

Eel River Recovery Project

Krishnayala Retreat Center 2013 Vision and Action Meeting January 20, 2013



By ERRP Volunteer Coordinator Patrick Higgins

Background & Acknowledgements

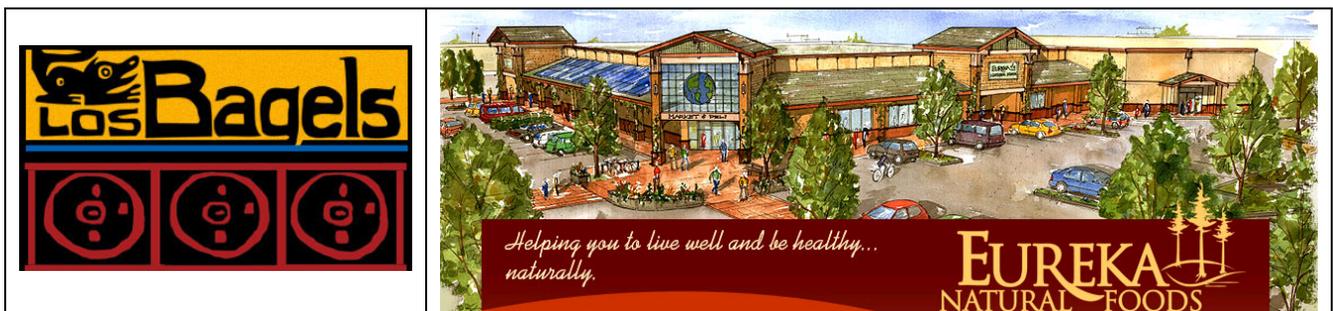
A general meeting of the Eel River Recovery Project (ERRP) was held on January 20, 2013 at Krishnayala Retreat Center. The purpose was to deliberate on the question of whether to join the Eel River Task Force and to plan for activities in 2013. The Krishnayala Retreat Center, in the Piercy area, was an ideal atmosphere for a very constructive discussion. The meeting was well attended. More than 50 people joined us during the course of the day, including new ERRP members from southern Humboldt and founding members from throughout the basin who have been in attendance at our retreats.

We are grateful to Los Bagels and Eureka Natural Foods for donations that contributed to our breakfast and lunch. Please patronize these local businesses, which are very consistent supporters of ERRP efforts. The meeting would not have been possible without the support ERRP member Maureen McIver, who lives at the Krishnayala Retreat Center.

During the day, we refined and adopted a Mission Statement, made a decision to join the Eel River Task Force, and appointed volunteers who stepped forward to represent ERRP. We also had very productive committee meetings. People joined the Water Conservation, Water Quality/Algae and Water Day committees and are getting ready for action in 2013. The ERRP major public outreach event, **Water Day, will be held on March 30** this year at the Mateel Community Center, so mark your calendar.

The ERRP Executive Committee met on the evening of January 19. A summary of that meeting is appended to this report.

THANKS TO



FOR SUPPORTING EEL RIVER ECOSYSTEM RECOVERY

Mission Statement

To empower communities to collaborate in monitoring the ecological conditions of the Eel River. To share information about the health of the watershed, and work together to formulate and implement a restoration strategy.

ERRP Guiding Principals

- Transparent
- Collaborative
- Accountable
- Community-based
- Evidence-based (Science)
- Good Will

Introductions/Connections

Larry Desmond and Maureen McIver convened the meeting at 10 AM and facilitated proceedings throughout the day. As everyone introduced themselves, they gave their reasons for participating in the Eel River Recovery Project.

- Concern about toxic algae and the state of the river
- Need to increase awareness and let people know what they can do
- Love of the South Fork Eel River
- Public water supply at risk
- Concern about the prospect of over-development when the river's health is already compromised
- No swimming after Labor Day because poor water quality makes contact unsafe
- Indigenous perspectives need to be honored; the Earth does not belong to us, we belong to the Earth
- Bio-Infrastructure – Natural Capital and working with Nature not against her
- ERRP should lead the way to move towards an Organic Eel Watershed
- Build non-governmental organization (NGO) capacity to assimilate and make available all information, including electronic map data (GIS) so citizens can do trend monitoring
- Concern about marijuana industry impacts, especially cartel/industrial grows that are despoiling wilderness areas that need to be producing clean water the rest of the river system depends on
- We are a part of the river and a part of the ecological fabric and the community needs to recognize that

Ground Rules

- One person at a time
- Take side conversations out of the room
- Be positive
- Try to be concise
- Pay attention to and respect the facilitators

Task Force Membership

Diane Higgins lead a discussion regarding whether or not to join the newly forming Eel River Task Force. Background information included how the new Task Force had come into being, who members are, what had transpired at previous meetings, what was in their Charter and options for how the ERRP might interact with the task force.

Task Force convener Darren Mireau of Cal Trout had listed ERRP as a Charter Member of the group but no one from ERRP had attended early monthly meetings (July-October). Larry Desmond made a brief presentation at the November Task Force meeting in Willits to describe ERRP's monitoring projects, but it wasn't until December that ERRP had representation at a Task Force meeting. Six ERRP members attended the December 16 meeting in Fortuna where press access and public participation policy issues were raised. The Task Force Charter had a provision that only one public meeting would be held annually and the other meetings would be closed to the public. In addition to the question of whether to join the Task Force, the question of whether or not the ERRP supports meetings in public or private and with or without press access was also put to a vote.

Diane Higgins provided a copy of the Klamath River Task Force Charter to contrast with the proposed Eel River Task Force (ERTF) Charter. She pointed out that both the Klamath River Task Force and the Trinity River Task Force were established through federal legislation that authorized funding for their activities. They were administered by a designated lead agency, to which the task forces made their recommendations. Their charters established membership and specific voting procedures. The Eel River task force was convened by Cal Trout, has no formal authorization to spend public money for agency personnel to attend task force meetings, and has no established procedure for making decisions. The Charter says the ERTF will make recommendations, but does not say to whom recommendations will be made. The length of the document and inclusion of scientific literature citations is also dissimilar to other charters.

Bruce Hilbach-Barger requested that the discussion start with a full exposition of all aspects of the decision before people were asked to vote on whether or not to join the ERTF.

Richard Gienger spoke of the history of injustice of the Eel River and the need for social justice today. He noted that the ERTF Charter invokes the 1996 Eel River Action Plan that stressed the need to form a public group that protects native fish, fosters ecological restoration and helps protect and restore beneficial uses (fishable, swimmable, drinkable). ERRP is such a group, but the ERTF appears to be more of a governmental approach that is top down instead of grassroots based. He is concerned that the ERTF may have an enforcement agenda in response to the marijuana industry instead of trying to reform practices. He feels this could alienate the community and pose the risk of setting back cooperation to reduce water consumption and water pollution, which is really what needs to get done.

Another participant made a recommendation that ERRP should meet with other NGO ERTF members separately to better understand their perspective. ERRP has momentum in terms of data collection, public education and grassroots participation and it is important not to get side tracked in politics of ERTF. ERRP needs to recognize the risk of joining the group because it may associate itself with bad decisions.

More observations made during our discussion included:

Cal Trout's website says they have a "partnership" with PG&E, which also has a seat on the ERTF. Is there a conflict of interest for Cal Trout to lead Eel River restoration efforts? The July ERTF minutes state that PG&E will not discuss flows from the Potter Valley Project except in the context of the Federal Energy Regulatory Commission license, which means a major issue is off the table.

Making sure the ERTF has witnesses to its actions may be more important than ERRP having a sanctioned seat at the table. Since ERRP is listed as a Charter Member, no action is required for the group to continue to act in an unofficial mode. ERRP has more power and less exposure, if the decision on participation is deferred.

The ERTF has no governmental mandate and can't develop policies; therefore, they have no power so what is the point of joining?

ERTF is convening many interests and any agreement would provide legitimacy and could help bring resources to the Eel River basin. The Task Force is still in formative stages and may continue to grow. We will miss an opportunity, if we are not represented.

The ERTF appears to be a political construct and typical clash of politics versus science can be expected. Their overall frame is to facilitate additional development and to serve the interest of the powerful and affluent. People involved in politics do not want scientific data because of "inconvenient truths". Our lives depend on the Eel River ecosystem and decisions must consider that as an over-arching concern.

We need to build alliances with agencies and ERTF membership might be a way to do that.

The ERTF can't be trusted. We should publicly state our reasons for not joining. Attend meetings whether they are open to the public or not – take direct action. At least pull out, if they vote to close their meetings. Or remain and just report all task force proceedings to the public and press ourselves. It would be an honor to be expelled for fully disclosing for the purpose of protecting public trust.

ERRP should join the ERTF, bring data and try to influence them to make decisions based on good scientific information. We should get engaged and try to make a positive difference.

Participant expressed outrage as a taxpayer over the prospect that dozens of government agency staff would attend meetings closed to the public. Government agencies meeting behind closed doors cannot be held accountable. State agencies are not using existing data produced by citizen-science in cases where harm to public trust and even human health and safety are proven, yet lawless behavior and environmental crimes continue.

If ERRP joins the ERTF and meetings are held in private, ERRP representatives should still report publicly. Question was raised about potential for need for confidentiality agreement that might constrain us. However, the ERTF Charter also says that members will report to their constituents.

ERRP needs to continue to build up its scientific databases and set up a basin-wide citizen science network for trend monitoring. Merging politics and science is like oil and water. Be ready to press efforts with ERTF to be science based because there will be resistance.

ERRP is the eyes and ears of the basin. The ERTF gives power to out of basin interests and ERRP should join to make sure the people of the watershed are well represented. Agendas should be responsive to the public and ERRP should press for meetings to remain open.

Andrew Orahoske of EPIC, which also has ERTF Charter membership, will advocate for open meetings and he encouraged attendance at the upcoming meeting at Benbow RV Park (1/26) Despite public pronouncements by some public agency personnel in previous ERTF meetings, he noted that sequestering of agency data was illegal under the CA Public Records Act.

Group Actions

- Voted 22-4 with 7 abstentions to participate in the Eel River Task Force.
- Despite the Draft Task Force Charter language of "one member and one alternate", a number of ERRP members volunteered for various venues and we will participate through rotating reps.
- People who volunteered include
 - Richard Gienger
 - Diane Higgins
 - Steven Day
 - Graham and Dotti Russell
 - David and Barbara Sopjes
 - Jeff Hedin
 - Tryphena Lewis.
- The group approved Diane Higgins as the January 26 ERRP Task Force Rep, but many others present at yesterday's meeting plan to attend.
- Unanimous vote to support a ERTF policy that allows public participation and openness to the press at their meetings.

In the event that the Task Force opts for meeting out of public view as currently stated in its draft Charter, ERRP members assembled thought we might need to reconsider participation.