

Open Space and Habitat Commission Minutes

Monday, May 2, 2016

Community Chambers Conference Room, 23 Russell Boulevard, 6:30 p.m.

Commissioners Present:	Patrick Huber (Chair), Roberta Millstein, Rachel Aptekar, Colleen Rossier, Greg House (Vice Chair), Marc Hoshovsky
Commissioners Absent:	Helena Chung, Jason Bone (Alternate)
Commission Liaisons:	Lon Payne, Recreation and Park
Assigned Staff:	Tracie Reynolds
Council Liaison:	Lucas Frerichs

1. Call to Order & Roll Call

Commissioner Huber opened the meeting and everyone in the room introduced themselves. Commissioner House arrived at the meeting during brief announcements.

2. Approval of Agenda

On a motion by Commissioner Aptekar, seconded by Commissioner Rossier, the Commission voted 5-0-3-0 to approve the agenda (Ayes -- Huber, Millstein, Aptekar, Hoshovsky, Rossier; Noes – None; Absent – House, Chung, Bone; Abstentions – None).

3. Brief Announcements from Staff, Commissioners, and City Council Liaisons

Tracie Reynolds, staff to the Commission, introduced Chris Gardner, the City's new Open Space Lands Manager. Mr. Gardner gave a brief overview of his background and qualifications for the position, and expressed his eagerness to work with the Commission on enhancing the City's open space lands. Ms. Reynolds added that she and Mr. Gardner intend to start working on management plans for key open space areas and establish a working group with other City staff involved in maintaining the City's lands in an effort to improve communication and effectiveness.

Ms. Reynolds also mentioned that this meeting was Commissioner Rossier's last meeting. Commissioner Rossier said she was honored to serve on the Commission and would miss the Commissioners and all the good work they were doing. Commissioners said she would be missed and wished her the best in her new endeavors.

Ms. Reynolds also mentioned that she would be giving the Commission an update on the Measure O budget and a possible public accessibility grant for South Fork Preserve at the next Commission meeting.

Lucas Frerichs, liaison to the City Council, welcomed Chris Gardner and informed the Commission that the release of the public review draft of the Yolo Habitat Conservation Plan/Natural Communities Conservation Plan would likely be delayed a few months. The original target release date was July 2016.

4. Public Comment

Matt Williams, a member of the public, asked staff when the public could see the consultant's report summarizing the feedback received during the recent open space public outreach effort. He said he hoped the momentum initiated by this outreach effort could continue. Taryn Cadena of the Yolo Land Trust reminded the Commission that May 5 was the "big day of giving" for charities and non-profits in Yolo County.

5. Consent Calendar

The only item on the consent calendar was to approve the Commission's April 4, 2016 minutes. On a motion by Commissioner Rossier, seconded by Commissioner Aptekar, the Commission voted 5-0-2-1 to approve the April 4, 2016 minutes (Ayes -- Huber, Millstein, Rossier, Aptekar, House; Noes – None; Absent – Chung, Bone; Abstentions – Hoshovsky).

6. Regular Items

Presentation and Discussion -- Update on the North Davis Riparian Corridor Restoration Project

Stephen McCord, McCord Environmental Inc., gave the Commission a presentation about the North Davis riparian corridor restoration project, which is nearing completion. A summary of that presentation (See Attachment 1) follows.

Only a few years ago, the 1.25-mile North Davis stormwater conveyance channel was mostly a hotbed for invasive weeds. Today, one will see a diverse medley of native plants in full bloom, native grasses sprouting up along the embankments, and colorful new interpretive panels informing visitors about the birds, bees and butterflies that call the channel home. The dramatic transformation is the result of a \$758,000 state grant and a successful collaboration between the City, the Putah Creek Council, the Yolo Resource Conservation District (“Yolo RCD”), the Center for Land-Based Learning, and a dedicated army of community volunteers who helped design and implement this innovative project.

Now known as the North Davis Riparian Greenbelt, the transformed waterway now provides a myriad of ecological benefits for wildlife and 17 acres of nature on the City’s urban edge for residents to enjoy. Most of the grant money was spent on removing non-native species of plants and grasses and replacing them with a diverse community of native species. There’s an array of plant types that offer year-round visual interest (e.g., flowering patterns that extend through different seasons). These plants also offer wildlife habitat, like the milkweed being planted by UCD researchers in an effort to attract more Monarch butterflies to the channel. There are also “stations” along the channel featuring interpretive panels that highlight different topics, such as water flow, native pollinators, local birds, and native grasses that are good alternatives to traditional turf.

Maintenance of the channel is currently being done by Yolo RCD staff and community volunteers. Once the grant money completely runs out, the maintenance of the channel will be done by the City and community volunteers. The restoration project was designed to not increase the City’s maintenance cost for the channel. The channel is maintained by the City’s Public Works Department. Public Works crews will be maintaining the channel differently than they did before the restoration project, but the total cost of channel maintenance will remain the same. The grant money for this project was provided through the California Natural Resources Agency (on behalf of the Strategic Growth Council) under Proposition 84 -- the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Mr. McCord said he planned to give a similar presentation to the City Council in May or June. He said he was looking into additional grants to enhance and extend this project.

Presentation and Discussion – Overview of the City of Davis’s Agriculture Mitigation Policy

Tracie Reynolds, staff to the Commission, gave the Commission a presentation on the City’s agriculture mitigation policy. A summary of that presentation (See Attachment 2) follows.

The City’s agricultural land mitigation requirement is part of the City’s Right to Farm and Farmland Preservation Ordinance, passed by the City Council in 1995. Under the City’s agricultural land mitigation requirement, developers must permanently protect at least two acres of agricultural land somewhere within the Davis Planning Area to “mitigate” for every acre of agricultural land they convert to urban uses (i.e., the 2:1 requirement). Permanently protecting the land means either buying it outright or buying a conservation easement on the land. The developer may satisfy up to 50% of the agricultural land mitigation requirement by paying an in-lieu fee based on the appraised value of agricultural land near the city limits.

Developers must first preserve the land directly adjacent to their project (the “Adjacent Mitigation Land”). If the developer cannot protect this land for some reason, then the developer must provide the Adjacent Mitigation Land on the development site itself. The Adjacent Mitigation Land must be of a size that is economically viable as farmland (i.e., it must be a minimum 1/4 mile in width). Developers do not have to mitigate for the land being used as the required on-site agricultural buffer.

If this Adjacent Mitigation Land is not enough to satisfy the 2:1 agricultural land mitigation requirement, then the developer must look to comparable land elsewhere within the Davis Planning Area (the “Remainder Mitigation Land”).

Incentives, or location-based “credits,” are provided to the developer to protect land in areas targeted for permanent protection by the City, such as land within a ¼ mile of the city limits and land within “priority acquisition areas” as determined by the City Council. These priority acquisition areas currently include land adjacent to the city limits, land separating the City from neighboring cities, and land providing particular agricultural, biological/natural and/or scenic benefits. Ms. Reynolds then discussed a hypothetical example where, due to the location-based factors or “credits,” the actual acreage protected can be significantly more than twice the acres being developed.

She said the City Council strengthened the City’s agricultural land mitigation requirement in 2007. Since that time, there hasn’t been a development project that has had to implement the requirement. The Wildhorse, Evergreen, and El Macero Estates developments all were built under the City’s pre-2007 agricultural land mitigation requirement, which required developers to protect the same number of acres that were being developed (1:1, or 1-for-1) and/or pay an in-lieu fee. The Cannery development was zoned for industrial development so the City’s agricultural land mitigation requirements did not apply. The Covell Village development complied with the post-2007 agricultural land mitigation requirement, but the project was ultimately denied by Davis voters, so the proposed agricultural land mitigation plan was never implemented.

If passed by Davis voters, the Nishi Gateway Innovation District project (“Nishi”) would be the next project to have to comply with this requirement. She said Nishi totals about 47 acres, including a portion of the Putah Creek Parkway. Because Nishi is surrounded by urban development, it is not possible for the developer to provide Adjacent Mitigation Land. The project’s Remainder Mitigation Land has not been identified, but the City Council has stipulated that it cannot be City-owned land. When Nishi’s proposed agricultural land mitigation plan is finalized, the plan will be presented to the Open Space and Habitat Commission for its consideration and then to the City Council for its approval. Ms. Reynolds said she intended to give a similar presentation to the City Council in May.

7. Commission and Staff Communications

Commission Work Plan

Tracie Reynolds, assigned staff to the Commission, said the City wanted all the commissions to approve work plans in June so that the new City Council could see how the commissions’ work plans aligned with the City Council’s goals for the year. Several commissioners expressed concern that June was the wrong time of year for the Commission to approve its work plan, given that four members’ terms expired in September and the Commission had not updated its acquisition priorities based on feedback received from the community during the recent public outreach effort. Instead, commissioners agreed to review the previous workplan and discuss it further at the June meeting.

Upcoming Meeting Date, Time, Items

The next meeting is June 6, 2016. Possible agenda items include a discussion of a burrowing owl recovery plan, a discussion of the proposed Measure O budget for fiscal year 2016-17, a discussion of the draft Cannery Farm lease terms, and a presentation of the results from the recent open space outreach effort, including the March 9 workshop.

Upcoming Events

Upcoming events discussed included a community discussion on wild turkey management scheduled for May 4, 2016 from 6:00 p.m. to 8:00 p.m. at the Davis Senior Center at 646 A Street.

Working Groups

- *Grant Guidelines – Restoration Projects.* Commissioner Hoshovsky, head of the working group on this subject, said the draft of the guidelines was still awaiting City feedback. Ms. Reynolds said the ball was in her court and that she hadn’t had a chance to review the draft yet.
- *Community Farms.* Commissioner House, head of the working group on this subject, expressed frustration about the state of his working group. He said the other two members of his working group have either resigned from the Commission or have stopped coming to meetings. He said his term on the Commission was up in September and he wasn’t sure if he was going to request an extension of his term. Several Commissioners said it would be a huge loss to the Commission if he didn’t request an extension of his term. He also said he was considering a

proposal to integrate habitat for burrowing owls and other species into an agriculture operation on the City's 25 acres along Mace Boulevard. The Commissioners present expressed support for such an idea.

- *Native Pollinators.* Commissioner Huber, head of the working group on this subject, said he was working to schedule a meeting of this working group to discuss some of the feedback received at the restoration table during the March 9, 2016 open space workshop.
- *Public Forum.* Tracie Reynolds, assigned staff to the Commission, said the City's consultant was working on the draft report summarizing the feedback received from the workshop, the two focus groups, and the on-line survey (400 responses received). This draft report will be presented to the Commission in June, she said. This report will be used to update the 2002 Acquisition and Management Plan. Ms. Reynolds said she would work to update this plan over the summer and bring a draft to the Commission for review in the fall. Once approved by the Commission, it will go to the City Council for consideration.
- *Open Space Website.* Commissioner ~~Millstein~~~~Bone~~, speaking on behalf~~head~~ of the working group on this subject, said there was nothing to report.
- *Open Space Signage.* Tracie Reynolds, assigned staff to the Commission, said there was nothing to report.

Commission Liaison Reports

- *Recreation and Park.* Lon Payne, the Commission's liaison to the Recreation and Park Commission, said his Commission recently received an annual report from the City's Integrated Pest Management specialist. As part of this discussion, he said his Commission had voted to recommend to the City Council that the City Council establish a 2x2x2 working group to investigate the feasibility of banning insecticides containing neonicotinoids and the herbicide glyphosate on City property. That 2x2x2 working group would be comprised of commissioners from the Recreation and Park, Natural Resources, and Open Space and Habitat Commissions. He asked that the Commission take a similar vote at its next meeting. Commissioners expressed an interest in doing so and in also receiving an annual report from the City's Integrated Pest Management specialist.
- *Finance and Budget.* Commissioner Chung, the Commission's liaison to the Finance and Budget Commission, was absent so no reports were given. Matt Williams, a Finance and Budget Commissioner, said he could see why the developers backed out of the proposed Mace Ranch Innovation Center ("MRIC") project. He said the proposed MRIC project was only generating a 5% rate of return to the developers, due to infrastructure costs and various impositions the City was placing on the proposed project.
- *Sports Complex Task Force.* Commissioner Bone, the Commission's liaison to the task force, was absent so no reports were given.

8. Adjourn

The meeting was adjourned at approximately 9:35 p.m.

Attachments:

- Attachment 1: Summary of North Davis Riparian Corridor Restoration Project
- Attachment 2: Summary of City's Agriculture Mitigation Requirements

Attachment 1 to May Minutes
North Davis Ditch Project At a Glance

Beginnings

- **This project started in about 2007** when community member, **Mark Woerner**, found inspiration during a run along the American River Parkway trail and realized that he could bring a “nature nearby” experience to the “ditch” near his home. In 2008, with the blessing of the City of Davis, he started planting native plants in the channel.
- **Putah Creek Council (PCC)** wanted to conduct a habitat enhancement project near Davis and submitted a proposal in 2010 to the **California Strategic Growth Council’s (SGC) Urban Greening for Sustainable Communities Program**. The SGC is a partnership of the California Natural Resources Agency, California Environmental Protection Agency, California Business, Transportation and Housing Agency, California Health and Human Services Agency and the Governor’s Office of Planning and Research.
- The majority of funding for the project has come from **Proposition 84 – The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006**. There has been substantial **matching in-kind funding by community volunteers** and also the **Yocha Dehe Community Fund (\$8K) and NFWF (\$40K)**.



PARTNERS/FUNDING

- **Putah Creek Council** – Project applicant, grant administrator, community planning and facilitation and community stewardship
- **City of Davis** – Municipal partner/sponsor/fiscal agent
- **Yolo County Resource Conservation District** – Habitat restoration design, implementation and maintenance
- **McCord Environmental, Inc.** – Project management, technical consultation, community planning, environmental compliance and permitting
- **Northwest Hydraulic Consultants** – Hydrologic study and analysis
- **Great Valley Design** – Design of demonstration gardens
- **Center for Land-Based Learning, SLEWS Program** – High School community stewardship
- **Yocha Dehe Wintun Nation** – Funding for community stewardship through the Yolo Creek and Community Partnership
- **Wells Fargo Environmental Solutions for Communities Grant** – Funding for community stewardship through National Fish and Wildlife Foundation (NFWF)

MULTIPLE PROJECT BENEFITS

- **Expands and enhances community green space** in an area that already mimics a natural system
- **Decreases air and water pollution**
 - Reduced fire hazard
 - Reduced urban and farm pollutant and sediment transport to Yolo Bypass and Delta
- **Reduces consumption of natural resources and energy**
 - Encourages non-motorized travel
 - Very low maintenance of native vegetation
 - Community members learn how to install drip irrigation, plant water-wise natives
 - Demonstration gardens
 - Shading, windbreak helps reduce need for summer cooling and winter heating of nearby houses
 - Reduced water use in demonstration gardens
- **Increases adaptability of climate change**
 - Increased evaporative cooling from installation of multi-story, native perennial riparian tree, shrub and grassland vegetation.
 - Native plant and wildlife riparian habitat movement corridor adjacent to Putah Creek and Yolo Bypass will provide increased connectivity between the Coast Range and Great Central Valley.

North Davis Ditch Project At a Glance

OTHER PROJECT BENEFITS

- **Provides awareness that quality habitat can be created in unexpected urban spaces!**
- Promotes infill development and community equity by serving high-density and disadvantaged communities.
- Protects environmental and agricultural resources by enhancing native riparian habitat and protecting and supporting adjacent working farmland.
- **Provides opportunity for community interaction, cooperation, stewardship and education – volunteers are important!**
- Is consistent with and supports local and regional planning: City of Davis and Yolo County General Plans, Yolo Natural Heritage Program, Greenprint Initiative and Model and Central Valley Joint Venture.
- **Pulls together a great group of conservation partners** and highlights what can be accomplished with differing abilities, talents and pooled funding
- **Demonstrates creation of backyard habitat and the importance of cumulative benefits of small projects/spaces.**



The North Davis Riparian Greenbelt Project **creates ~ 17 acres (1.25 linear miles) of publically accessible riparian habitat** in an urban storm water- farm runoff channel and benefitting agriculture, water quality, local residents and wildlife. **The project will mimic natural ecological functions and create “nature nearby” for area residents and wildlife.**

ACCOMPLISHMENTS TO DATE

- The Davis community has come out in massive waves of support for this project. Residents have served on advisory committees and helped plan, select plants, clear brush, install irrigation, plant trees, shrubs and grasses and irrigated, mulched and weeded the plantings!
- **In 2013, PCC hosted 8 public forums** go get community input on the project design.
- **Two standing advisory committees** continue to work on the project with the project team.
- **90 Davis 6th graders** helped plant along the ditch and learned about water quality and storm water.
- **Two high school classes**, led by the SLEWS Program, have volunteered 750 hours of planting time.
- **In 2014 and 2015, 28 PCC summer interns** volunteered nearly 300 hours of time mulching, weeding, pruning and clearing brush.
- Since October 2013, nearly **600 community volunteers** and **UC Davis students** have attended **75 stewardship events** hosted by PCC and **volunteered an additional 1500 hours** toward the project.
- **The value of the volunteer time on this project is currently \$148,058** and it will go higher with reporting of additional volunteer time during the past year (project management, Monarch study, irrigators, etc.).

City of Davis Ag Mitigation Policy

Genesis of Ag Mitigation Policy

- 1995 -- City Council approved the Right to Farm and Farmland Preservation Ordinance, the first municipal ordinance of its kind
- Purpose of ordinance:
 - To preserve and encourage ag land uses and operations
 - To reduce the occurrence of conflicts between ag and non-ag uses
 - To limit the circumstances under which ag operations may be deemed a nuisance
- Two key implementing tools:
 - **the ag mitigation requirement**
 - Required developers to permanently protect the same number of acres that they are developing (1:1) and/or pay an in-lieu fee
 - **the ag buffer requirement**
- 2007 -- City Council strengthened the ag mitigation requirement



Money

(Measure O Parcel Tax, Mitigation & Impact Fees)

- Leverages grants to acquire land and easements with willing sellers at fair market value
- Purchases land and easements to protect farmland and habitat areas

Attachment 2 to May Minutes



Measure J/R Vote

- Gives community the ability to weigh in on development proposals on the City's edge
- Addresses development at the City's edge

Ag Mitigation Requirement

- Requires developers to permanently protect at least twice the ag land converted to urban uses
- Incentivizes developers to protect ag land at the city's edge



Ag Buffer Requirement

- Addresses potential conflicts between urban & rural land uses
- Supports farming adjacent to urban uses; thereby helping to protect ag land at the city's edge

How does ag mitigation work?

- Applies to projects that change the zoning or land use from ag to non-ag
- Mitigation = at least 2 acres of protected ag land for every 1 acre of land converted from ag to non-ag uses (2:1)
- Mitigation is directed to areas that are under threat of conversion
 - adjacent mitigation
 - remainder mitigation
- Location-based factors may result in ratios greater than 2:1
- Developers do not have to mitigate for the acres used as the ag buffer

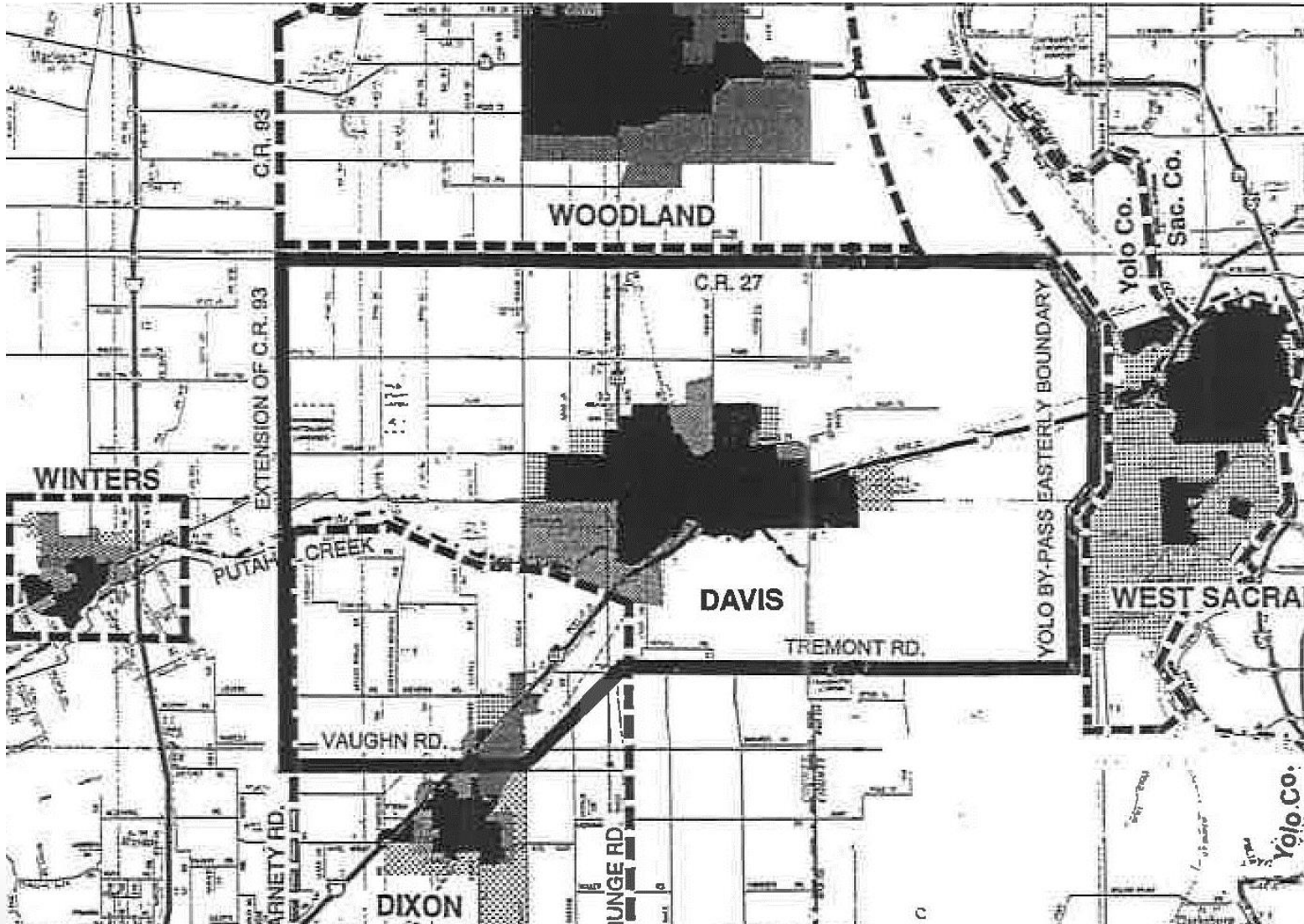
Adjacent Mitigation Land

- Located along the entire **non-urbanized perimeter of the project**
- Must be a minimum of 1/4 mile in width
- Land counts 1:1 toward 2:1 ag mitigation requirement

Remainder Mitigation Land

- Can be located anywhere within the Davis Planning Area, but **more “credit” is given to land located closer to the city limits**
- For example, if mitigation land is located:
 - adjacent to city limits and within $\frac{1}{4}$ mile of city limits (2:1)
 - adjacent to the required adjacent mitigation land (1:1)
 - within city-designated priority open space acquisition areas (1:1)
 - elsewhere in the Davis Planning Area (0.2:1)
- Up to 50% may be satisfied by paying an in-lieu fee

Davis Planning Area



What qualifies as remainder mitigation land?

- Must be within the Davis Planning Area
- Must have **comparable soil** quality/capability/type
- Must have **comparable water** quality/supply
- Must be **developable** (i.e., it is not subject to any easements, contamination, or physical conditions that would make it impossible to develop)

Example

Example: If a development project converts 500 acres of ag land to non-ag land						
Acres of ag land developer's project converts to non-ag land:				500		
Acres developer needs to satisfy the 2:1 ag mitigation requirement:				1,000		
				Acres that count toward the ag mitigation requirement		
First -- Land Adjacent to Project				Actual acres developer protects		
				Applicable ratio		
Acres adjacent to project; along non-urbanized perimeter of project				1:1	200	200
Second -- Land Not Adjacent to Project						
Acres adjacent to city limits and within ¼ mile of the city limits				2:1	200	400
Acres adjacent to the required minimum adjacent mitigation land				1:1	0	0
Acres within city designated priority open space acquisition areas				1:1	200	200
Acres elsewhere in the Davis planning area				0.2:1	1,000	200
Total					1,600	1,000

Has it been used yet? No.

- **Wildhorse, Evergreen, El Macero Estates** – all built under pre-2007 ag mitigation policy
- **The Cannery** – was zoned industrial
- **Covell Village** – was denied by Davis voters

Nishi Gateway Innovation District

- 47 total acres (including a portion of Putah Creek Parkway)
- **Adjacent mitigation land** is not possible
- **Remainder mitigation land** (and/or in-lieu fee)
 - Has not been identified yet
 - Cannot be City-owned land
 - Is subject to approval by City Council, upon recommendation by the Open Space and Habitat Commission

City of Davis Ag Mitigation Policy

Yolo County Ag Mitigation Policy

- If development converts **100 acres of Prime Farmland**, the mitigation options are:
 - 100 acres within $\frac{1}{4}$ mile of City Sphere of Influence
 - 200 acres in the area bounded by County Roads 27, 29, 98 & 102
 - 300 acres within 2 miles of City Sphere of Influence

- If development converts **100 acres of Non-Prime Farmland**, the mitigation options are:
 - 100 acres within 1 mile of City Sphere of Influence
 - 100 acres in the area bounded by County Roads 27, 29, 98 & 102
 - 200 acres within 2 miles of City Sphere of Influence

Comparison to City Policy

	Yolo County	City of Davis
Mitigation Ratios	1:1 to 3:1	1:1 to 5:1
Mitigation Areas	Focused outside future growth areas	Focused adjacent to city limits
Distinguishes between prime and non-prime farmland	Yes	No

