



Attachment "A"

*SONOMA COUNTY OPEN SPACE ADVISORY COMMITTEE
January 26, 2012 MINUTES*

5:03 p.m. Meeting convened at the District office, 747 Mendocino Avenue,
Suite 100, Santa Rosa, California

Members Present

Janet Orchard	Bill Smith	John Nagle	Karen Bianchi Moreda
Steve Rabinowitsh	Sue Conley	Suzanne Doyle	Shanti Wright
Kristin Thigpen	Laurie Gallian	Jeff Holtzman	Dennis Murphy
Guy Wilson			

Members Absent

Cary Fargo

Staff Present Bill Keene, General Manager; Sheri Emerson, Stewardship Program Manager; Tom Robinson, Conservation Planner; Misti Arias, Conservation Program Manager; Sue Gallagher, Deputy County Counsel; Mariah Robson, Advisory Committee Secretary

Public Attendees Susan Kirks, Ken Wells, Doug Hanford, Ted Hanford, Joanne Harris, John Maitland, Suzanne Smith, Donna Norton

District Staff Kathleen Marsh

Announcement from the Chair

None

Approval of Minutes

Chair Orchard requested any revisions to the minutes of December 15, 2011. No requested revisions. Motion by Laurie Gallian and second by Kristin Thigpen to approve the minutes. Unanimous.

Public Comment

No public comment.

Doug Hanford Resolution

Chair Orchard, Advisory Committee members, members of the public and District staff honored Doug Hanford for 14 years of exemplary service to the Advisory Committee and District. Chair Orchard, Bill Keene and several members and public fondly remembered Doug's contributions over the years. Doug also shared his own memories of serving with several past and present members and District General Managers and staff.

Advisory Committee Administration

Election of Officers:

Chair Orchard opened the process for the nomination of Chair, Vice Chair and Chair Pro Tem. Steve Rabinowitsh made a motion to re-nominate Janet Orchard to continue to serve as Chair, and Bill Smith seconded the motion. Chair Orchard made a motion to re-nominate Laurie Gallian to continue to serve as Vice Chair, and John Nagle seconded the motion. Vice Chair Laurie Gallian made a motion to re-nominate Steve Rabinowitsh to continue as Chair Pro Tem, and Jeff Holtzman seconded the motion. Chair Orchard called for the question.

Ayes: Thigpen, Conley, Wright, Rabinowitsch, Smith, Murphy, Holtzman, Nagle, Orchard, Gallian, Wilson, Doyle, Bianchi Moreda

Noes: 0 Absent: Fargo

Review and Approve Rules of Procedure

The Rules of Procedure were reviewed and Vice Chair Laurie Gallian motioned to change the meeting start time in the Rules from 5:30 to 5:00 since the start was changed at the December 15, 2011 meeting. Dennis Murphy seconded the motion.

Ayes: Thigpen, Conley, Wright, Rabinowitsch, Smith, Murphy, Holtzman, Nagle, Orchard, Gallian, Wilson, Doyle, Bianchi Moreda

Noes: 0 Absent: Fargo

Ad Hoc Subcommittee Assignments

The Matching Grant subcommittee for 2012 was proposed and members were invited to participate. Six designees are needed and the following members volunteered: Suzanne Doyle, Janet Orchard, Bill Smith, Jeff Holtzman, Laurie Gallian (tentative) and Steve Rabinowitsch (tentative). An email will be sent out to the members that were not present for the assignment and may replace Laurie Gallian and/or Steve Rabinowitsch.

Committee Calendar and Roster

The committee will continue to meet on the 4th Thursday of each month, with the new start time for 2012 of 5:00pm. A calendar of the 2012 meeting dates was included in the members' packets, as well as a roster of the 2012 Advisory Committee members.

General Manager's Report

- On January 12, 2012 the BOD's held a strategic planning session to set the priorities for the year. The Board specifically listed the District as an area of focus this year. Other areas of Board focus include maintaining and financing a healthy park system, Williamson Act, Natural Resources Management, and mitigation banks. The Board Chair designated an ad-hoc committee on mitigation banks. Both Grant Davis of the Sonoma County Water Agency and Bill Keene were identified to staff the ad-hoc committee in support of the Board. A full list of these priorities can be found on the Board of Supervisors website.
- Stakeholder's Meetings will be held this coming week to give the District a chance to gather input from stakeholders and the public early in the process. Staff will bring those comments to the February 9th joint meeting of the CAC and FOC.
- The District will be providing a financial update to the Board on March 13th prior to the Work Plan coming to the Board on March 27th. The purpose of this update is to educate the Board on the history of the District's finances including the Lease Purchase arrangement with the County and the Sale of Revenue Bonds including what we achieved with both, a

snapshot of what we've accomplished over our first 20 years with our sales tax revenue, a more detailed look at our current year budget and what we're spending District monies on, a financial overview of the District 3-Year Work Plan, and a projection of District finances over the 20-year Measure F.

Acquisition Ranking Criteria

Misti Arias, Conservation Program Manager and Tom Robinson, Conservation Planner, presented the Acquisition Ranking Criteria that was developed by the District to help evaluate potential property acquisitions. Properties that have been determined to meet the District's conservation objectives through a qualitative assessment are placed on a list of candidate projects. In order to decide which of the candidate projects to activate once funding becomes available, a new quantitative assessment system, based on ranking criteria, has been developed to complement the existing qualitative assessment. Tom Robinson leads the system's design and explained the process of how the system works. Several criteria are considered for each project and include: the project's open space benefits, feasibility, leverage potential, and threats, and how well the project contributes to an overall balanced land conservation program. Staff used policies from its Board-adopted acquisition plan to develop the open space benefits. The District will run candidate list properties through the quantitative assessment and then the results will be used by an internal committee of District managers and staff to decide on which property to move to active status. Upon activation, properties will be introduced to the advisory committee. The advisory committee itself showed interest in going back to past projects to see if they rank high or not in the ranking criteria, to check the accuracy of the system. They agreed that this is a good process to share with the public when questions arise as to why and how a property is selected for purchase.

Update on District Mitigation Policy & SCTA Mitigation Proposal for the Cresta Ranch Property

This item was listed as an Informational item and therefore the committee was not able to take any action on the item. The General Manager may bring an action item relating to this project forward to the Committee at a later date.

Sheri Emerson, Stewardship Program Manager, presented an update on the District's Mitigation Policy and the Sonoma County Transportation Authority's (SCTA) Mitigation proposal for the Cresta Ranch property. At this time the District does not have a Board-adopted mitigation policy. District staff are again working on a draft policy which will address mitigation on easements and fee lands, and will solicit input from stakeholders and the public, and will bring a draft policy to the Committee for consideration before bringing it to the Board for adoption. The Committee has requested that any mitigation project proposals that come to the District before a policy is adopted should be brought to the Committee for consideration.

SCTA has submitted a request to the District to fund a District project on the Cresta Property which would enhance 1,000 linear feet of riparian habitat to meet SCTA's mitigation obligations for the Airport Boulevard Interchange Project. Bill Keene indicated that the District's Board of Directors is very supportive of us participating in this mitigation project. Under the proposal, all District costs would be covered by the project including staff time, implementation, and ongoing monitoring, and the District would retain control of the project. At its February 7th meeting, the District's Board will be considering a Resolution of Intent which would allow the General Manager to enter into negotiations with SCTA staff on a funding agreement for this project. The project proposal generated much debate regarding this mitigation project. Following are comments from the airport staff, District staff, committee members and the public.

SCTA Staff Comments:

- The project involves a new bridge and improvements to on and off ramps that is voter approved. Cresta stood out to them as a project that needs funding and they see this as an opportunity to meet the needs of both the District and for the project. The project has a deadline of December 31, 2012 and is being sent out to bid in June. They need permits in place to show progress. They don't know the whole cost of the mitigation but anticipate that it would cost about \$200,000. A detailed cost estimate will be developed after District staff receives authorization from their Board to move forward with pursuing the project concept.

District Staff Comments:

- This project can be approved and Open Space can make the policy different from this in the future if they want to. From a legal perspective it won't set a precedent to have this project move forward. From a practical perspective, approval of the project may set expectations.
- A mitigation policy in place would be the preference but is not the reality. This gets the ball rolling. We are in control of the work, which is good. There would be money for a project that we already want to do. We would get our entire costs covered, which would set a good precedent. This is a public project that is getting broad community support. If we are going to have to be faced with this situation, this is a good one to have before a policy is in place.
- This conversation says that the CAC is interested in developing a policy. The CAC wants to comment and there will still be an opportunity to but after the initial item goes to the Board on Feb 7th. The CAC can craft a letter for future items. The policy is what is important. The policy will cover all lands: conservation easements, open space easements and fee lands.
- There is an Ad Hoc committee from the Board for mitigation banking. The Board is concerned with public projects.
- There is no Ad Hoc Subcommittee regarding the mitigation issue on the CAC level. The CAC could meet with the Mitigation Banking Ad Hoc Subcommittee.
- This is just a time for the staff to move forward with negotiations; there will be another opportunity to weigh in once negotiations have moved forward.

Committee Members Comments:

- There is the possibility of losing other grants, and members feel they need more details.
- The mitigation helps to restore 1000 linear feet of riparian habitat.
- Cresta is slated to transfer to Regional Parks in the future, are they happy with this?
- This project could set a precedent—what decisions get made now will affect the future. We don't want to limit our options.
- This will create a political undercurrent and set a political precedent in advance of a policy, and could affect the policy negatively, and already is.
- It is precedent setting, but it could be turned into a positive—it could accelerate the schedule to create a mitigation policy, but we must make sure it doesn't happen again.
- The issue is the mitigation before a mitigation policy is in place. But this is a public entity and there is public benefit—the lands are owned by Open Space District, not a private individual. This could be setting a good precedent.
- The issues are private vs. public; no policy in place. But it may be justifiable. We should send a message to the Board with our concerns and work heavily on the message to the public. This is a public benefit not a private development.
- This is a complex issue and we need to think it through thoroughly. We should not comment on this. I am nervous about making a statement that might bind us in the future.

- This is a fairness issue. Open Space is willing to play with fee lands and there are no rules. The real issue is that Open Space has fee lands to begin with. Owning fee lands is the bomb and we should treat all lands the same. The easement should say if we mitigate or not and then we follow that.
- There are a lot of implications and they are hard to think through them all.
- Should we comment or not.
- This is extremely urgent.
- There is no consensus. Hesitant to recommend on mitigation. More discussion needs to happen.
- What is the legal perspective?
- Can the Ad Hoc for Mitigation Banking be part of a CAC meeting?
- We can lose benefits, value; this is very dicey and can risk the mission of Open Space.
- Unable to make a strong comment without a policy in place.
- The urgency is with developing a mitigation policy. We have the green light to go forward.
- We are divided with no consensus. Conflicted—is the message of public benefit with the absence of a mitigation plan. This was not agendized as an action item so we will need to use minutes as our comments.
- We will have the same reaction if we come back to this. It is hard to comment out on this. I think we are done with this.

Public Comments:

- This is a publicly funded agency, and we are talking about a sensitive area. Open Space could apply for a grants for this project; a mitigation is not needed on this property. It should remain separate. This will establish a precedent. Open Space is allowing a mitigation environment. Destruction is occurring and Open Space is allowing this to happen. Does the public approve of this? Who are we serving? We should keep Open Space intact and keep voters trust intact.
- Concerned that there is no guidelines for mitigation without a policy in place. Nervous about timing of this. Open Space should not be a source of mitigation. This could go down a slippery slope.
- Does the CAC have an Ad Hoc Subcommittee on this issue?

Projects in Negotiations

- Pryor Ranch on Sweetwater Springs Road closed in December
- Bayer Farm Matching Grant Program went to the Board

Announcements From Advisory Members

Laurie Gallian

- Laurie Gallian received an email from the Sonoma County League of Women Voters regarding a forum with Supervisor Shirlee Zane and Susan Gorin regarding regional government and agencies to be aired on KRCB, Sunday, February 5 at 9:00am.

Guy Wilson

- Guy Wilson spoke about the Gallo Sotoyome RCD fish restoration on the property purchased by Gallo in the late 90's. There was a flash dam that boarded up the creek and acted as a barrier for the fish to get through. This restoration opened up seven miles of Porter Creek and changed it from a low flow channel for the fish to a high flow channel.

Dennis Murphy

- Fish and Game are putting salmon back in Sonoma County creeks and rivers through Sotoyome RCD—2.3 million dollar MGP to restore Coho in the creeks, such as Austin Creek and Jenner Headlands.

Adjournment: 7:25 p.m.

Next scheduled meeting date: February 9, 2012, 5:00 – 9:00, Glaser Ctr, 547 Mendocino Ave.

Respectfully submitted,

Mariah Robson,
Advisory Committee Secretary