



Paths, Open Space, and Creeks Commission

Regular Meeting **AGENDA**

*This meeting will be held remotely via teleconference at
<https://global.gotomeeting.com/join/129523301>*

*You can also dial in using your phone.
United States: [+1 \(669\) 224-3412](tel:+16692243412)*

Access Code: 129-523-301

December 3, 2020 - 3:00 PM

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **CORRESPONDENCE**

4. **APPROVAL OF MINUTES**

4.a. Approve the July 2, 2020 Meeting Minutes

Recommended Action: Approve the July 2, 2020 Meeting Minutes.

Attachments:

1. POSCCM_07022020
2. Letters for MIN20200702

4.b. Approve the November 5, 2020 Meeting Minutes

Recommended Action: Approve the November 5, 2020 Meeting Minutes.

Attachments:

1. POSCCM_11052020

5. **COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

The City of Ukiah Paths, Open Space, and Creeks Commission welcomes input from the audience. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments related to non-agenda items.

6. **UNFINISHED BUSINESS**

7. **NEW BUSINESS**

- 7.a. Presentation of Western Hills Open Space Project Update

Recommended Action:

Attachments: None

- 7.b. Presentation of Creek Setback Ordinance Report and Consideration of Next Steps

Recommended Action:

Attachments: None

- 7.c. Discussion of trail to the U regarding ownership, access, and fire hazard

Recommended Action:

Attachments: None

- 7.d. Annual Meeting with Public Works Director and Public Works Staff Crew Supervisor Regarding City Riparian Vegetation Maintenance (Creeks Maintenance Policies and Procedures Policy 9)

Recommended Action:

Attachments:

1. Creek Maintenance Policies and Procedures
2. 7D Correspondence Prout

- 7.e. Discussion of 1995 General Plan Implementation Measure Status

Recommended Action:

Attachments:

1. Jan 9 2020 Staff Report_GP-OS-Implementation Status Report

8. **PETITIONS AND COMMUNICATIONS**

9. **MATTERS FROM THE COMMISSION**

10. **MATTERS FROM STAFF**

11. **ADJOURNMENT**

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request.

CITY OF UKIAH
PATHS, OPEN SPACE, AND CREEKS COMMISSION MINUTES
Regular Meeting Held via Teleconference
July 2, 2020
3:00 p.m.

COMMISSIONERS PRESENT

Ginevra Chandler
Megan Parker Prout
Diane Knox
Jeanne Wetzel Chinn
Susan Knopf

COMMISSIONERS ABSENT

STAFF PRESENT

Sage Sangiacomo, City Manager
Craig Schlatter, Community Development Director
Mireya G. Turner, Planning Manager

OTHERS PRESENT

1. CALL TO ORDER

Meeting was called to order virtually at or about 3:00 p.m. via the City's GoTo Meeting platform.

Chair Chandler presiding

2. ROLL CALL

Roll call was called.

3. CORRESPONDENCE

None

4. APPROVAL OF MINUTES

The minutes of the March 5, 2020 meeting.

Motion/Second Parker Prout/Knox to approve the minutes of the March 5, 2020 meeting.

5. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None

6. NEW BUSINESS

- a. Discussion with City Staff on Orr Street Bridge update.

Presenter: City Manager Sage Sangiacomo

No action was taken on this item, as the Commission had general discussion with Staff.

- b. Discussion and possible action on Letter from Commissioner Parker Prout

Presenter: Commissioner Parker Prout

Commission discussed the proposed letter and made some revisions to the letter.

Motion/Second Knopf/Knox to approve the revised letter entitled The Proposed Orr Creek Greenway Project. Commission voted unanimously to have the Chair sign the letter and send to the Community Development Director for a future City Council meeting as correspondence received.

- c. Discussion and possible action related to three reports from Commissioner Wetzel Chinn.

Presenter: Commissioner Whetzel Chinn

Commission discussed the report and three proposed letters. Revisions were made to the letters. The revised letters are included as **Attachment 1**.

Letter #1- Protection of Waterways and Riparian Corridors: **Motion/Second Knopf/Parker Prout** to approve the revised letter. Commission voted unanimously to have the Chair sign the letter and send to the Community Development Director to present at a future City Council meeting as correspondence received.

Letter #2- Orr Creek Pathway: **Motion/Second Knopf/Parker Prout** to approve the revised letter. Commission voted unanimously to have the Chair sign the letter and send to the Community Development Director for a future City Council meeting as correspondence received.

Letter #3 – Support for Foot Bridge Path and Open Space for the Wagenseller Neighborhood: **Motion/Second Knopf/Parker Prout** to approve the revised letter. Commission voted unanimously to have the Chair sign the letter and send to the Community Development Director for a future City Council meeting as correspondence received.

7. **MATTERS FROM THE COMMISSION**

Commissioner Knopf requested Staff agendaize an item at the next Commission meeting to provide a report on the Creek Setback Ordinance.

General discussion and a request for City Manager Sage Sangiacomo to provide an update on the open space project in the Western Hills.

8. **MATTERS FROM STAFF**

None

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 4:21 p.m.

**CITY OF UKIAH
PATHS, OPEN SPACE, AND CREEKS COMMISSION**

Ginevra Chandler, Chair

Dianne Knox, Commissioner

Susan Knopf, Vice Chair

Megan Parker Prout, Commissioner

Jeanne Wetzel Chinn, Commissioner

March 5, 2020

Honorable Mayor and Members of the City Council
City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

Re: The Proposed Orr Creek Greenway Project

Dear Mayor and City Council Members:

As members of the City of Ukiah's Paths, Open Space, and Creeks Commission (POSCC), we are tasked with recommending and advising with regard to the implementation of the following measures of the Ukiah General Plan:

- A. Efficient implementation of the Open Space and Conservation Element of the Ukiah General Plan
- B. Efficient implementation of the pathway sections of the Transportation Element of the Ukiah General Plan
- C. Procedure and funding mechanisms for acquisition, preservation, and effective stewardship of City paths, open space, and creeks.

The ordinance that created the POSCC decreed that this advisory body shall report to the City Council.

We, the POSCC commissioners, do hereby recommend via this report to the City Council that the proposed Orr Creek Greenway project be implemented. We understand that this project will require coordination and cooperation amongst various entities and will likely take many years to complete; we therefore advise that the City Council decree that implementation procedures begin as soon as possible.

Creating the Orr Creek Greenway will meet all three of the Ukiah General Plan implementation measures that the POSCC is tasked with addressing. The greenway will conserve precious

sections of open space. The greenway will create a class 1 multi-use path for recreation and transportation. The greenway will allow for the preservation and enhancement of Orr Creek and its surrounding riparian area.

The Orr Creek Greenway will connect with the Ukiah section of the Great Redwood Trail. These two pathways will, in conjunction, offer safe and easy transportation for commuters and exercisers alike.

The Orr Creek Greenway is supported by the following organizations: the Ukiah Valley Trail Group, the Sanhedrin Chapter of the California Native Plant Society, the Rural Communities Housing Development Corporation, and Walk Bike Mendocino.

Please consider acting on this vital opportunity to protect and enhance the paths, open space, and creeks of our beautiful City of Ukiah.

Respectfully,

Ausan Knopf, Vice Chair 11/19/20
~~Ginevra Chandler, Chair~~
Paths, Open Space, and Creeks Commission

copies hand delivered to addressees - AKnopf

Date: July 2, 2020

To: Ukiah City Council Members
Craig Schlatter, Community Development Director; Sage Sangiacomo, City Manager

From: Paths, Open Space, and Creeks Commission

Re: Protection of Waterways and Riparian Corridors

The Paths, Open Space and Creeks Commission (POSCC) is charged with making recommendations on procedures for effective stewardship of our paths, open spaces and creeks. It is in the spirit of advancing effective stewardship that we respectfully offer the following comments.

We strongly recommend that you provide direction to staff to enforce the prohibition of camping in floodways or any area within 50-feet of the top of the bank of any creek, stream, or river as provided for in the camping ordinance you adopted on August 7, 2019.

Our hearts go out to our community members who are without adequate shelter; however, that is not a reason to turn a blind eye to damages that commonly occur when anyone, homeless or not, is allowed to camp in the most sensitive areas of our environment.

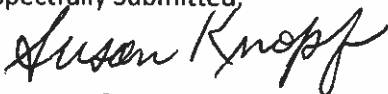
Everyone lacking shelter will find someplace to sleep, whether it's in a park, a doorway or under a bridge. This is especially true in riparian corridors, thus adding to the already stressed conditions of our wildlife species from habitat fragmentation and climate change. These impacts include bed and bank disturbance, turbidity in the waterways, trash, needles, human waste, and a likelihood of starting a fire to name only a few. In preparation for last year's creeks cleanup, the Russian River Watershed Association, of which Ukiah is a member, sent out a flyer with guidance on how to collect hypodermic needles. Ukiah students from local schools participate in these cleanups. Our children should not be exposed to needles and human waste when they are volunteering to remove trash and litter from our creeks.

We fully support providing housing and services to all those in need, although we acknowledge that homelessness is likely to be an ongoing issue into the foreseeable future. For this reason we cannot afford to allow the continued use of our creeks and riparian zones for environmentally damaging activity, no matter who is committing it.

We are also concerned that allowing camping in the relative seclusion of our creeks will encourage harmful activity, including drug use, sexual assault and other violence. We are all aware of the opioid crisis responsible for overdose deaths in our own community. Thanks to the availability of Narcan, lives are being saved, but only if someone is in distress can be seen. The odds of life-saving help being available are increased if people are in visible locations and not hidden away in our creek beds.

For the above reasons and to promote effective stewardship, we recommend that direction be given to staff to make keeping our open spaces and creeks free of homeless encampments a high priority and standing order. Thank you for your careful consideration of this request.

Respectfully Submitted,



Susan Knopf, POSCC Commissioner Vice-Chair

hard copies hand delivered to all addressees
SK

Date: July 2, 2020

To: Ukiah City Council Members
Craig Schlatter, Community Development Director; Sage Sangiacomo-City Manager

From: Paths, Open Space, and Creeks Commission

Re: Orr Creek Pathway

The Paths, Open Space and Creeks Commission (POSCC) is writing to express our support for the Orr Creek Greenway from Low Gap Park to the Russian River.

The mission of POSCC is to provide recommendations and advice regarding implementation of the open space and conservation element of the Ukiah General Plan, implementation of the pathway sections of the transportation element of the Ukiah General Plan, and procedure and funding mechanisms for acquisition, preservation, and effective stewardship of city paths, open space, and creeks.

This Project aligns with POSCC goals by providing open space and a pathway that is a safe place for all ages to recreate by walking, running, biking, and enjoying nature. In addition, this Project will enhance and protect open space by conservation of this valuable riparian corridor, promote the health of Orr Creek, and provide a corridor for the protection of wildlife resources.

Orr Creek reaches almost across the Ukiah Valley floor from east to west and is virtually flat, providing an opportunity to create a pathway that people of all ages and abilities can use. Due to its topography and easy access, the trail will be easy to build and maintain. Much of the corridor is already on public land (City of Ukiah, County, or Ukiah Unified School District.). And, space exists next to Orr Creeks' banks for a pathway within or next to the riparian corridor.

The creek is lined by large trees and the corridor is close to downtown, thus providing shade for non-motorized commuting during the warmer months. Development of the Orr Creek Greenway will connect residential areas to commercial and recreational areas, schools and county offices. Equally important, conservation of the Orr Creek riparian corridor/Greenway Trail will protect its watershed for listed steelhead trout, as well as other native fish, invertebrates, amphibians, mammals, and birds.

The Ukiah Valley Trail Group (UVTG) and Walk and Bike Mendocino (WBM) are two groups involved in gathering funding for plans and acquiring lands for the Orr Creek Greenway for open space, paths, and pocket parks. The Orr Creek Greenway will be developed one portion at a time.

Plans for this Project are being spearheaded by Neil Davis, Director of UVTG and WBM. Plans for the Orr Creek Greenway go from Low Gap Park to the Russian River and will be developed one section at a time, eventually connecting with the Great Redwood Trail. Ultimately, plans are for the trail to go through city and county lands around the entire valley.

This project will enable the City of Ukiah to achieve an open space connectivity corridor pathway and result in a great benefit for all city and surrounding county residents, as well as preservation for wildlife species and habitat. This project is expected to be highly competitive in state funding sources.

POSC strongly recommends the City Council support funding for purchase of open space parcels for connectivity and for restoration of the Orr Creek corridor from Low Gap Park to the Russian River with necessary improvements to bring it as close as possible to its natural state.

Respectfully Submitted,



Susan Knopf, POSC Commissioner Vice-Chair

Date: July 2, 2020

To: Ukiah City Council Members
Craig Schlatter, Community Development Director; Sage Sangiacomo, City Manager

From: Paths, Open Space, and Creeks Commission

Re: Support for Foot Bridge Path and Open Space for the Wagenseller Neighborhood

The Paths, Open Space and Creeks Commission (POSCC) is writing to express our strong support for a safe bridge and open space area for the Wagenseller neighborhood.

The mission of POSCC is to provide recommendations and advice regarding implementation of the open space and conservation element of the Ukiah General Plan, implementation of the pathway sections of the transportation element of the Ukiah General Plan, and procedure and funding mechanisms for acquisition, preservation, and effective stewardship of city paths, open space, and creeks.

This Project aligns with POSCC goals by supporting effective stewardship of a safe foot bridge path and open space area for children and adults of the Wagenseller neighborhood. Funding was provided for this project in 2010, and POSCC recommends the engineering report be completed as it is a necessary prerequisite for implementation of the project.

The current blighted state of the bridge discourages pedestrian use and bicycling. Studies have shown that homeless encampments and drug dealing are more likely to occur in isolated areas where the general populace does not wish to congregate. A refurbished Orr Street Bridge would attract more foot traffic and keep homeless encampments outside of the riparian corridor. Hopefully, with one less opportunity to camp in and around a creek, more homeless people would seek shelter and services in less harmful and more visible environments.

We are aware that the Wagenseller neighborhood has long been an underserved area regarding open space and outdoor recreational opportunities, particularly for children. In 2009 Director Erickson assured the Wagenseller Neighborhood Association that the City would maintain the bridge so it is structurally sound and funds were placed in the budget for that purpose. The Orr Street (foot) Bridge needs to remain closed to vehicle traffic for the benefit and health of the Wagenseller neighborhood. Since 2009, numerous emails have been exchanged and meetings taken place. Complaints have been sent to City Council members regarding this "most neglected neighborhood in the City." The area where the Orr Street Bridge is located remains a blighted neighborhood and residents have serious safety concerns. Ten years after initial funds were allocated for refurbishment, the bridge remains dangerous to walk across and the area is a magnet for drug activity, homeless encampments and trash dumping.

This neighborhood is lacking a safe open space area for children to play and benefit from healthy outdoor activities, and for adults and older citizens to enjoy walking around. The neighborhood needs open space and attractive outdoor recreational activities.

The remedy is to have the Orr Street Bridge refurbished and provide the neighborhood with some open space for their kids to play safely, off the streets. This does not require further funding, rather it simply requires engineering plans to be submitted to the City Council, and the plans accepted for project

This project will enable the City of Ukiah to support the Wagenseller neighborhood to enjoy a higher degree of quality of life by having a currently hazardous bridge repaired or replaced, and an open space area to enjoy natural resources as well as a place for children to safely play outside and off the streets. The inordinate delay in getting this straightforward project completed is simply inexplicable.

We strongly recommend the City Council use established funding to repair the hazardous bridge and secure the 100-foot buffer along Orr Creek from homeless encroachment from top of bank on Orr Creek to the RCHDC mixed use housing. This will create a safe place for children to play in a natural area, and for all neighborhood residents to enjoy natural resources. We further recommend the City Council work with the Rural Communities Housing Development Corporation (RCHDC) to retain the 2.5 open space acres next to the 80-unit mixed housing development to remain as open green space for the benefit and enjoyment of the neighborhood.

Respectfully Submitted,

A handwritten signature in black ink that reads "Susan Knopf". The signature is written in a cursive, flowing style.

Susan Knopf, POSCC Commissioner Vice-Chair

**CITY OF UKIAH
PATHS, OPEN SPACE, AND CREEKS COMMISSION MINUTES
Regular Meeting
Held via Teleconference
November 5, 2020
3:00 p.m.**

COMMISSIONERS PRESENT

Megan Parker Prout
Diane Knox
Jeanne Wetzel Chinn
Susan Knopf

COMMISSIONERS ABSENT

STAFF PRESENT

Mireya G. Turner, Planning Manager

OTHERS PRESENT

1. CALL TO ORDER

Meeting was called to order virtually at 3:00 p.m. via the City's GoTo Meeting platform.

Vice Chair Knopf presiding

2. ROLL CALL

Roll call was called.

3. CORRESPONDENCE

None

4. APPROVAL OF MINUTES

The minutes of the July 2, 2020 meeting.

Motion/Second Knox/Chinn to continue this item to the next meeting.

5. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

None

6. NEW BUSINESS

- a. Presentation of Western Hills Open Space Project Update

This item was carried over to the next meeting.

- b. Presentation of Creek Setback Ordinance Report and Consideration of Next Steps

This item was carried over to a next meeting.

7. MATTERS FROM THE COMMISSION

Commissioner Chinn requested an agenda item regarding the private property trail to the U, its ownership, public access, and fire hazards.

Commissioner Parker Prout requested an agenda item for the Annual Meeting with the Public Works Director, Community Development Director, and the Public Works

Minutes of the Paths, Open Space, and Creeks Commission November 5, 2020 Continued:

Staff Crew Supervisor, regarding City Riparian Vegetation Maintenance, as listed in the Creeks Maintenance Policies and Procedures, Policy 9.

Commissioner Chinn requested to re-agendize the Discussion of the 1995 General Plan Implementation Measure Status.

8. **MATTERS FROM STAFF**

None

9. **ADJOURNMENT**

There being no further business, the meeting adjourned at 4:05 p.m.



AGENDA ITEM NO. 7A
Department of Community Development
Planning Services Division
300 Seminary Ave.
Ukiah, CA 95482
planning@cityofukiah.com

STAFF REPORT

TO: Paths, Open Space, and Creeks Commission (POSCC)
DATE: July 31, 2020
FROM: Craig Schlatter, Community Development Director
SUBJECT: Western Hills Open Space Project Update

Background

At the July 2, 2020 meeting, under Matters from the Commission, POSCC requested an agenda item at its next meeting to get a detailed update from the City Manager on the Western Hills Open Space Project.

Discussion

Staff has invited City Manager Sage Sangiacomo to participate in providing this update. Additionally, the City Manager's Office can provide additional contextual information regarding City Council and the City's Strategic Plan Goals and how they relate to this project.



STAFF REPORT

TO: Paths, Open Space, and Creeks Commission (POSCC)
DATE: July 31, 2020
FROM: Craig Schlatter, Community Development Director
SUBJECT: Creek Setback Ordinance Report

Background

At the July 2, 2020 meeting, under Matters from the Commission, POSCC requested an agenda item at its next meeting to get a detailed report from Staff on the Creek Setback Ordinance.

Discussion

Staff has reviewed the public record and minutes for meetings of the POSCC regarding the Creek Setback Ordinance in 2018 and 2019. Below is a summary.

- Planning Manager Michelle Irace provided an update to the POSCC on February 7, 2019, and discussed the previous work completed by past POSCC Commissioners in developing a Creek Setback Ordinance.
- On May 5, 2019, POSCC's agenda item 6a was continued discussion regarding a recommendation for adoption of a Creek Setback Ordinance. Motion/Second Chandler/Prout and unanimous 3-0 approval (Holbrook absent, one Commission seat vacant) to recommend the following to City Council for adoption of a Creek Setback Ordinance:
 1. Anything that triggers a building permit should be considered a "structure" and subject to the setbacks.
 2. Residentially-zoned properties: 15 ft from riparian edge, or top of bank if no riparian habitat is present; and
 3. Commercially zoned properties: 30 ft from riparian edge, or top of bank if no riparian habitat is present.
 4. A reduced setback may be sought by obtaining a Site Development Permit.
 5. No removal of riparian vegetation should be permitted within the setback.
- Many of the items on the POSCC agenda from May 2019 to March 2020 involved discussion and possible commenting on the City of Ukiah 2040 General Plan.

There has been no additional discussion or action on this item since May 5, 2019. Staff recommends a discussion with possible action on next steps.



Creek Maintenance Policies and Procedures



An upper stretch of Gibson Creek
Spring 2000

Prepared by the
Ukiah Paths, Open Space and Creeks Commission
May 2010

Dedicated to Bill Randolph

This Document is fondly dedicated to Bill Randolph, the first Chairman of the City of Ukiah Paths, Open Space, and Creeks Commission, and a true champion of our local creeks. Bill not only worked politically to protect and enhance the creeks, but also as an educator of children in the community, and as a lead worker - clearing debris, planting trees, and at times, watering young tree saplings by hand during the hot summer months.

Bill was serious about the health and vitality of our creeks, but he also had fun with his work. During the springtime one year when the water was flowing hard in Gibson Creek, Bill donned a head lamp and rode an air mattress down the creek along the open reaches and through the box culverts. Bill knew the creeks inside and out.



A lower stretch of Orrs Creek near where Bill Randolph lived

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Preface

This document was prepared by the City of Ukiah Paths, Open Space and Creeks Commission (POSCC) at the direction of the City Council. It was prompted by citizen concerns regarding how the local creeks were being maintained for flood control purposes. The primary concern centered on the amount and type of vegetation that was being removed and that the health and ecology of the creeks were being damaged.

The POSCC worked closely with the City Department of Public Works, Department of Planning and Community Development, the Community Services Department, and the Friends of Gibson Creek. Information was gathered about how the work crews performed the vegetation removal, how they were supervised, what the City's needs were for flood control, and what other communities were doing to manage and maintain creeks. The POSCC members reviewed the City's General Plan, Creek Master Plans, State Department of Fish and Game rules and regulations, and other documents in an effort to understand the big picture in regard to local creeks. They also toured one of the creeks with a lead crew member from the Department of Public Works to hone in on how the crews operated and to learn more about the need to control flood waters.

The Friends of Gibson Creek participated in the review and editing of the document, provided technical information, and assisted with its final production.

This document establishes the policies and procedures for the City crews and other agencies and organizations to follow when performing creek maintenance activities, including vegetation management, culvert and bridge maintenance, and garbage and rubbish removal. It strikes a balance between the public health and safety need to control flood waters and the community goal of protecting and restoring the local creeks and their riparian corridors.



The Gibson Creek Fish Hatchery 1887-1930's

Orrs Creek: Orrs Creek is the largest creek running through the City of Ukiah to the Russian River. It has historically been an important waterway for the City. Once it was a healthy and complex tributary to the Russian River, supporting a wide variety of wildlife, as well as a strong anadromous salmonid population. As it passes through the City, Orrs Creek no longer supports the diversity of wildlife and native fish populations that it once did. However, the California Department of Fish and Game believes it may be possible to rehabilitate the Creek so that it can once again provide spawning grounds for salmon and other native fish populations. Recently, mature and hatchling Steelhead Trout have been observed in the creek.

Gibson Creek: Gibson Creek is a tributary to Doolin Creek, a tributary to the Russian River, a tributary to the Pacific Ocean. It drains a watershed of approximately 2.77 square miles. Elevations range from about 584 feet at the mouth of the creek to 2,772 feet in the headwater areas. Hardwood forest dominates the watershed. The watershed is primarily privately owned. Steelhead trout (*Oncorhynchus mykiss*) are a threatened salmonid species present in the Gibson Creek watershed. (From CDFG Gibson Creek Inventory Report, 2005)

Doolin Creek: Doolin Creek is a tributary to the Russian River, a tributary to the Pacific Ocean, located in Mendocino County. It is a third order stream and has approximately 4.26 miles of solid blue line stream according to the USGS Ukiah 7.5 minute quadrangle. Doolin Creek drains a watershed of approximately 2.63 square miles. Elevations range from about 587 feet at the mouth of the creek to 2,730 feet in the headwater areas. Hardwood dominates the watershed. The watershed is primarily privately owned. Steelhead trout (*Oncorhynchus mykiss*) are a threatened salmonid species present in the Doolin Creek watershed. (From CDFG Doolin Creek Inventory Report, 2006)

Mendocino Creek: Mendocino Creek is much smaller than Orrs, Gibson and Doolin Creeks, and is not a blue line stream according to the USGS Ukiah 7.5 minute quadrangle. It is approximately 3.5 miles in length and flows from the west to join Doolin Creek at Talmage Road. The two creeks coalesce and then join Gibson Creek at Babcock Lane and flow to the Russian River.



Fish in Gibson Creek

NOTE: A "**Blue Line Stream**" is a stream shown as a blue-line on a U.S.G.S. topographic map and its headwaters are thought to flow all-year around.

NOTE: All unbranched streams as first order streams. When two first order streams meet, the resulting channel is a second order stream. Where two second order streams meet a **Third Order Stream** results.

The Process

After a series of discussions with concerned members of the public and City Staff, the Paths, Open Space and Creeks Commission (POSCC) identified issues, conducted research, discussed solutions, and gave direction to Staff to prepare a preliminary draft set of policies and procedures based on their thoughts and conclusions. The preliminary draft was prepared and submitted to the Commission for review and editing prior to the distribution to interested members of the public, agencies and organizations for review, comments and suggestions.

The *Friends of Gibson Creek* submitted a comment letter with suggested revisions to the document and attended a series of meetings with the POSCC to discuss their suggestions. The POSCC agreed with many but not all of the suggestions, and directed Staff to make changes before presenting the document to the City Council for discussion and possible adoption.



The Ukiah General Plan

The Open Space and Conservation Element of the Ukiah General Plan calls for the protection and restoration of the local creeks both for environmental and flood control purposes. The Summary of Major Findings for creeks and streams begins with this statement:

"Creeks and streams provide spiritual, aesthetic, and material sustenance to human and other resident species and must be preserved, or where necessary, restored as corridors of riparian vegetation and habitat within both the urban and rural areas. Creekside greenbelts can be used to contain and define city neighborhoods and enhance air quality. The creeks provide drainage channels for groundwater recharge, domestic and agricultural water supply, flood mitigation, and fish and other aquatic life."

Guiding Principles

The Guiding Principles for this document include maintaining a healthy tree canopy and natural riparian zone along the creeks; insuring that the creeks flow cleanly and provide habitat for fish populations; and reducing the potential for flooding during storm events. Its aim is to preserve current healthy riparian areas while providing practical maintenance guidelines to manage flood waters.

Creek Maintenance Policies

The following creek maintenance policies are intended to address and fulfill the General Plan vision for the preservation of creeks and streams, and to guide City initiated creek maintenance activities.

This document is not intended to provide guidance and direction for creek restoration projects such as tree planting, bank stabilization, and retaining wall repair. Its intent is to guide creek maintenance activities so that creek and riparian vegetation are preserved and enhanced and flood waters can be controlled.

- Policy 1:** Creek maintenance activities shall not discharge pollutants or deposit new material into the creeks.
- Policy 2:** Creek maintenance activities shall not result in modifications to the natural flow of water or result in a reduction of the water carrying capacity of the creek.
- Policy 3:** Creek maintenance activities shall not result in increased flooding.
- Policy 4:** Creek maintenance activities shall not adversely affect the Riparian Corridor, including Riparian Vegetation, animal wildlife or degrade its visual appearance.
- Policy 5:** Creek maintenance activities shall not degrade the visual quality & natural appearance of the riparian corridor.

- Policy 6:** Creek maintenance activities shall not endanger public or private property.
- Policy 7:** Creek maintenance activities shall not directly or indirectly threaten the public's health or safety.
- Policy 8:** Creek maintenance activities shall not conflict with any Federal Emergency Management Agency (FEMA) regulations for floodway or floodplain management.
- Policy 9:** The Director of Public Works, Director of Planning and Community Development, and Public Works Staff Crew Supervisor shall meet annually with the Paths, Open Space, and Creeks Commission and any interested group, organization, or citizen to discuss issues and problems, and to sound-board solutions.
- Policy 10:** Residents within 100 feet of planned work in a creek or on a creek bank shall receive 72 hours advance notice of the work when feasible.

Vegetation Management Procedures

Active management along the riparian zones of Ukiah's creeks is required to ensure that storm water runoff is not obstructed and that flooding does not occur. However, vegetation removal must be performed with care so as not to damage the natural ecology of the creek. The following vegetation management procedures are established for City Public Works crews or contract providers performing vegetation management in the creeks:

1. Prior to the start of the rainy season, perform creek reconnaissance to identify obstructions to storm water flow, and document accordingly.
2. The City shall apply for and secure all required permits from the State Department of Fish and Game and any other permitting agency prior to commencing work.
3. City Public Works Staff Supervisor shall meet with City crew or contract provider to discuss the required creek maintenance policies and procedures. Ensure that crew supervisors understand the policies and procedures and how they apply to the specific job being undertaken.
4. The City shall provide direct supervision to all City crew and any contract providers to ensure that the creek maintenance policies are not violated. Copies of the Policies and Procedures shall be provided and explained to all workers.
5. Every effort shall be made to preserve all native riparian trees. No tree shall be removed unless it creates an obvious and significant obstruction to storm water runoff, is in imminent danger of falling and obstructing future storm

water flows, or significantly reduces the carrying capacity of the creek. The City Engineer shall have final authority to determine whether an obstruction is obvious and significant.

6. Before any tree is removed, the City Staff Supervisor shall consider the necessity of removal, and whether or not its removal will negatively impact the health of the creek.
7. The pruning of trees shall be limited to branches that create an obvious and significant obstruction to storm water runoff.
8. City Staff Supervisor shall perform routine monitoring of City crew staff or contract providers during the work days to ensure that the creek maintenance policies are not violated.
9. Vegetation removal shall emphasize non-native species such as periwinkle (*Vinca major*), Himalayan blackberry, pampas grass, English ivy, giant reed (*Arundo donax*) and other species. Removal techniques shall be performed by tarping, mowing, root removal, use of hand tools and small machinery and equipment. The use of herbicides shall not be permitted within 25-feet of the riparian corridor, unless it is determined to be the least damaging technique to remove exotic plants.

Culvert and Bridge Maintenance Procedures

Periodic inspections and maintenance of culverts and bridges are necessary to remove obstructions that cause the back-up of storm waters and localized flooding. Gravel has historically been removed from culverts at the direction of the State Bridge Inspectors to preclude damage to the metal culverts and ultimately the bridges. The following procedures are established for culvert and bridge maintenance:

1. Prior to the rainy season, perform creek reconnaissance to identify obstructions to storm water flow, and document accordingly.
2. The City shall apply for and secure all required permits from the State Department of Fish and Game and any other permitting agency prior to commencing work.
3. The City Staff Supervisor shall meet with City crew staff to discuss the City creek maintenance policies and culvert and bridge maintenance procedures. Ensure that crew supervisors understand the policies and procedures.
4. Remove all logs and debris that are blocking culverts, lodged against bridges, or causing a significant obstruction to the flow of storm water.
5. Gravel shall be removed from culverts and redistributed in the stream channel pursuant to the techniques and procedures established by the State Department of Fish and Game.

6. Routinely monitor all culverts and bridges during storm events and remove logs and debris that are obstructing the flow of storm water.



Orrs Creek at the Ford Street Bridge

Garbage and Rubbish Removal Procedures

Garbage and rubbish are discarded near and in the creeks and cause damage to the creek ecology. These discarded materials also accumulate and form obstructions to the flow of storm water. The City crews and dedicated community groups occasionally remove garbage and rubbish from the creeks when available to do so. The following procedures are established for the removal of garbage and rubbish from creeks:

1. City crews shall perform annual creek clean-ups to remove the identified obstructions before the start of the rainy season. The City shall encourage and support volunteer creek clean-up efforts.



Shopping Cart in Orrs Creek

2. Identifiable items such as shopping carts shall be reported to the City Code Compliance Coordinator who shall contact the owners and notify them of possible violations of the Ukiah City Code.
3. Support the efforts of community groups, schools, and others who organize volunteer creek clean-up activities.



**Gibson Creek clean-up
near the Ukiah Historic Train Depot in 2003**

Project Participants

Ukiah City Council

Benj Thomas, Mayor
Mari Rodin, Vice-Mayor
Phil Baldwin
Mary Anne Landis
Doug Crane
John McCowen (Former Member)

Ukiah Paths, Open Space and Creeks Commission

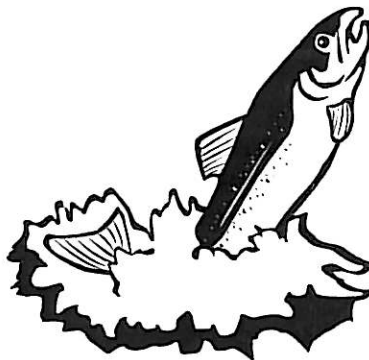
Bob Neale, Chairperson
Beth Lang, Vice-Chairperson
Suzanne Farris
Jamie Connerton
Hannah Bird
Howie Hawkes (Former Member)
Lindsey Leland (Former Member)
Dan Holbrook (Former Member)

Friends of Gibson Creek

Linda Sanders
Susan Knopf
Bruni Kobbi

City Staff

Charley Stump, Director of Planning and Community Development
Tim Eriksen, Director of Public Works/City Engineer
Sage Sangiacomo, Assistant City Manager/Director of Community Services
Jerry Whitaker, Public Works Supervisor



APPENDIX A

List of Important Ukiah Riparian Vegetation

Trees

Valley Oak (*Quercus lobata*) (40'-125')
Garry Oak (*Quercus garryana*) (35'-60')
Interior Live Oak (*Quercus wislizeni*) (25'-75')
Black Oak (*quercus kelloggi*) (30'-80')
Fremont Cottonwood (*Populus Fremont*) (40'-100')
Black Cottonwood (*Populus trichocarpa*) (40'-100')
California Black Walnut (*Jugiana*) (30'-70')
Oregon Ash (*Fraxinus latifolia*) (*F. oragona*) (30'-70')
California Bay (*Umbellularia californica*) (20'-75')
Redwood (*Sequoia sempervirens*) (100'-340')
White Alder (*Ainus rhombifolia*) (40'-100')
Box Elder (*Acer negundo* var. *californicum*) (20'-40')
Big Leaf Maple (*Acer macrophyllum*) (30'-100')
Willow species (*salix* spp.)
 S. laevigata (Red or Smooth Willow) (15'-40')
 S. lasiandra (Yellow or Black Willow) (the inland sp.) (15'-45')
 S. lasiolepis (Arroyo Willow or White Willow) (10'-30')
 S. hindsiana (Sandbar Willow) (5'-25')
 Other possible Willow species: *S. mackenziana* and *S. melanopsis*

Shrubs (understory for wildlife cover and corridor)

Coyote Bush of Chaparral broom (*baccharis pilularis* var. *consanguinea*)
Blue Elderberry (*Sambucus caerulea*)
California Wild Rose (*Rosa californica*)
California Hazelnut (*Corylus cornuta* var. *californica*)
Gooseberries & Currants (native *Ribes* spp.)
Snowberry (*Symphoricarpos rivularis* and *S. ainus*)

Vines (understory for wildlife cover and corridor)

California Wild Grape (*Vitis californica*)
Twinberry or Honeysuckle (*Loricera involucrate*)
Rubus spp.: Salmonberry (*R. spectabilis*), Thimbleberry (*R. parviflorus*)
California Native Blackberry (*Rubus uncinus*)

APPENDIX B

Photos of Common Invasive Plants in Ukiah



Ludwigia



Periwinkle (Vinca Major)



Himalayan Blackberry



Gorse



English Ivy



Pampas Grass

APPENDIX C

List of Creek Related Documents

1. The Riparian Vegetation of Ukiah: A Preliminary Discussion of the Ecology of the Ukiah Valley in View of Renaturalizing our Streams. Mark Albert, California Native Plant Society, April 1992.
2. Ukiah General Plan Open Space and Conservation Element, City of Ukiah, 1995
3. A History of the Salmonid Decline in the Russian River, Steiner Environmental Consulting, 1996
4. Orrs Creek Habitat Enhancement and Flood Control Study, City of Ukiah, 1999
5. Orrs Creek Stream Inventory Report, State Department of Fish and Game, (Draft) 1999
6. Gibson Creek Habitat Enhancement and Public Access Study, 2001
7. Doolin Creek Enhancement Plan, City of Ukiah, (Draft), 2002
8. Doolin Creek Stream Inventory Report, State Department of Fish and Game, 2005
9. Gibson Creek Stream Inventory Report, State Department of Fish and Game, 2006
10. City of Ukiah Tree Protection and Enhancement Policy, 1993
11. City of Ukiah Community Forest Management Plan, 1994

APPENDIX D

State Department of Fish and Game

Notification Requirements and Questions and Answers

PART I: NOTIFICATION REQUIREMENT

Fish and Game Code ("FGC") section 1602 requires any person, state or local governmental agency, or public utility to notify the Department of Fish and Game ("Department") before beginning any activity that will do one or more of the following:

- 1) Substantially obstruct or divert the natural flow of a river, stream, or lake.
- 2) Substantially change the bed, channel, or bank of a river, stream, or lake.
- 3) Use any material from the bed, channel, or bank of a river, stream, or lake.
- 4) Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

FGC section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. *If you are not certain that a particular project requires notification, the Department recommends that you notify.*

Note: Although a person other than the applicant may complete the notification, "you" or "your" as used in this document refers to the applicant proposing the project because the applicant will be responsible for submitting and signing the notification.

NOTIFYING THE DEPARTMENT

To notify the Department of any of the activities described above, complete the following steps:

Step 1: Complete the Notification of Lake or Streambed Alteration form (Form FG 2023 (Rev. 7-06)) ("notification form"). See Part II for instructions to complete this form.

Note: If the project is part of a timber harvest plan ("THP"), you may notify the Department by submitting the THP and correct fee to the Department regional office that serves the county where the project will take place. In that case, you do not need to submit a notification form, provided the THP includes, at a minimum, the information listed in Fish and Game Code section 1611.

Step 2: Determine the notification fee that will need to be submitted with the completed notification form or THP by referring to the enclosed fee schedule. Notification fees cover the Department's costs to process notifications and prepare Lake and Streambed Alteration Agreements ("agreements").

Step 3: Submit the completed notification form, or the THP, with all required enclosures and fees to the Department regional office that serves the county where the project will occur.

Note: If the notification relates to timber harvesting activities in Humboldt or Del Norte County or the west portion of Trinity County, the notification must be submitted to the Department's Northern California and North Coast office in Eureka, rather than Redding. If you are not sure whether the Eureka or Redding office will review your notification or THP, contact either office for guidance to avoid any delay in processing your notification or THP.

**Northern California and North Coast
(Region 1 – Redding)**
LSAA Program
601 Locust Street
Redding, CA 96001
(530) 225-2300

**Northern California and North Coast
(Region 1 – Eureka)**
LSAA Program
619 Second Street
Eureka, CA 95501
(707) 445-6493

**Sacramento Valley and Central Sierra
(Region 2)**
LSAA Program
1701 Nimbus Road
Rancho Cordova, CA 95670
(916) 358-2900

**Central Coast
(Region 3)**
LSAA Program
Mailing address:
Post Office Box 47
Yountville, CA 94599
Street address:
7329 Silverado Trail
Napa, CA 94558
(707) 944-5520

**San Joaquin Valley and Southern Sierra
(Region 4)**
LSAA Program
1234 East Shaw Avenue
Fresno, CA 93710
(559) 243-4005

**South Coast
(Region 5)**
LSAA Program
4949 Viewridge Ave
San Diego, CA 92123
(858) 636-3160

**Eastern Sierra and Inland Deserts
(Region 6)**
LSAA Program
4665 Lampson Avenue, Suite J
Los Alamitos, CA 90720
(562) 430-7212

Questions and Answers

1. When must I notify the Department?

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify the Department before beginning any activity that will do one or more of the following: 1) Substantially divert or obstruct the natural flow of any river, stream or lake; 2) substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or 3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. Fish and Game Code section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. If you are not certain that your proposed activity requires notification, the Department recommends that you notify.

2. How do I notify the Department?

In order to notify the Department, a person, state or local governmental agency, or public utility must submit a complete notification package and fee to the Department regional office that serves the county where the activity will take place. The notification package is available from any Department regional office and the Department's website www.dfg.ca.gov/1600/notification_pkg.html. The fee schedule-section 699.5 in title 14 of the California Code of Regulations- is included in the notification package. The Department's regional offices and the counties they serve are listed in the notification package and on the Department's website at www.dfg.ca.gov/regions/regions.html.

3. What happens after I notify the Department?

After you notify the Department, the Department will determine whether your notification package is complete. The Department will make this determination within 30 calendar days of receiving the notification package if you are applying for a regular agreement (i.e., an agreement for a term of five years or less). If the notification package is incomplete, the Department will contact you and specify the information you need to provide to make it complete. The Department will not process your notification package until it receives the additional information. If your notification package is complete, the Department will process it as described below. The 30-day time period does not apply to notifications for long-term agreements (i.e., agreements for a term greater than five years).

After the Department receives a complete notification package, it will determine whether you will need a Lake or Streambed Alteration Agreement for your activity. An agreement will be required if the activity could substantially adversely affect an existing fish and wildlife resource. If an agreement is required, the Department will conduct an onsite inspection, if necessary, and submit a draft agreement to you. The draft agreement will include measures to protect fish and wildlife resources while conducting the project. If you are applying for a regular agreement, the Department will submit a draft agreement to you within 60 calendar days after your notification is complete. The 60-day time period will not begin until your notification is complete. The 60-day time period does not apply to notifications for long-term agreements.

After you receive the draft agreement, you will have 30 calendar days to notify the Department whether the measures in the draft agreement are acceptable. If you agree with the measures included in the draft agreement, you will need to sign the agreement and submit it to the Department. If you disagree with any measures in the draft agreement, you must notify the Department in writing and specify the measures that are not acceptable. Upon written request, the Department will meet with you within 14 calendar days of receiving the request to resolve the disagreement. If you fail to respond, in writing, within 90 calendar days of receiving the draft agreement, the Department may withdraw that agreement.

After the Department receives the signed draft agreement, it will make it final by signing it. However, the Department will not sign the agreement until it receives your notification fee and complies with the California Environmental Quality Act (Pub. Resources Code, § 21000, et seq.) (see "4" below). After you receive the final agreement, you may begin the project the agreement covers, provided you have obtained any other necessary local, state, and federal authorizations. If you disagree with any measures in the draft agreement and you and the Department cannot resolve the disagreement informally, you may request an arbitration panel to resolve the disagreement. If you request arbitration, a panel of arbitrators will be established within 14 calendar days of receiving the request. The panel will comprise three persons: your representative, a Department representative, and a third person mutually agreed upon by you and the Department who will serve as the panel's chair. If you and the Department cannot agree upon the third person within the 14-day period, a court will appoint the third person. The third person must have scientific expertise relevant to the fish and wildlife resources your project could affect and to the measures in the draft agreement that are in dispute. Each party will be required to pay the expenses of their selected representative and pay one-half the expenses of the third person. The panel will issue a decision within 14 days after it is established. The decision must be based on the best scientific information reasonably available at the time of the arbitration, and will be issued in the form of a final agreement. The decision will be binding on you and the Department unless you or the Department successfully petition a court to correct or vacate the decision.

The time periods described above may be extended at any time by mutual agreement. The notification package explains how to complete the notification package and the agreement process.

4. Does the Department need to comply with other state laws or regulations before issuing a Lake or Streambed Alteration Agreement?

Yes. The Department must comply with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000, et seq.) before it may issue a final Lake or Streambed Alteration Agreement. Issuance of a final Lake or Streambed Alteration Agreement occurs after the Department receives a draft Lake or Streambed Alteration Agreement from the applicant and the Department signs it. In many instances, the Department will receive a signed draft Lake or Streambed Alteration Agreement from an applicant before the lead agency has fully complied with CEQA. In those instances, the Department must wait for the lead agency to fully comply with CEQA before it may sign the draft Lake or Streambed Alteration Agreement, thereby making it final.

Under CEQA, the "lead agency" is the local or state governmental agency that has the principal responsibility for carrying out or approving the activity. All other local or state agencies with discretionary approval authority are "responsible agencies."

The lead agency must determine first whether the activity is exempt from CEQA. If the activity is not exempt, the lead agency must prepare an environmental document, which will be a negative declaration, a mitigated negative declaration, or an environmental impact report. A lead agency is entitled to recover all of its CEQA-related costs from the applicant. If the Department acts as the lead agency for the activity your draft agreement covers, it will instruct you to submit an initial deposit to cover its initial CEQA-related costs. The deposit and any further CEQA-related costs will be in addition to your notification fee.

If the Department is a responsible agency, you must submit with your notification package a copy of any document prepared by the lead agency pursuant to CEQA, if one already has been prepared. You must also identify in your notification package the lead agency. Also, Fish and Game Code section 711.4 requires the lead agency to collect a fee on behalf of the Department whenever the lead agency prepares an environmental document, unless the activity is exempt

from the fee. Current CEQA fees are found in Fish and Game Code Section 711.4, available at www.leginfo.ca.gov/calaw.html.

For a detailed explanation of CEQA, you should consult the statute itself, the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) that implement CEQA, and CEQA handbooks and guides. CEQA and the CEQA Guidelines are available at www.ceres.ca.gov/planning.

5. Should I contact other governmental agencies regarding my proposed activity?

Depending on the activity you are proposing, in addition to a Lake or Streambed Alteration Agreement, you might need to obtain a permit, agreement, or other authorization from one or more governmental agencies. You should first contact your city and county planning departments to determine whether you need to obtain any local permits. The State and federal agencies listed below might also have permitting authority over your activity. You should contact these agencies if you are not familiar with their permitting requirements.

State agencies

- o Coastal Commission
- o Department of Conservation
- o Department of Forestry
- o Department of Water Resources
- o Regional Water Quality Control Boards
- o State Lands Commission
- o State Water Resources Control Board

Federal agencies

- o NOAA Fisheries
- o U.S. Army Corps of Engineers
- o U.S. Fish and Wildlife Service
- o U.S. Forest Service

6. Do I need to notify the Department or obtain a Lake or Streambed Alteration Agreement for emergency work?

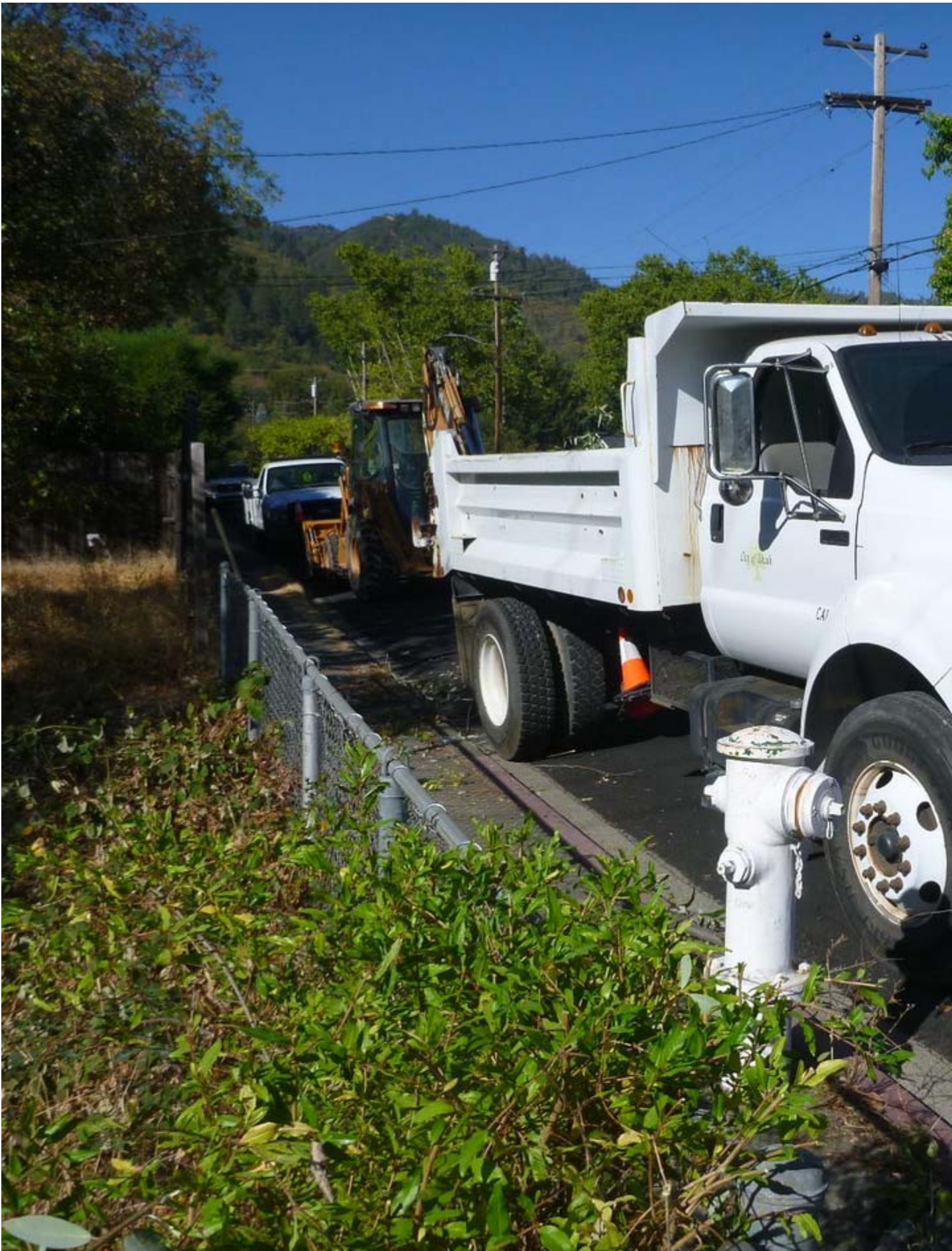
You do not need to notify the Department or obtain a Lake or Streambed Alteration Agreement before beginning the following emergency work: 1) immediate emergency work necessary to protect life or property; 2) immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in an area in which the Governor has proclaimed a state of emergency; and 3) emergency projects undertaken, carried out, or approved by a state or local governmental agency to maintain, repair, or restore an existing highway, within the existing right-of-way of the highway, that has been damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage. Although notification is not required before beginning the emergency work, you must notify the Department in writing within 14 days after beginning the work.

Mireya Turner

From: Megan Prout <meganprout@gmail.com>
Sent: Thursday, November 5, 2020 3:53 PM
To: Mireya Turner
Subject: Photos of vegetation "maintenance" in Doolan Creek by city staff

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.









Megan Parker Prout, MSW
Hospice of Ukiah
(707) 367-7696
meganprout@gmail.com
Pronouns: she, her, hers

Mireya Turner

From: Megan Prout <meganprout@gmail.com>
Sent: Thursday, November 5, 2020 4:24 PM
To: Mireya Turner
Subject: Re: Photos of vegetation "maintenance" in Doolan Creek by city staff

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

One more, taken just
now.



Megan Parker Prout, MSW
Hospice of Ukiah
(707) 367-7696
meganprout@gmail.com
Pronouns: she/her/hers

On Nov 5, 2020, at 15:52, Megan Prout <meganprout@gmail.com> wrote:

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<P1020613.jpeg>
<P1020612.jpeg>
<P1020611.jpeg>

Megan Parker Prout, MSW
Hospice of Ukiah
(707) 367-7696
meganprout@gmail.com
Pronouns: she, her, hers



STAFF REPORT

TO: Paths, Open Space, and Creeks Commission
DATE: March 2, 2020
FROM: Craig Schlatter, Director of Community Development
SUBJECT: Continued 1995 General Plan Implementation Measure Status Discussion

Background

The Paths, Creeks, Open Space Commission (POSCC) was established by City Council in 2003 to aid in efficient implementation of the Open Space and Conservation Element, as well as the sections relating to trails and pathways of the Circulation and Transportation Element of the City's 1995 General Plan.

At both the January 9 and February 6, 2020 meetings, the POSCC discussed the General Plan Open Space and Conservation Element Implementation Measures Status Report (Attachment 1) that was provided by Staff and the following implementation measures:

- OC-1.1(b) Provide information to people interested in learning about how undeveloped lands can be acquired as a means of preserving open space.
- OC 2.1(a) During the short-term planning period, the City shall facilitate acquisition of open space by the land Conservation Trust.
- OC 9.1(a) In the short term planning period, the City shall establish a citizen's task force for the Stream and Creek Restoration Master Plan and provide staff and technical assistance.
- OC 9.4(b) During the short-through intermediate-term planning periods, develop pocket parks along creek channels on public lands where feasible.
- OC 13.1(b) Compile information necessary to prepare a comprehensive evaluation of potential impacts and standardize mitigation measures and project conditions related to groundwater protection.

Discussion

Staff will continue this discussion with POSCC and has invited City Manager Sage Sangiacomo and/or Deputy City Manager Shannon Riley to participate. The City Manager's Office can provide additional contextual information regarding City Council and the City's Strategic Plan Goals and how they relate to the work of the POSCC.



Ukiah General Plan Open Space and Conservation Element

Implementation Measure Status Report

March 2016 , Revised January 2020

Implementation Measure	Status
OC-1.1(a): Ensure that the undeveloped lands inventory is updated each year	Staff capacity is limited so the vacant and underutilized land inventory is updated every five years as part of the General Plan Housing Element update. Last update was in 2009.
OC-1.1(b): Provide information to people interested in learning about how undeveloped lands can be acquired as a means of preserving open space.	
OC-1.1(c): When private organizations or public groups seek to acquire open space, provide staff support to answer questions and supply supporting information as needed.	Staff has not been approached by any private or public groups with questions about acquiring open space.
OC-1.2(a): The revised Land Development Code shall include standards for maintaining open space and green areas within new developments.	The zoning code contains landscaping standards.
OC-11.3(a): In the Land Development Code or design standards, incorporate requirements for enhancing native vegetation.	Creek Maintenance Policies and Procedures, zoning code, Master Tree List
OC-2.1(a): During the short-term planning period, the City shall facilitate acquisition of open space by the <i>land Conservation Trust</i> .	The Land Conservation Trust has not approached the City about open space acquisition.
OC-3.1(a): Amend the Land Development Code to incorporate incentives, such as density bonuses, for cluster housing to conserve critical natural habitat.	The zoning code was updated to include density bonuses for high density affordable housing projects.
OC-3.1(b): Ensure that the Land Development Code incorporates subdivision design standards to plan for shared or clustered driveways.	Downtown Zoning Code 2012.
OC-4.1(a): Using community relations programs, provide notice and an opportunity for groups to participate in the annual General Plan report to provide views concerning the implementation of the Open Space and conservation elements.	Public notice is provided every time a General Plan report is given.
OC-5.1(a): Evaluate and prepare an inventory of existing natural resources on a periodic and systematic basis during the life of the General Plan. The inventory may include encouraging other trustee or responsible agencies to take the lead in developing an inventory in areas of appropriate responsibility, it may include sponsorship of studies found by the Council to be of immediate importance to the City, or it may include City contributions in kind or monetarily, if appropriate, to assist in funding such studies.	
OC-5.1(b): During the short-term planning period, prepare a list of resources to be included in the inventory. The list shall be utilized to develop the systematic program for preparing the inventory.	
OC-5.1(c) The City shall strive to start an inventory of at least one resource identified on its list or in its program every two fiscal years.	
OC-6.1(a): The Land Development Code shall include provisions for review of the site terrain and natural characteristics as part of site design and development.	Hillside Zoning District regulations. Site Development Permit Findings. Also common practice through Building Permit and Public Works review.
OC-7.1(a): Working cooperatively on an ongoing basis with the affected property owners, the Russian River Flood Control and Water Conservation Improvement District (RRFC&WCID), Mendocino County, and other responsible and trustee agencies, develop and support programs to maintain the riverbed for flood control, fishery habitat, and water delivery.	

OC-7.2(a): Working cooperatively on an ongoing basis with affected property owners, the RRFC&WCID, Mendocino County, and other responsible and trustee agencies, establish a program to set a minimum riverbed elevation above mean sea level along its route within the Ukiah Valley and participate in project review to ensure that the channel elevation is maintained.	
OC-7.3(a) During the short-term planning period, work with the affected property owners, County of Mendocino, Department of Fish and Game, and California Division of Mines and Geology to determine the resupply levels of river gravel.	
OC-7e(b): When reviewing permit applications for mineral resource harvesting from within the river channel, ensure that permit conditions maintain a maximum harvest volume that will not, when combined with other extraction permits, exceed the resupply levels for river gravel.	Not applicable to the City
OC-7.4(a): The revised Land Development Code shall incorporate standards for retention or volume reduction of stormwater flows as a means of reducing flood potential from surface runoff from large paved areas.	Ongoing and routine practice. LID
OC-7.5(a): Incorporate design standards in the Land Development Code to integrate riparian habitat into project design as a means of avoiding potential impacts of river sedimentation and lessening the effects of erosion.	
OC-7.5(b): Review project landscaping proposals, working with proponents, to avoid removal or damage to riparian habitat and develop programs to avoid or manage sedimentation and erosion of river channels and tributaries.	On-Going. Examples: The Buddy Eller Center, Riverside Park.
OC-7.5(c): The Land Development Code shall include either specified setbacks from the Russian River based on precise criteria or site-specific performance standards for each zoning district.	Not applicable to the City
OC-8.1(a): No land within the one hundred year flood plain of the Russian River shall be converted from agricultural use to residential, general commercial or industrial development.	No conversions have occurred.
OC-8.1(b): Establish land development programs that place an emphasis on public or commercial recreation development of riverfront property, for lands converted from agricultural uses.	No conversions have occurred.
OC-9.1(a): In the short term planning period, the City shall establish a citizen's task force for the Stream and Creek Restoration Master Plan and provide staff and technical assistance.	Attempted to establish Task Force in mid-late 1990's. Unsuccessful.
OC-9.1(b): The task force's final plan shall include recommendations for private and public funding sources and incentives to property owners to accomplish stream or creek restoration.	No Task Force established.
OC-9.2(a): When maintaining creek and stream channels, the City shall be cognizant of the natural conditions, restoring them whenever possible.	2010 Creek Maintenance Policies and Procedures.
OC-9.2(b): During the short-term planning period, wherever feasible and safe, remove barriers and impediments to fish passage following appropriate study of the channel.	
OC-9.2(c): The City shall maintain information available to the public about the use of riparian plants and vegetation for landscaping, including sources of plant material.	2010 Creek Maintenance Policies and Procedures, Master Tree List
OC -9.2(d): Ensure that grading and development codes incorporate measures to protect and enhance fish habitat including riparian vegetation protection and restoration and erosion and sediment control measures.	2009 Storm Water Management Ordinance
OC-9.2(e): Development plans shall be reviewed to ensure that proposals are coordinated with adjoining development in design to maintain or enhance contiguous riparian corridors.	No opportunities have materialized.
OC-9.2(f): Support efforts of appropriate agencies to ensure in stream water flows adequate to maintain and protect historic fisheries in the streams and creeks within the Planning Area.	

OC-9.2(g): Work with the California Department of Fish and Game and community groups to inventory spawning streams in the Planning Area and establish population counts for important fish species.	Fish and Game Orrs Creek Inventory late 1990's.
OC-9.2(h): During the intermediate and long-term planning period, the Redevelopment Authority shall consider among its projects the restoration of creeks within its jurisdiction.	Redevelopment Agency eliminated.
OC-9.2(i): The City shall develop and implement a review procedure with the California Department of Fish and Game which provides each local agency the opportunity to comment on all proposed Streamed Alteration Agreements in the Planning Area. The focus of this review shall be upon the protection and enhancement of stream and creek natural resources, including fish and riparian vegetation.	Permit application routing system in place.
OC-9.2(j): The City Planning Department shall develop a review and comment procedure with the City Engineer and the Building Official which ensures that all public and private projects in or adjacent to a City stream or creek are designed and approved in a manner which preserves and enhances fish habitat.	Permit application routing system in place.
OC-9.3(a): As a part of stream restoration and maintenance programs, the City and County shall ensure that floodwater carrying capacity has not been significantly reduced or damaged.	Orrs and Gibson Creek Plans, Creek Maintenance Policies and Procedures.
OC-9.3(b): Whenever possible, riparian vegetation shall be used for streambank protection in conjunction with natural materials or appropriate structural material to achieve a natural-looking appearance.	City participation with <i>The Friends of Gibson Creek</i> .
OC-9.4(a): Working cooperatively between the City, County, and private landowners during the short-term and intermediate-term planning periods, develop pedestrian access along creeks flowing through the City.	Perkins Street and North Oak Street pocket parks.
OC-9.4(b): During the short-through intermediate-term planning periods, develop <i>pocket parks</i> along creek channels on public lands where feasible.	Perkins Street and North Oak Street pocket parks.
OC-9.5(a): The Land Development Code shall include either specified setbacks from streams based on precise criteria or site-specific performance standards for each zoning district.	Completed recommendation in May, 2019.
OC-10.1(a): During the short-term planning period, a "Habitat conservation Plan" shall be developed in cooperation with the California Department of Fish and Game for the purpose of conserving valuable grounds in prime habitat areas.	
OC-10.2(a): Utilize the Land Development Code to establish road and structure siting standards in the area's hills which conform to the Habitat Conservation Plan.	
OC-10.2(b): Site and design development to minimize impacts on views from the Valley.	Ongoing. This is a part of CEQA and Site Development Permit findings
OC-10.2(c): Clearings for roads, buildings, and fire protection zones shall be sited in the least visible and ecologically damaging locations possible and screened with vegetation wherever feasible.	Ongoing. This is a part of CEQA and Site Development Permit findings
OC-10.3(a): Prior to the conclusion of the short term planning period, establish a citizen committee appointed by the City Council and Board of Supervisors to identify and select locations within the hills which would be appropriate for future public acquisition.	
OC-10.3(b): The City and County shall work to identify for ridgeline areas found to be suitable for general public use for possible acquisition.	
OC-10.3(c): Provide points of connecting access from the ridge-top trails into the Valley in any plans or programs for trail development.	City View Trail, 2010
OC-11.1(a): Utilize the existing natural resource inventory combined with the Habitat Conservation Plan as a basis for allocating areas for development and areas for conservation.	
OC-11.1(b): Lands designated for conservation shall be developed with onsite density transfer provisions such as cluster housing.	

OC-11.1(c): Utilize the provisions of the Land Development Code to allow density transfer within parcels that create cluster development to provide a balance between open space retention and the need to maintain a growing housing stock	
OC-11.1(d): Density transfer shall be utilized as part of a project's subdivision review through provisions in the Land Development Code.	
OC-11.1(e): Residential development density shall be allocated in relation to the availability of services and facilities to serve the property in the land use element.	2002 Hillside Constraints Analysis Study, Mid-late 1990's GP compliance re-zonings and 2012 Downtown Zoning Code
OC-11.2(a): When new residential development is proposed in the hills, provide incentives to encourage cluster development add a means of maintaining and enhancing natural areas and public hiking access.	
OC-12.1(a): If it is determined that a development proposal may result in a significant reduction in groundwater recharge areas or water quantity, the developer shall be required to analyze the areas of new impermeable surfaces to provide information as to whether the potential impact is significant.	
OC-13.1(a): During the intermediate term planning period, assemble available baseline information describing the Valley's groundwater system – physical and natural characteristics, quality and quantity, and demand and resupply	2005 and 2010 Urban Water Management Plans, 2006-2008 Health Waterways Study (UC Davis).
OC-13.1(b): Compile information necessary to prepare a comprehensive evaluation of potential impacts and standardize mitigation measures and project conditions related to groundwater protection.	
OC-13.1(c): When development proposals are received, ensure that there is adequate information from the baseline study, and the standardized impact analysis and mitigation program to determine whether the proposed project will result in a significant change in the Ukiah Valley aquifer.	
OC-14.1(a): Participate with other area agencies in hearings and petitions before state or federal agencies to oppose transfer of water rights or Ukiah Valley-source water from within the Ukiah Valley to other areas.	
OC-15.1(a): Adopt grading regulations for purposes of reducing erosion and sedimentation.	2009 Storm Water Management ordinance.
OC-15.1 Support public and private land management programs which aim to reduce erosion and agricultural run-off.	
OC-16.1(a): Parking lot design shall be reviewed to ensure that there are adequate containment features to separate contaminated surface water from storm water run-off.	On-going and routine practice.
OC-16.1(b): Utilize appropriate technology to delay storm surges from running off parking areas and potentially overburdening the drainage system.	On-going and routine practice. LID.
OC-16.2(a): Review all proposed projects to ensure that the calculated volume and locations of surface water discharges do not exceed the capacity of area drainage systems. If the drainage system is exceeded, improvements can be required through Appendix 70 of the Uniform Building Code.	On-going and routine practice. LID.
OC-16.2(b): During the intermediate-term planning period, develop a stormwater management program for urbanized areas in the Valley to prevent damage to agricultural areas from conveyance of flood capabilities waters.	Not applicable to the City.
OC-17.1(a): Land use designations shall avoid conflicts between agricultural uses and adjoining land uses.	Accomplished with the General Plan Land Use Map and rezoning program in the mid to late 1990's.
OC-17.2(a): Encourage the use and renewal of Williamson Act contracts for agriculture lands in the Valley.	Not applicable to the City.
OC-17.2(b): Encourage the County to approve requests for qualifying lands to enter into Williamson Act contracts.	

OC-17.3(a): Within six months of initial General Plan adoption, enact the County Right-to-Farm ordinance or a more stringent right-to-farm ordinance.	
OC-18.1(a): Utilizing methods such as public and private purchase of development rights, or other tradeoffs, including land trusts, open-space easements or transfer of development rights, work with the County to implement a program during the short-term planning period designed to remove or reduce development pressures on agricultural lands.	
OC-19.1(a): Work with the County to provide for zoning that will permit establishment of small-sized, specialized, intensive farming operations or necessary accessory uses.	Community gardens approved within the City limits.
OC-19.1(b): Require parcel sizes created by new subdivisions to be sufficient in size to be compatible with adjoining agriculture areas.	Not applicable to the City.
OC-19.1(c): A land use classification and overlying zoning district could be changed from an agricultural classification to a non-agricultural classification only when all of the following have been substantiated: <ul style="list-style-type: none"> • The application includes either a proposed Specific Plan meeting the requirements of California law, or meets the requirements for a Master Plan Area and land development regulations; • Included in the application is a letter from the source of funding for the project that the funds have been committed and approved for the proposed development. This document may be considered confidential and not a part of the public record, however, lead agency officials shall be required to attest to its authenticity • The development plan shows how infrastructure shall be provided. The project shall not result in a need for premature expansion of infrastructure; • Along with the application, proof must be provided that o other locations within the Planning Area could meet the project's objectives; • The General Plan amendment must achieve the long-range goals of the General Plan as it exists prior to amendment; • The application shall not have a significant adverse effect on adjoining agricultural uses; • The subject land is substantially unusable for agricultural purposes due to encroaching adjacent nonagricultural uses. 	Not applicable to the City
OC-20.1(a): Permit residential land use on agricultural lands at parcel sizes compatible with commercial agricultural uses on lots that are not feasible for commercial-scale agricultural use.	Not applicable to the City.
OC-20.1(b): Utilize provisions of the Land Development Code to ensure that there is a suitable separation between commercial agriculture uses and non-compatible uses such as residential. The responsibility for providing the separation shall be borne by the non-agricultural use.	Not applicable to the City.
OC-20.1(c): Ensure that the "right-to-farm" ordinance or Land Development Code includes appropriate performance standards for agricultural-residential separation on agricultural lands.	Not applicable to the City.
OC-21.1(a): Lend support on an ongoing basis to programs which encourage organic and sustainable farming.	Support of local Farmers Market
OC-22.1(a): When reviewing proposals for development, require that all valley oaks on the project area be identified, and ensure that all reasonable efforts have been undertaken to protect the trees.	Common and routine practice is for the planners to require all existing trees to be shown on submitted site plans. City also has adopted Tree Mgmt Guidelines
OC-23.1(a): Provide information about native plant landscaping to developers.	Master Tree List (2012), Creek Maintenance Policies and Procedures (2010), Landscaping and Streetscape Design Guidelines (1996).
OC-23.1(b): Develop landscaping standards which use native plant landscaping for all new development and redevelopment projects.	Zoning code amendment 1998. Native species "strongly encouraged" in development landscaping plans.
OC-23.1(c): Landscaping standards for new development and redevelopment projects shall be applicable to all but individual single-family residential development. Compliance with landscaping standards shall be required as a condition of discretionary approvals	Accomplished - Zoning Code amendment 1998.

or a condition of issuing a building permit. This implementation measure does apply to single family residences located within planned developments or subdivisions for which landscaping standards where incorporated as conditions of project approval.	
OC-24.1(a): Implement the program to replace aging trees giving preference to native species.	Community Services Department implements this measure.
OC-25.1(a): During the short-term planning period, utilize the Land Development Code or enact an ordinance identifying important shade tree areas and providing for their long-term management and health.	Included in landscaping standards in code.
OC-25.1(b): Establish a requirement for public notice and hearing when trees are to be removed from undeveloped public, private, and redeveloped property – except for recreational purposes or in relation to agriculture – as part of the design review program.	
OC-26.1(a): Establish restricted or no access points to area where fish are known to spawn.	
OC-27.1(a): During the intermediate-term planning period, identify areas for acquisition or dedication as easements for purposes of wildlife preserves.	
OC-28.1(a): Utilize the Land Development Code to require new construction, permits for remodeling, and replacement of landscaping to meet current landscaping standards to ensure an upgraded appearance through the Ukiah Valley.	Accomplished for commercial, office and industrial projects 1998. Ongoing.
OC-28.1(b): During the short-term planning period, enhance the appearance of the Highway 101 corridor and Caltrans right-of-way with additions to the recently planted tree and flower plantings. The emphasis shall be to favor native species.	Accomplished with development projects with Highway 101 frontage; ex: Friedman Brothers Home Improvement store. Costco and other new development must adhere to landscaping and design requirements.
OC-29.1(a): The Land Development Code shall incorporate measures to maintain and enhance the urban tree canopy.	Zoning Code amendments 1998, master tree List 2012.
OC-29.1(b): Review construction and landscaping site plans to ensure that healthy trees are not removed unnecessarily.	Common and routine practice. Enforcement is challenging.
OC-29.2(a): Make available information on sound urban forest management practices.	Master Tree List 2012, tree information available at Civic Center.
OC-30.1(a): During the short-term planning period, redesign the Civic Center grounds/Seminary Avenue corridor as urban park gathering place. Landscape the corridor that connects downtown to the Courthouse area via School Street.	Benches and trash receptacles added in lawn area in front of the Civic Center.
OC-30.1(b): Maintain Seminary Avenue as tree-lined boulevard.	Aging trees replaced.
OC-31.1(a): Utilize the revised Land Development Code as a means of promoting improved siting of development to reduce vehicle emissions.	Downtown Zoning Code 2012.
OC-31.1(b): Consider measures to reduce traffic in other parts of the community to offset emissions (or traffic) not mitigated by site-specific measures.	Bicycle-Pedestrian Master Plan (1999), Bike facilities grant writer (2001), Gobbi Street bike lanes (2003), Clara Avenue bike lanes, Rail Trail Feasibility Study, Rail Trail construction project (2012), etc.
OC-31(c): Develop traffic management measures that are designed to discourage through-traffic as a means of reducing emissions.	Clara Avenue traffic calming project.
OC-32.1(a): The City and County shall consult with the MCAQMD regarding the effectiveness of mitigation measures proposed by the applicant in developing a mitigation monitoring and reporting program.	Common and routine practice.
OC-32.1(b): When using mitigation measures suggested by the MCAQMD, consideration shall be given to site-specific factors which may make a measure unnecessary or infeasible.	Common and routine practice.
OC-33.1(a): During the short-term planning period, the City and County shall work with the Air Quality Management District to support the preparation of basin-wide Air Quality Impact Guidelines that will provide standard criteria for determining (1) thresholds for significant environmental effects; (2) a uniform method of calculating project emissions; and (3) a list standard mitigation measures.	1998 MC Air Quality Study (Sonoma Technologies) MCAQMD Attainment Plan (2005) CEQA Criteria and GHG Thresholds (2013)
OC-34.1(a): The City and County shall consult with the MCAQMD during CEQA review for all discretionary projects.	Common and routine practice.

OC-34.1(b): City and County project applications shall include a recommendation that applicants meet with the MCAQMD prior to submitting applications for processing if it appears that the proposed project may meet or exceed MCAQMD emissions thresholds.	Common and routine practice
OC-34.1(c): Conduct a pre-application air quality review with MCAQMD to identify issues or problems that might require design or major alterations of the project and recommend applicants submit formal air quality impact analyses to the District for adequacy review.	MCAQMD invited to participate in pre-application reviews.
OC-35.1(a): In the short-term planning period, the City and County shall cooperate with the AQMD when developing transportation, air quality and other resource modeling, and when establishing geographic information system (GIS) technology. This policy supports data sharing with County, Regional, and State agencies and avoids redundant tasks.	Common and routine practice.
OC-36.1(a): The City and County shall assist the MCAQMD in educating developers and the public on the benefits of pedestrian and transit friendly development.	Common and routine practice.
OC-36.1(b): Jointly develop and promote seminars on planning that enhances air quality and other community values.	
OC-36.1(c): During the short term planning period. The City and County shall develop employee education programs about the possibilities of reducing air pollution through personal life-style choices. This program may include the importance of using wood burning appliances appropriately, developing employee rideshare matching, and programs to encourage employees to use non-polluting modes for commuting.	
OC-37.1(a): During the short-term planning period, work with the Farm Bureau, the University of California, the MCAQMD and farm organizations on educational programs designed to share knowledge and techniques of reducing agri-business generated PM.	
OC-37.2(a): Include paving requirements in the Land Development Code.	Accomplished. Alternative materials can be considered to balance air quality concerns with hydrological concerns.
OC-37.2(b): In the Land Development Code, require measures to reduce particulate emissions from road and site construction, grading, and demolition to the maximum extent feasible.	Common and routine practice during CEQA analysis. Standard mitigation measures developed with the MCAQMD.
OC-37.2(c): The land Development Code shall require that new access roads and parking areas shall be covered with pavement or other appropriate material to reduce or eliminate dust.	Common and routine practice during CEQA analysis. Standard mitigation measures developed with the MCAQMD.
OC-37.2(d): Utilize recommendations from the MCAQMD on appropriate dust-control activities, suitable for soil, wind, slope, and other site particulars. Provide for regular inspection of the project's dust-suppression measures. Incorporate dust-control enforcement provisions in all construction permits, and consult with District enforcement staff if a nuisance issue arises from project earth-moving or construction-equipment exhaust.	Common and routine practice during CEQA analysis. Standard mitigation measures developed with the MCAQMD.
OC-37.3(a): During the short-term planning period, the City and County, in consultation with the District, shall develop a program to reduce PM emissions from City and County maintained roads.	
OC-38.1(a): Through local building codes or ordinances, the City and County shall require primary heat sources in all new development, room additions, or remodels involving space heating to utilize low/no air emission heat sources. Examples may include solar, natural gas, propane, butane, fuel oil, or electricity.	Building Code requirements.
OC-38.1(b): The City and County may restrict or prohibit installation of wood burning appliances in new development.	MCAQMD adopted regulations.
OC-38.1(c): During the short-term planning period, the City and County plan reviews and inspections shall verify that solar access is optimized and primary heat sources come from low-polluting sources. Special exemptions may be made for oil-fired appliances in out-lying areas not served by natural gas.	Building Code requirements.
OC-38.1(d): Where wood burning appliances are permitted, dwellings may be required by local ordinance to (a) incorporate increased insulation or reduced window area sufficient to exceed insulation	Building Code requirements.

<p>requirements of Title 24 of the state energy code by 25% or more; (b) install only EPA-certified wood stoves, fireplace inserts and pellet stoves; and (c) provide energy calculations to substantiate that wood-burning is not the primary heat source.</p>	
<p>OC-38.1(e): The City, County, and the Mendocino County Air Quality Management District shall develop a program to voluntary retrofit existing homes containing older, highly polluting wood stoves, and fireplaces with Environmental Protection Agency (EPA) certified clean burning appliances. Funding may come from the City, the County, the MCCAQMD, developer offset fees, fines or settlements, grants or other mechanisms.</p>	<p>Building Code requiremetns. MCAQMD Burn Wise program.</p>