for DOT to actually review any particular project as well.”

“Back to that Trinity Pines project with Flowra, maybe we could have a brainstorm session with some of you. We are looking at potentially, through the nonprofit that we work with, leveraging the Fish & Wildlife cannabis restoration grant funds to potentially do something like a riparian corridor restoration. So, that would involve other people, certainly besides Flowra as a subcontractor, because we would need people helping with planting and stuff like that. That is another area, in addition to Barker Valley, where we can improve the area and improve the water quality and fish and habitat. It will take a big collaboration to make that happen.”

Messages in Chat:

Amelia Fleitz: Thank you

End Meeting Time: 11:25am

Questions?

Contact Annyssa Interrante at 530 623 6004 X 209 or email at ainterrante@tcrd.net

Legal Cannabis and Water Quality Preservation in Trinity County

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Regulatory Background

In California, Cannabis Cultivation falls under the jurisdiction of four regulatory bodies:

- Local Jurisdiction (Trinity County)
- State Water Resources Control Board (SWRCB)
- CA Department of Fish and Wildlife (CDFW)
- CA Department of Cannabis Control (DCC)



Trinity County Regulations



Application process and annual fees/renewals

California Environmental Quality Act (CEQA):

- Trinity County Cannabis Program Final EIR
- Appendix C: Cannabis Program Environmental “Checklist”
- Site Specific Mitigation Measures



State Water Resources Control Board



Program Enrollment under State General Order

Site Management Plan

Other Technical Reports



California Department of Fish and Wildlife



- Parcel-wide jurisdiction even if unrelated to cannabis premises area
- Notification of need /no need for Lake and Streambed Alteration Agreement (LSAA)
- Required for DCC annual license issuance
- CDFW Cannabis Restoration Grant Program – Qualified Cultivators +



DCC- Department of Cannabis Control



State licensing authority for cannabis cultivation

Requires local jurisdiction authorization

Annual renewals, fees based on license type/size

METRC use required (track and trace program)



As cultivators navigate the complex licensing requirements, existing water quality issues are identified and fixed as conditions of receiving permits/licenses



Site Example 1



Before

After



Site Example 2



Before

After



*Recap: Legal cannabis operations
are protecting and restoring water
quality in Trinity County*



Any Questions?

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