

**Open Space and Habitat Commission Minutes**  
**Monday, September 12, 2022**  
**Remote Audio and Video Meeting Participation, 6:30 p.m.**

Commissioners Present: Ramiro Cabanillas-Ledesma, Patrick Huber, Patricia Price, Carrie Shaw (Chair), Emma Torbert, Marc Vayssieres (Vice Chair), and Sara Geonczy (Alternate)

Vacant Positions: None

Commissioners Absent: Lindsay Correa

Assigned Staff: Tracie Reynolds, Manager, Open Space Program (Present)

Council Liaison: Will Arnold (Regular) (Absent), Lucas Frerichs (Alternate) (Absent)

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**1. Call to Order & Roll Call**

Commissioner Shaw opened the meeting after a quorum was achieved and called roll call.

**2. Approval of Agenda**

On a motion by Commissioner Vayssieres, which was seconded by Commissioner Huber, the Commission voted 7-0-1-0 to approve the September 2022 meeting agenda (Ayes – Cabanillas-Ledesma, Geonczy, Huber, Price, Shaw, Torbert, Vayssieres; Noes – None; Absent – Correa; Abstentions – None).

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

Tracie Reynolds, staff to the Commission, said that the City submitted a grant application to the California Department of Conservation on September 9 for grant funding related to the possible acquisition of an agricultural conservation easement on 120 acres of farmland located near the intersection of County Roads 104A and 30. She said the application included resolutions of support from the Davis City Council and the Yolo Land Trust's Board of Directors. A site visit with state representatives is scheduled for September 20, she said. The Commission supported pursuing the acquisition of this easement in two separate motions in March and May, she said. The City will find out in December if it was awarded the grant, she said.

Ms. Reynolds also said that City staff and representatives from UC Davis had spent the summer finalizing a letter of intent and access easement related to the collaborative habitat restoration project on UC Davis land that both parties have been working on over the last several months. She said she hoped to bring the letter of intent and access easement to the City Council for approval very soon. She said she will also be asking the City Council for approval to issue a Request for Proposals for a habitat designer/engineer to design the project and prepare the construction drawings.

Ms. Reynolds also said that the City was partnering with Yolo County to clear out vegetation along one section of the old North Fork of Putah Creek between Drummond Lane and Mace Boulevard. Most of this land is still owned by the County, she said. Crews, including the California Conservation Corps, will be clearing out vegetation today and tomorrow to reduce wildlife risk in this area, she said. Both parties, she said, will take every precaution to mitigate impact on wildlife. The project team will have trained wildlife spotters on hand, who will monitor trees and the work area for animal habitat, and the City's Wildlife Resource Specialist will also be on hand to assist in this effort, she said. The work will be occurring outside of nesting season for birds, she said.

#### **4. Public Comment**

There was no public comment.

#### **5. Consent Calendar**

There was one item on the consent calendar: approval of the June 6, 2022 regular meeting minutes. On a motion by Commissioner Price, which was seconded by Commissioner Vayssieres, the Commission voted 7-0-1-0 to approve the consent calendar (Ayes – Cabanillas-Ledesma, Geonczy, Huber, Price, Shaw, Torbert, Vayssieres; Noes – None; Absent – Correa; Abstentions – None).

#### **6. Regular Items**

##### **Action Item – Make recommendations related to developer-requested changes to certain Conditions of Approval for the Bretton Woods development**

Ms. Reynolds provided the Commission with a summary of the information contained in the staff report for this item. She read the two Conditions of Approval (“COAs”) that were in question, COA 6.A.5 and COA 30.C.8, which discuss habitat requirements for the box culverts that will be installed in drainage channels north and south of the development. The COAs, she said, require the box culverts to have “natural creek bottoms” and one or more ledges to allow for the below-grade passage of various wildlife species. These requirements were previous recommendations of the Commission that were incorporated into the COAs, she said. J. David Taormino, the person who has applied for amendments to the Bretton Woods COAs, was asking to have the language referring to the natural creek bottoms and the wildlife ledges removed from the COAs, she said.

She said staff was recommending that the language in the COAs requiring natural creek bottoms be removed from the COAs. She said City staff objected to natural bottoms because the silt and soils will encourage vegetation growth within the culvert which could impede water flows and create maintenance problems. Various alternatives were investigated, like concrete stamped with a rock pattern, but none of these alternatives were workable, she said. For this reason, staff was recommending that this requirement be removed from the COAs.

She said staff was recommending that the language in the COAs requiring one or more wildlife ledges remain in the COAs because (1) the applicant committed to them as part of the project’s habitat features, (2) the City’s Wildlife Resource Specialist, John McNerney, supports them as a widely used and reasonably inexpensive way to prevent wildlife deaths when the vegetated drainage channels contain water, and (3) they will have a relatively slim design and be placed above the ordinary high water mark to help reduce the possibility of debris blockages. She said Mr. McNerney unfortunately was not available this evening but would be available for the Commission’s October meeting should the Commission wish to discuss this issue in further detail.

Mr. Taormino said he was happy that staff was recommending removing the language in the COAs requiring natural creek bottoms because the current alternative, concrete stamped with a rock pattern, was too expensive and wouldn’t provide any benefit to wildlife. He said he still disagreed with staff about the wildlife ledges. He said he was willing to install one wildlife ledge on the northern bank of the southern channel on Covell Boulevard, but that a second wildlife ledge on the southern bank of this channel was not feasible. He also said that any ledges within the culverts on the northern channel were unnecessary because there would be no vehicular traffic in this area. He said he would be open to providing an above-ground tunnel of some sort above the culvert on the northern channel.

Commissioner Shaw then asked if Commissioners had any clarifying questions. Commissioners asked for clarification on (1) where these culverts would be located and how big they would be, (2) where the project's roads and fencing were located, (3) how often water would be in these channels, and (4) how these channels functioned as wildlife corridors.

Commissioner Shaw then took public comment. There was no public comment. Commissioner Shaw then closed public comment and the Commission discussed this item. Commissioner Huber gave a short presentation to the Commission about his research and knowledge about wildlife ledges, citing several studies showing that dry ledges in culverts were an effective and affordable way to allow wildlife to travel through a channel when the channel is full of water. He showed a regional map that depicted the wildlife corridor that runs next to the Bretton Woods project, from County Road 95A all the way out to the Yolo Bypass. He said Mr. Taormino's recent "woefully uninformed media campaign" made him reluctant to give Mr. Taormino the benefit of the doubt. He said he would like to better understand why a ledge was not feasible on the southern bank of the channel along Covell Boulevard. He said he would like the Commission to finalize its thoughts about the wildlife ledges at the October meeting when Mr. McNerney is available to answer technical questions.

Other topics discussed included (1) the potential cost of manufacturing and installing these ledges, (2) whether the Commission should wait to hear from Mr. McNerney, and (3) whether a site visit for some Commissioners would be useful. Commissioner Shaw then made the following motion: "The Commission suggests that the City drop the requirement for natural creek bottoms for the two culvert locations and that the City Engineer and developer agree on the culvert design, and the Commission defers its decision of the culvert ledges for animal passage to its October meeting." Commissioner Vayssieres seconded the motion. After some additional discussion, Commissioner Shaw withdrew her motion and made the following substitute motion: "*The Commission recommends that the Planning Commission remove the words 'include a natural creek bottom' from Condition of Approval 6.A.5 and remove the words 'natural bottom and' from Condition of Approval 30.C.8, as shown in the staff report.*" Commissioner Vayssieres seconded the motion. The Commission voted 7-0-1-0 to approve the above motion (Ayes – Cabanillas-Ledesma, Geonczy, Huber, Price, Shaw, Torbert, Vayssieres; Noes – None; Absent – Correa; Abstentions – None).

The Commission deferred making a motion on the culvert wildlife ledges until the October meeting, so that Commissioners could have an opportunity to discuss the ledges with Mr. McNerney. The Habitat Restoration and Enhancement subcommittee agreed to visit the site before the October meeting.

### **Discussion Item – Discuss possible comments on the Climate Action and Adaptation Plan Update**

The Commission heard a brief presentation on this topic from Commissioner Price, who is the Commission's liaison to the Natural Resources Commission ("NRC"), which is the City commission providing recommendations to the City Council on the Climate Action and Adaptation Plan ("CAAP") update. She said she wanted to discuss with the Commission whether it wanted to make comments on the CAAP as a body. Comments are due October 10, she said.

She said she attended a special meeting of the NRC on August 29 to discuss the draft document and she recommended that the 2030 Strategic Plan for the Open Space Program be included in the CAAP since it offers several opportunities for greenhouse gas mitigation beyond creating and implementing carbon farm plans on City-owned agricultural land. But there are other comments the Commission might make, she said, such as (1) what language can be added to the draft plan to

encourage collaboration and cross-pollination between and among City departments, (2) whether the action items related to carbon farm plans were realistic and achievable given the timeline, (3) whether additional staffing might be required to effectively implement these action items, and (4) whether the Open Space Program should be included in action items related to the City's urban forest and green stormwater infrastructure.

Commissioner Shaw asked if Commissioners had any clarifying questions. There were no clarifying questions. Commissioner Shaw then took public comment. There was no public comment.

Commissioner Shaw then closed public comment and the Commission discussed this item. Topics discussed included (1) how the City's tenant farmers would be included in the discussions about implementing carbon farm plans, and (2) what subset of the City's inventory of agricultural land was considered open space. The Land and Resource Management subcommittee agreed to meet to discuss the Howat carbon farm plan. The Commission deferred making a motion on this topic until the October meeting.

**Discussion Item – Determine whether staff should prepare a preliminary acquisition report related to the possible acquisition of an agricultural conservation easement on 217 acres located near the intersection of Hamel Lane and Slayback Ranch Lane**

Ms. Reynolds gave the Commission a brief presentation about this possible agricultural conservation easement. She said the Solano County Planning Department recently sent the City, as a courtesy, the property owner's application to subdivide this parcel into four smaller ranchette parcels. She said she reached out to the property owner to see if he was interested in selling the City an agricultural conservation easement on the 217 acres instead. The property owner said he was interested and that he was in fact partnering with the Solano County Land Trust to submit a grant application to the California Department of Conservation for grant funding to buy a conservation easement on his property, she said. He said getting a tentative map for the four smaller ranchette parcels was a way to increase the value of the conservation easement, she said. She said she met with the property owner and toured the property. He was also willing to discuss a public access easement between the Putah Creek Parkway and the South Fork of Putah Creek, she said. Staff also talked to the Solano County Land Trust and said the City of Davis could be added to its grant application as a possible funder of the application's matching funds, she said. All of these events happened so fast that staff wasn't able to discuss this opportunity with the Commission before now, she said. She asked whether the Commission recommended preparing a preliminary acquisition report for this property.

Commissioner Shaw asked if Commissioners had any clarifying questions. Commissioners asked for clarification on whether staff asked the property owner if he was willing to sell the City the fee title interest to the land inside the levees. Commissioner Shaw then took public comment. Marc Hoshovsky, a former Commissioner, said this was a great opportunity and recommended the Commission ask staff to prepare a preliminary acquisition report. He also wanted more details about the public access and encouraged the City to try to buy the fee title interest to the land between the levees. Commissioner Shaw then closed public comment and the Commission discussed this item.

Commissioner Torbert said she supported the comments about public access and buying the fee title interest to the land between the levees, but did not support the comments about buying one large conservation easement. She said allowing property owners to subdivide their land helps beginning farmers because the parcels are smaller and less expensive. She said the City is supporting big farmers by pursuing large conservation easements like this. She said she is investigating an

alternative farm-preservation model that she heard about in Minneapolis that supports beginning farmers. Commissioner Vayssieres said he was sympathetic to the plight of beginning farmers but these parcels would be ranchette parcels and too expensive for beginning farmers. He said the bigger problem was convincing the property owner to sell a conservation easement. Commissioner Shaw said Measure O, the City's open space parcel tax, is about preserving as much open space as possible, and the money is earmarked for very discrete purposes. Commissioner Torbert then made the following motion: "The Commission recommends that staff explore opportunities to do smaller easements with smaller-scale parcels in a different way than we have done them in the past." Commissioner Price seconded this motion. Commissioner Vayssieres said the City needs to support Measure O and what that money is supposed to be used for. Commissioner Huber said he supports further research but doesn't want to miss easement acquisition opportunities in the meantime. He encouraged the "Ad-Hoc Subcommittee to Improve Diversity, Equity and Inclusion in the City's Open Space Program" to continue its research into options. Commissioner Shaw said the subcommittee should do this research and not staff. She said she recommends that staff prepare the preliminary acquisition report. Commissioner Torbert withdrew her previous motion and put forward the following substitute motion: "The Commission recommends that staff prepare a report that researches a variety of options for preserving the land instead of just the one option that preserves the land so that beginning farmers can never access it again." Commissioner Price seconded this motion.

Commissioner Shaw put forward an alternative motion to Commissioner Torbert's substitute motion. Her alternative motion was "The Commission recommends that staff prepare a preliminary acquisition report on the 270 acres without doing the background research Commissioner Torbert is asking for." No one seconded this motion. Commissioner Geonczy said as a new Commissioner she is less familiar with this subcommittee's work, and that she appreciates the issue Commissioner Torbert is raising, but she thinks the Commission should move on in accordance with Measure O's priorities.

Commissioner Torbert said she would prepare a research report for the next meeting because she believed these easements are making the problem worse. Commissioner Huber recommended that staff prepare the preliminary acquisition report and the subcommittee continue with its work. Commissioner Torbert withdrew her previous substitute motion and put forward the following substitute motion: "*The Commission recommends that staff prepare a preliminary acquisition report on this 270-acre property.*" Commissioner Price seconded this motion. The Commission voted 6-0-1-1 to approve the above motion (Ayes – Cabanillas-Ledesma, Geonczy, Huber, Price, Shaw, Vayssieres; Noes – None; Absent – Correa; Abstentions – Torbert).

### **Discussion Item – Receive an update from staff on the effort to install new signage in all of the City's open space areas**

Ms. Reynolds said she had discussed incorporating more community outreach into this project with the Public Engagement and Partnerships subcommittee. She said the two ideas discussed were (1) giving residents the opportunity to vote on their preferred logo for the City's Open Space Program, and (2) giving UC Davis students the opportunity to design a couple of prototypes for the new logo. Staff reached out to a UC Davis professor over the summer but have not been able to connect in a meaningful way, she said. She said she could try again, but if she doesn't receive a response, she would like to move forward with the request for proposals for a graphics design consultant to design these prototypes and other signage.

Commissioner Shaw asked if Commissioners had any clarifying questions. There were no clarifying questions. Commissioner Shaw then took public comment. There was no public comment.

Commissioner Shaw then closed public comment and the Commission discussed this item. Commissioner Cabanillas-Ledesma said he supported trying to reach the professor one more time. Commissioner Shaw said she also supported trying to connect with the professor one more time and would like an update in October. Commissioner Torbert said she had some examples of circular open space logos that she would send to staff.

## **7. Commission and Staff Communications**

### **Upcoming Meeting Date, Time, Items**

The next regularly scheduled meeting is Monday, October 3. Possible agenda items discussed included a discussion of (1) the wildlife ledges within the culverts at the Bretton Woods development, (2) an update on the Open Space Program budget, (3) a preliminary acquisition report for a possible agricultural conservation easement on 217 acres located near the intersection of Hamel Lane and Slayback Ranch Lane, and (4) possible comments on the CAAP Update.

### **Upcoming Events**

There were no upcoming events.

### **Subcommittee Reports**

1. *Acquisitions*. No reports were given.
2. *Habitat Restoration and Enhancement*. No reports were given.
3. *Land and Resource Management*. No reports were given.
4. *Public Access and Recreation*. No reports were given.
5. *Financial and Program Accountability*. No reports were given.
6. *Public Engagement and Partnerships*. No reports were given.
7. *Ad-Hoc Subcommittee to Improve Diversity, Equity and Inclusion in the City's Open Space Program*. No reports were given.

### **Reports on Meetings Attended**

There were no reports on meetings attended.

### **Climate Action and Adaptation Plan ("CAAP") Update**

The CAAP Update was discussed during Regular Items.

### **Urban Forest Management Plan**

Commissioner Geonczy said she has attended two meetings of the Tree Commission during which this topic was discussed. She said the consultant preparing the draft plan said there are limitations to the data used to create the draft plan, and this fact is creating some challenges. She said the next meeting will focus on updating the plan's goals. She asked Commissioners to reach out to her if there was anything they wanted to convey to the Tree Commission on this topic.

## **8. Adjourn**

The meeting was adjourned at approximately 9:16 p.m.