

Thursday, December 2, 2021

## **11-27-21 GrassRoots Institute - Climate Crisis Workgroup (GRI-CCW) Meeting Notes**

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Attending: Peter McNamee, Carrie Durkee, Marcy Snyder, Jim Schoonover, Lore' McLaren, Bruce Broderick, George Reinhard, and Jess Yates

- I. George Reinhard led a discussion regarding actions by the Skunk Train (AKA - Mendocino Railroad, Sierra Railroad) denying State & local government authority to regulate its compliance with land use or environmental laws. George reported the Skunk Train asserts that as a railroad they are exempt from state and local regulation and that they have the power of eminent domain. Georgia Pacific sold the Skunk Train 340 acres of Fort Bragg's ocean headlands. Until the sale, Georgia Pacific was responsible for remediation, mediation and cleanup of toxic chemical pollution which has been designated as toxic super fund sites and was doing so under the oversight of the Cal. Department of Toxic Substances Control (DTSC). However, the Skunk Train asserts that DTSC has no authority to regulate it because it is a railroad. The City of Fort Bragg has filed a lawsuit to deny the Skunk Train's immunity from land use and environmental regulation, arguing the Train is not a railroad and in fact is an amusement that fails to meet the requirements of being a true railroad as defined by law. Further, the City of Fort Bragg has joined several public agencies and environmental organizations to request federal denial of a \$31 million railroad loan applied for by the Skunk Train. Lastly, the Skunk Train mailed a newsletter to all county homes detailing its intent to build a major commercial & lodging development on the headlands without any oversight or regulation by state or local government.
  - A. Peter McNamee asked if GRI should request the Mendocino District Attorney investigate to determine if Georgia Pacific (GP) and the Skunk Train (ST) are criminally colluding to evade toxic clean up liabilities and obligations?
  - B. Jim Schoonover asked if it has already been determined that GP selling the toxic headlands to ST would release GP from its cleanup liabilities?
  - C. Bruce Broderick questioned the ST's compliance with other laws. For example, is the ST in compliance with the Americans With Disabilities Act (ADA)? Has the

ST gotten business permits for its electric rail bikes that it is operating on the rails? He noted that the safety crossing gates on the roads do not appear to comply with state and federal code.

- D. Lore' McLaren expressed concern that GRI should be cautious about demonizing the ST. That her experience has been that seeking dialogue and understanding between contentious parties produce the best outcomes in the long run.
  - E. Jim Schoonover said he agreed with Lore' that GRI should not rush to judgement, but he also noted evidence that the ST's track record raises questions about the legality of its actions.
  - F. Marcy Snyder emphasized that GRI's purpose is to promote the common good and that we should be focusing on developing progressive alternatives to ST's actions and proposals.
  - G. Jess Yates observed that if we could successfully work cooperatively with the ST, that would be the best approach. But she added, that maybe the ST's decision to try to exempt itself from land use and environmental law signals that they aren't interested or willing to be collaborative. For example, the ST says its development will include 500 housing units - but will that be primarily vacation rentals, hotels and hostel units or will it be affordable homes for Fort Bragg's residents?
  - H. George Reinhardt closed the discussion by noting that the city plans to hold a workshop on the ST's actions in December and that GRI members should plan on participating.
- II. Jim Schoonover updated the workgroup on efforts to oppose Net Energy Metering 3 (NEM3) the Investor Owned Utilities (PG&E, SDG&E, So.Cal Edison) proposal to reduce and restrict payments to residential and business solar electricity generators using the utility grid. The Mendocino BoS will consider opposing NEM3 at its Tuesday, December 7th meeting (agenda item 5f). GRI members were urged to contact their Supervisor before or on the day of the meeting to encourage them to oppose NEM3. David Rosenberg, with the statewide organization Solar Alliance, has agreed to answer questions Supervisors may have regarding the reasons for opposing NEM3. His organization reports that over a hundred thousand letters and communications have been sent to the Cal. Public Utility Commission and/or the Governor & State Officials asking them to deny the Investor Owned Utilities (IOU)

proposal to increase costs and decrease revenues paid to small solar electricity producers supplying electricity to the state's grid.

- A. Bruce Broderick commented that he believes by expanding solar and battery system on residences and businesses we could and should make the IOUs irrelevant to our economy and well being.
  - B. Carrie asked what GRI members can do to help secure the BoS opposition to NEM3 at their meeting on December 7th?
  - C. Jim Schoonover responded send letters, emails and messages to Supervisors between now and the meeting showing public opposition to NEM3. He will contact Supervisor Gjerde to coordinate GRI activities to oppose NEM3.
- III. Peter McNamee reported the Bd of Supervisors (BoS) will discuss and consider action on an energy audit report prepared by the WillDan company on Tuesday, December 7th. The BoS will also hear information from the County's General Services staff regarding actions to reduce the county's carbon emissions to net zero. Peter encouraged all GRI members to send letters, emails and messages to the Supervisors incorporating their ideas, thoughts and suggestions regarding the WillDan report. A copy of the preliminary WillDan report has been previously shared with GRI members and environmental activists. Peter said he would forward a copy to anyone that requests one. WillDan's report provides two options - the county could spend \$500K on retrofitting county buildings to conserve energy and to incorporate solar, which would produce cost savings estimated to be \$3.3 million over thirty years OR the county could invest the \$2 million its set aside for carbon reduction efforts in energy conservation retrofits and to utilize alternative clean electricity which would not produce any additional savings but would reduce the county's carbon emissions.
- A. George Reinhardt commented that it is more important to reduce carbon emissions than to just save energy costs. He intends to send a message to the Supervisors expressing the importance of carbon emissions reduction even if it raises overall operating costs.
  - B. Marcy Snyder also expressed her opinion that decisions about Carbon Emission reduction should not be about cost savings or energy revenues to the county. The most important problem we face is climate change driven by green house gas emissions.
  - C. Lore' McLaren emphasized that GRI should be suggesting and supporting sensible workable climate action solutions that can be acted upon by the BoS.

- IV. Susan Nutter provided a brief update on work to date identifying and encouraging progressive environmental candidates to run for the Fort Bragg City Council. She reported that several individuals that potentially could be candidates have been identified and that a group of local activists in Fort Bragg were meeting regularly to begin building a foundation for a successful effort to elect a majority of environmental progressives in next years city council elections.
- V. The time set aside for the meeting having elapsed, following Susan's report the workgroup decided to adjourn the meeting. The next meeting of the workgroup is scheduled for Saturday December 11th.