



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Discussion and Consideration of Amendments to the City's Environmental Guidelines to Include Internal Guidance for Management of Tribal Cultural Resources and Consultation

MEETING DATE: Oct. 20, 2022

SUBMITTED BY: Alan D. Flora, City Manager

PURPOSE OF REPORT: ☐ Information only ☒ Discussion ☒ 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.

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 draft policy before you is adapted from several similar policies adopted within the past few years by various California municipalities. This includes Volume 1, the policy framework (to be adopted by the Council) and a Volume 2, internal implementation guidelines, which direct staff on specific steps towards implementing the policy framework.

While this policy framework is well vetted with tribes in California, it has not been discussed with any Lake County tribes. The Council may wish to pursue this discussion, however staff believe at a minimum an interim policy is needed to guide staff in tribal relations.

OPTIONS:

1. Adopt Volume 1: Tribal Policy
2. Adopt volume 1: Tribal Policy as interim guidance and direct staff to work with local tribes to gather feedback on the policy prior to final future adoption.
3. 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:** Volume 1: Tribal Policy