

FONC 2023 ANNUAL MEETING AGENDA

March 29, 2023

Zoom Video @ 11:00am

Call to Order. *NOTE TO ADVISORY COMMITTEE MEMBERS – WE REALLY WOULD VALUE YOUR PARTICIPATION EITHER BY ATTENDING THE ZOOM MEETING OR MAKING ANY COMMENTS BY EMAIL PRIOR TO 11AM THURSDAY. MARTY IS SENDING YOU AN INVITE.*

CONSENT AGENDA

(absent a request for removal of an item from Consent Agenda, there will be no discussion of these items and a single vote will be taken to approve them all)

- Approve Minutes, Annual Financial Statement, and Treasurer's Report:
- Minutes (Item 1.a attached from Secretary Marty Demare).
- Annual Financial Statement and Treasurer's Report (Item 1.b attached from Treasurer Bob Berlage - previously made available to Board Members).
- Accept report re process for Planning Group to prep materials for Roundtable (Item 2 from Jonathan Wittwer).

REGULAR AGENDA

- Conduct Annual Meeting as required by FONC Bylaws.
- Conduct election to fill one expiring two (2) year term on the Board of Directors, currently held by Jonathan Wittwer.
- Conduct election of Officers (President, Secretary, and Treasurer).
- Once elections are complete arrange for signature of Annual Statement re: Conflict of Interest by each Director as required by Article 7, section 6. See Form attached as Item 3.c., update Date to 3/29/2023, sign, and provide copy to Secretary for filing.
- Consider and give direction/authorization re FONC participation in Planning Group for a future Roundtable. New BLM Field Manager Zachary Ormsby has asked Christy Fischer of TPL to set up a Roundtable. The first step will be a meeting by a "Planning Group" to hone/refine the options, vet scientific issues, and prepare visuals to explain same to a larger group of Stakeholders at a Roundtable. Target dates for the Planning Group Meeting when we know both Zachary and Christy can meet for about 4 hours is 4/26, 27 or 28. Other invitees to that meeting are:

Justin Cummings, 3rd District Supervisor

Rachel Dann, Congressman Panetta staff

Dr. Jonna Engel, Coastal Commission's Environmental Program Manager, and *either* Cassidy Teufel (Federal Consistency Manager) or Alexis Barrera (Environmental Scientist)

John Barnes and Jonathan Wittwer (if authorized by Board action on this Agenda Item), as North Coast Coalition representatives.

FONC Board to provide direction and authorization.

- Consider working toward having our new Electeds (Congressman, State Senator, State Assemblymember, and Third District Supervisor) sign a letter supporting FONC/DNCA/RBDA approach to opening Cotoni-Coast Dairies. (See Background in Items 5a,b,c attached)
- Consider letter (with copy to Supervisor Cummings) requesting North Coast Multi-Agency Working Group to be more transparent, to proceed as a Brown Act organization, and to give consideration to attendance records at Wilder Ranch, Año Nuevo, Bean Hollow, and Natural Bridges (See Background in Items 6a,b attached from Marty Demare). Ratify communications and actions related to participation in PlaceWorks Zoom to obtain input regarding North Coast Facilities and Management Plan PlaceWorks is contracted to produce.
- Ratify Scoping Comments, including Preferred Northern Entrance, and any other related communications or attachments, jointly submitted 11/27/2022 by DNCA, FONC, and RBDA as well as participation by FONC Board members in BLM Scoping Webinar on 11/16/2022 or 11/17/2022.
- Ratify past FONC communications and actions and authorize future actions raising concerns with Coastal Commission and BLM regarding various issues, including commencement of trail construction at northern end of Cotoni-Coast Dairies as of December 1, 2021 without prior collection of baseline information, including, but not limited to:
 - Presentation (along with DNCA and RBDA) during 7/14/2022 Coastal Commission Public Comment period promoting our joint Request for Reopener, concern about Safety Hazards for visitors from relocated entrance adjoining Warrenella intersection including truck turning radius and narrow stretch on Cement Plant Road, and requirement for BLM to do a Baseline Inventory.
 - Letter dated 9/5/2022, phone call with Federal Consistency Director Kate Huckelbridge on 9/7/2022, and presentation on 9/8/2022 by FONC President to Coastal Commission re remaining concerns about Rail Trail remaining open 24/7 and seeking revised condition of approval requiring Rail Trail and Parking to be open 24/7 only if after three years evidence shows no environmental impacts.
 - Zoom on 10/5/2022 with Federal Consistency Director Kate Huckelbridge by FONC President along with DNCA's John Barnes regarding IBLA Decision granting the joint Appeal by FONC, DNCA, and RBDA, continued lack of Baseline, and whether Coastal Commission would participate in a Roundtable if one could be arranged to include BLM (yes).
 - Zoom on 11/21/2022 Federal Consistency Director Kate Huckelbridge by FONC President re BLM Scoping Process and whether Coastal Commission would participate (no).
- Ratify past FONC communications and actions and filings requested of and made by Attorney Mike Lozeau, as well as funding thereof, regarding IBLA Appeal, including the

following:

- preparation and filing of Appellants Notice of Tree Removal Activity and Request for Ruling on 8/8/2022;
 - preparation of Appellants Updated Notice of Tree Removal Activity and Request for Ruling on 8/11/2022, accompanied by Locator Graphic, Declaration of Bruce Duncan, and Third Declaration of Colin Hannon;
 - review of BLM's 8/16/2022 Response to Notice of Tree Removal Activity and Project Timeline;
 - review of IBLA's 8/31/2022 Order Setting Aside BLM's approval of Implementation Action MA-REC-23 (Northern Entrances) and finding that BLM's Implementation Action MA-REC-24 (Southern Entrance at Marina Ranch Gate) is impossible to implement;
 - review of law and facts related to recovery of attorneys fees for prevailing in an IBLA Appeal and conferring with FONC, DNCA, and RBDA to result in determination not to pursue such a recovery;
 - review of myriad other procedural filings by BLM, primarily seeking extension of time from IBLA.
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- Ratify FONC actions to communicate with and promote agreement for a problem-solving Roundtable after IBLA Decision setting aside BLM's Implementation Action MA-REC-23 (Northern Entrances) and finding Implementation Action MA-REC-24 (Southern Entrance at Marina Ranch Gate) impossible to implement, including but not limited to:
 - 10/13/2022 Meeting with BLM Central California District Manager Chris Heppe, BLM Assistant Field Manager Shekeetah Allen-Genoway, and BLM Environmental Coordinator Sky Murphy (attended by FONC's Jonathan Wittwer and Bob Berlage, DNCA's John Barnes and Mike Eaton, and RBDA's Dave Rubin);
 - 10/26/2022 Video scenario re Class A Mobilehome and RV unable to pass at narrow stretch on Cement Plant Road but able to pass all the way to proposed Mocettini Barn Parking Lot entrance.
 - 10/27/2022 Conference Call with above BLM representatives (also John Barnes);
 - 2/16/2023 Onsite (Northern Entrance) meeting with new BLM Field Manager Zachary Ormsby (attended by FONC's Jonathan Wittwer, DNCA's John Barnes and Mike Eaton, and RBDA's Dave Rubin and Eric Ornas).
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- Ratify 9/21/2022 Zoom and related communications with Matt Machado Director of County Infrastructure and Community Development Department, Steve Wiesner (Public Works Division Director) and Carolyn Burke (Planning Division Director), along with Jim Robins (TPL Consultant) and representatives of FONC, DNCA, and RBDA.
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- Consider methods for obtaining FOIA compliance and ratify FONC joinder in filing FOIA requests to BLM, including the following tracking numbers on the parenthetical dates: DOI-BLM-2022-004982 (7/14/22) and DOI-BLM-2023-000259 (10/14/22); FOIA No. DOI-BLM-2023-000905(11/7/2022) and FOIA No.DOI-BLM-2023-000906 (11/11/2022). BLM remains in noncompliance with all four FOIA requests filed by the community. As to the latter two, we were informed in a letter from BLM dated 11/25/2022 that some requested materials could be provided within our free entitlements,

and would be released to us within the next three weeks. We have heard nothing further. Ratify joinder in follow ups by DNCA's John Barnes requesting compliance, most recently on 3/12/2023. That follow up copied Congressman Panetta's Office (since he had expressed willingness to follow up on our behalf if we were unsuccessful). We have also requested Senator Laird to follow up via his District Director who had also offered to follow up.

- Ratify past FONC communications and actions and authorize future actions regarding meetings with Congressman Panetta, including but not limited to: 2/16/2023 meeting after morning meeting with new BLM Field Manager Zachary Ormsby (including working with John Barnes on preparing succinct Table of Contents and visually oriented Binder for him, and conferring with his Environmental Staff the night before).
- Ratify FONC communications and actions resulting in pre-election Zoom Meetings with Candidates for Third District Supervisor.
- Ratify FONC communications and actions including but not limited to those resulting in meetings with local Electeds and/or their staff:
 - 3/17/2023 onsite at Northern and Southern Entrances with Kara Woodruff, District Director for Senator Laird and Laura Suddes, Santa Cruz Office;
 - 3/23/2023 onsite at Northern and Southern Entrances with Justin Cummings, Third District Supervisor and Sandy Brown, Administrative Assistant; and
 - promised but not yet scheduled meeting onsite at Northern and Southern Entrances with Assemblymember Gail Pellerin and her District Director Maureen McCarty.
- Consider making written request to BLM to be a participant in all steps in the planning for the restoration of the Mocettini Barn and its inclusion as part of a Living History Center or Historic District.
- Ratify past FONC actions and authorize future actions taken by FONC Secretary Marty Demare regarding utilizing Michael Lewis to update and revitalize FONC's Webpage and Facebook presence and expand both to cover all North Coast issues.
- Ratify joinder by FONC with DNCA and RBDA in 1/30/2023 Comments on BLM Supplementary Rule for Enforcement and related communications.
- Consider contacting Supervisor Cummings regarding his application to become a Coastal Commissioner and providing support letter if that would help. See his request for support letters received 3/28/2023 and distributed to Board members and Advisory Committee members, as well as DNCA and RBDA leadership.

Adjourn meeting.