



STAFF REPORT	
SUBJECT: Discussion and Consideration of Interim Policies and Procedures Manual for Tribal Consultation	MEETING DATE: May 4, 2023
SUBMITTED BY: Alan D. Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL:

The City Council is being asked to consider amending the City’s current environmental guidelines to include more detail on management of tribal cultural resources and consultation.

BACKGROUND/DISCUSSION:

In 2016 the City adopted a set of environmental guidelines, including Appendix O “Native American Tribal Consultation Program”. While this is only one small part of the guidelines, it was in part, to implement the requirements of AB 52 from 2015. In October of 2022 staff brought proposed updates to the policy to the Council for consideration. At that time the Council asked the policy to be brought back after additional time for the tribes to respond.

Historically, there have been three tribes with connections to ancestral lands within the City of Clearlake boundaries; the Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, the Koi Nation of Northern California, and the Middletown Rancheria of Pomo Indians of California. While in large part consultation and coordination between the City as lead agency and the tribes has worked quite well, more recently new staff within the tribal environmental community have resulted in a inconsistent, confrontational, and difficult approach to complete projects. Staff believe that by adopting a more comprehensive policy framework related to tribal cultural resources would result in more predictability, less room for disagreement, and a more streamlined and economic project completion.

The interim policy before you is not the more complete version that is desired, but would help in providing some framework while a more detailed policy is established with tribal involvement.

OPTIONS:

1. Adopt Volume 1: Interim Tribal Consultation Standard Operating Procedures Manual & Tribal Consultation and Monitoring Rate Policy
2. Provide alternative direction to staff.

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

- Attachments:**
 - 1) Volume 1: Tribal Policy
 - 2) Tribal Pay Policy