

**CONCURRENT REGULAR MEETINGS OF THE
SONOMA CITY COUNCIL
&
SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE
DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY**

**Community Meeting Room, 177 First Street West
Sonoma CA 95476**

**Monday, May 19, 2014
6:00 p.m.**

AGENDA

City Council
Tom Rouse, Mayor
David Cook, Mayor Pro Tem
Steve Barbose
Ken Brown
Laurie Gallian



Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.

OPENING

CALL TO ORDER & PLEDGE OF ALLEGIANCE
ROLL CALL (Cook, Brown, Gallian, Barbose, Rouse)
REPORT ON CLOSED SESSION

1. COMMENTS FROM THE PUBLIC

At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. Upon being acknowledged by the Mayor, please step to the podium and speak into the microphone. Begin by stating and spelling your name.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

3. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF

4. PRESENTATIONS

Item 4A: Presentation of the Police Department's 2013 Annual Report

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council, staff, or public request specific items to be removed for separate action. At this time Council may decide to change the order of the agenda.

Item 5A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action - no backup information provided)

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL, Continued

Item 5B: Approval of the minutes of the May 5, 2014 City Council goal setting meeting and the May 5, 2014 regular meeting.

Staff Recommendation: Approve the minutes.

Item 5C: Authorization for City Manager to Execute a Purchase Agreement to Purchase a New (Replacement) Public Works Department Flatbed Truck.

Staff Recommendation: Authorize the City Manager to purchase a new 2015 Ford F350 Flatbed Truck utilizing the State Bid Contract #1-14-23-20A for the replacement of the existing 1997 Ford Public Works flatbed truck.

Item 5D: Acceptance of the City of Sonoma Annual Financial Audit for the fiscal year ending June 30, 2013 as prepared in accordance with GASB Statement 34.

Staff Recommendation: Accept report.

Item 5E: Approve Indemnity Agreement between the City and the Sonoma County Waste Management Authority (SCWMA) indemnifying the City for Liabilities and Claims Arising out of the SCWMA's adoption of an ordinance banning the use of plastic bags in the City of Sonoma.

Staff Recommendation: If the Indemnity Agreement is acceptable to the Council, approve same and authorize the City Manager to execute same on behalf of the City Council.

6. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS SUCCESSOR AGENCY

All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council, staff, or public request specific items to be removed for separate action. At this time Council may decide to change the order of the agenda.

Item 6A: Approval of the portions of the Minutes of the May 5, 2014 City Council goal setting meeting and the May 5, 2014 regular meeting pertaining to the Successor Agency.

Staff Recommendation: Approve the minutes.

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

(Matters requiring discussion and/or action by the City Council)

Item 8A: Discussion, consideration and possible action to take a position regarding the Economic Development and State Historic Tax Credit Act, AB 1999, requested by Mayor Pro Tem Cook. (City Manager)

Staff Recommendation: Council discretion.

Item 8B: Discussion, consideration and possible action to amend Sonoma Municipal Code to Increase Current Regulations Related to Smoking, Smoking Locations and/or Smoking Products in the City of Sonoma. (City Manager)

Staff Recommendation: Review the options presented by staff; give direction to staff.

8. REGULAR CALENDAR – CITY COUNCIL, Continued

Item 8C: Discussion, consideration, and possible action on a draft amendment to the Management Plan for the Montini Preserve to allow leashed dogs on trails and related matters, including direction to circulate a draft initial study/mitigated negative declaration for review and comment. (Planning Director)
Staff Recommendation: Provide feedback and direction on the draft amendment and direct staff to circulate the draft initial study/mitigated negative declaration.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

(Matters requiring discussion and/or action by the Council as the Successor Agency)

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Item 10B: Final Councilmembers' Remarks.

11. COMMENTS FROM THE PUBLIC

12. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on May 16, 2014. Gay Johann, Assistant City Manager/City Clerk

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are normally available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the City Clerk, at or prior to the public hearing.

In accordance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4A

Meeting Date: May 19, 2014

Department

Police

Staff Contact

Bret Sackett, Police Chief

Agenda Item Title

Presentation of the Police Department's 2013 Annual Report

Summary

In accordance with the Agreement for Law Enforcement Services between the City and the County, the County is required to provide the City with an annual report. The report will include an overview of police operations, along with results of the Performance Objectives identified in the agreement.

Recommended Council Action

Receive presentation of Police Department 2013 Annual Report

Alternative Actions

N/A

Financial Impact

None

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Sonoma Police Department Annual Report for 2013

Alignment with Council Goals:

This item is not directly related to any stated in Council Goal.

cc:

2013 Annual Report

Sonoma Police Department



Sonoma Police Department

175 First Street West, Sonoma, Ca 95476

Message from the Chief



On behalf of the Sonoma Police Department, I am pleased to present our annual report for 2013. This report reflects the hard work, dedication, and tireless effort of the men and women of the Sonoma Police Department, and is representative of their commitment to the core values of our department.

The men and women of the Sonoma Police Department are committed to making our city a safe place to live, work, and visit, and on behalf of our dedicated staff of professionals, I would like to thank you for the support you've provided this past year. The department looks forward to proactively build and strengthen community partnerships through the delivery of high quality, efficient, and professional law enforcement services.

Mission Statement and Core Values

In partnership with our communities, we commit to provide professional, firm, fair and compassionate law enforcement and detention services with integrity and respect.

<i>Principles of Excellence</i>	<i>Effective Enforcement of the Law</i> <i>Sense of Team</i> <i>Community Oriented Philosophy</i> <i>Organizational Efficiency</i> <i>Commitment to Duty and Tradition</i>
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Community Oriented Policing

Community Oriented Policing is a philosophy, management style, and organizational design that promotes proactive problem solving and police-community partnerships to address the causes of crime and fear, as well as other community issues. Community Oriented Policing redefines the roles and relationships between the community and the police by recognizing that the community shares responsibility with the police for social order. Both must work cooperatively to identify problems and develop proactive community-wide solutions.

Year in Review

For the first time in several years, we experienced an increase in our overall crime rate based upon the FBI’s Uniform Crime Reporting program. In 2013, our violent crime rate increased by 41% and our property crime rate increased by 10%. As I’ve mentioned previously, crime rates can provide a quick “snapshot” of our community, they often provide a very simplistic view of the community and don’t take into consideration the many factors that influence crime.

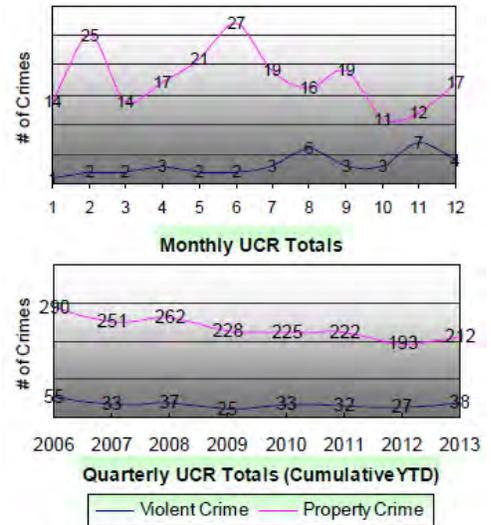
Due to our small size, any change in the number of reported crimes can have a dramatic effect on our crime rate, so it’s important to note the number of reported violent crimes increased by only 11 and is consistent with rates we experienced 5 years ago.

In my opinion, which is shared by my colleagues around the State, we are beginning to see the impact of AB 109 – the State’s Prison Realignment Program. The Sonoma County Law Enforcement Chief’s Association is working collaboratively to address and mitigate the impact of this significant change to California’s criminal justice system.

The department received a \$70,000 STEP grant from the Office of Traffic Safety to enhance our traffic enforcement program. Utilizing grant funds, we purchased a fully-equipped BMW motorcycle and other associated traffic enforcement devices. In addition, we’ve sent several deputies to a variety of traffic related training and will use the remainder of the grant funds for enforcement operations, especially focusing on pedestrian safety and intersections with a high-incident of traffic collisions.

With the support of the City Manager, the City Council took a major step in supporting public safety by approving the department’s first canine program. In August, Deputy Jeff Sherman introduced our newest crime-fighter, Dickie, a beautiful, 2-year old Belgian Malinois/German Shepherd mix that is cross-trained in narcotic detection and patrol operations. In addition to his patrol duties, Dickie has made several appearances at our local schools and community events. Dickie has already made a noticeable impact by convincing suspects to surrender, which increases the safety of both the suspect and deputies. In another sign of collaboration, Sheriff Freitas agreed to fund the start-up cost of the Sonoma K9 program. I think this gesture goes a long way to reaffirm the value he places on public safety in Sonoma Valley and his

commitment to providing the highest caliber of law enforcement services to the City of Sonoma.



In partnership with the county's Department of Health Services, the department offered Responsible Beverage Service training twice to our ABC licensed establishments. This program, which is provided free of charge, is intended to instill a sense of awareness and responsibility to our proprietors and to help address the problem of underage drinking.

Unfortunately, the City of Sonoma and the Sonoma Valley has seen an increase in gang-related violence in 2013. In collaboration with our community partners and the Sheriff's Multi-Agency Gang Enforcement team (MAGNET), we are proactively looking at ways to address gang related issues through a variety of gang prevention, intervention, and enforcement strategies. The police department and Sheriff's Office, along with the Boys and Girls Club, La Luz, and Social Advocates for Youth were awarded a "planning grant" from Impact 100 to research possible gang prevention / community health models for Sonoma Valley, such as the Mayor's Gang Prevention Task Force in Santa Rosa. While the direction of our community effort has not been decided, we are steadfast in our commitment to address this troubling community issue head-on without reservation. The Sonoma community is rich with a variety of non-profits and community champions doing amazing work and we look forward to working with them in the future.

The City Council instituted a diversion fee to help off-set the cost of providing our local Youth and Family Diversion program. In light of recent budget cuts at the county's probation department, local diversion programs are more valuable than ever. This diversion fee can be reduced or waived based upon set criteria and additional community service hours will be assessed for any fee waivers. In essence, no referral will be turned away due to financial limitations.

For the second year in a row, Deputy Eric Smith was selected to receive the 2013 Mothers Against Drunk Driving (M.A.D.D.) Award for his efforts to combat drunk driving. Deputy Smith arrested 30 people for impaired driving. Drunk driving continues to be a focus of our enforcement efforts.

Sonoma PD Volunteer Barry Comerford was selected to receive one of Sonoma County's much coveted "Volunteer of the Year" awards. VIP Comerford has donated countless hours to the Sonoma community and has been a tremendous asset to our department. Sonoma PD and the Sonoma community are blessed with a strong and active corps of Volunteers In Policing Service, who assist us with a variety of community services, such as special events, parking enforcement, and administrative tasks. They truly are a "force multiplier" in terms of community service and outreach.

We've continued our strong tradition of community outreach and have participated in a variety of community events. Some of those events include tours of our facility, neighborhood watch meetings, as well as participation in events such as the Farmer's Market, Vintage Festival, and the Independence Day celebration.

Special Programs and Partnerships

School Resource Officer

The School Resource Officer continues to be an integral part of our community oriented policing philosophy. While initially funded by a grant from the US Department of Justice, the Sonoma County Sheriff's Office and the Sonoma Valley Unified School District entered into a subsequent 5 year partnership to continue funding for the program. This fiscal year, the City agreed to help fund the SRO position in partnership with the Sheriff and the school district, which should help provide a more stable funding formula for future years.

Deputy Matt Regan, our School Resource Officer, monitors campus activity and provides security at various school functions, such as sporting events and dances. He sits on the district's Student Review Team, provides instruction for driver's education, and speaks at numerous school functions.

Animal Control

The police department provides animal control services for the City, which includes annual licensing, permit review, enforcement of city, county, and state laws, animal related investigations, and care of impounded animals. Our Community Services Officers primarily fill this role, but in their absence, the patrol staff responds to animal related calls. Working closely with Pet's Lifeline, our community partner, and Sonoma County Animal Care and Control, we strive to provide exemplary service in terms of enforcement, reunification of stray pets, and appropriate adoption services. In 2013, we saw an increase in the number of animal related calls for service, as well as impounded animals. We joined the Sonoma County Animal Services Partnership, which is a collaboration of animal service professionals dedicated to a series of common goals, to look at new and innovative ways to enhance our effectiveness in the area of animal services and enforcement.

Explorers and Volunteers in Police Service

The police department is proud to have such a strong cadre of volunteers to assist us in the service to our community. Our Explorer Program, which is designed for youth from the ages of 14-21 years old, is a career-oriented program that gives young adults the opportunity to explore a career in law enforcement. Under the guidance of sworn personnel, they meet on a regular basis to discuss the law enforcement profession, participate in the ride along program, and to assist with community events.

We continue to have strong Volunteers in Police Service (VIPS) program to better serve our community. Currently eight (8) volunteers donate their time on a weekly basis, assisting with office work, parking enforcement, security checks, Plaza patrols, and traffic control for parades. During 2013, our volunteers donated nearly 3,000 hours to the police department in an amazing sign of community service and community spirit.

Sonoma Valley Youth and Family Services

Under the auspices of the Sonoma Police Department, Sonoma Valley Youth and Family Services (SVYFS) provides an alternative to juvenile probation for youth who are cited for criminal activity. The program provides services for families who live within the boundaries of the Sonoma Valley Unified School District (SVUSD), although they may be attending schools out of this District.

SVYFS also works with families/youth who have not yet committed a crime, but are at risk of being involved in criminal behavior, to redirect them to more meaningful alternatives.

In 2013, SVYFS provided services to 83 youthful offenders, which was a decrease from the previous year. The majority of the referrals continue to be for substance abuse violations, such as alcohol and marijuana, with marijuana related violations comprising 57% of the referrals. Traffic related referrals accounted for the second largest number of referrals, followed by acts of violence. In 2013, youthful offenders completed over 1,200 hours of community service at various Sonoma Valley non-profits as a way to compensate the community for the harm caused by their actions.

According to Cynthia Ashmore, the program coordinator, *“There continues to be a significant trend in younger youth involved in substance abuse, particularly in middle school grades. The substance abuse increase in the middle schools indicates to this agency a continued need for prevention and early intervention programs geared towards middle and elementary school aged youth.”* The complete annual report of Sonoma Valley Youth and Family Services program is available upon request at the City Prosecutor’s Office.

City Prosecutor’s Office

The City Prosecutor’s Office continues to prosecute misdemeanor offenses and municipal code infractions that occur within the City limits, and mitigate conflicts within the City of Sonoma through cooperation with the Sonoma Police Department.

The police department refers all appropriate misdemeanor and municipal code violations to the City Prosecutor’s Office. DUI and traffic related cases continued to account for the largest majority of referrals, followed by domestic related crimes, drug violations, and city ordinance violations.

The police department feels this program has been beneficial, since the City Prosecutor has a clear understanding of quality of life issues occurring within Sonoma. In addition, the ability to interact with the local prosecutor on specific cases has been invaluable.

The complete annual report of City Prosecutor’s Office is available upon request at the City Prosecutor’s Office.

Performance Objectives and Statistics

It is incumbent upon the Sonoma Police Department to provide a safe community and a sense of security to the citizens of the City of Sonoma. This will be accomplished by providing professional law enforcement services with the highest degree of integrity and respect, while adhering to the Sheriff's Office Mission Statement, Core Values, and Principles of Excellence.

There are four primary Performance Objectives identified in the law enforcement services contract. Performance measures, when conceived as part of a broad management perspective, can provide an increased level of understanding that can result in more effective and efficient services. These Performance Objectives are intended to provide insight that can be used to make improvements to individual programs and initiatives, and to improve the effectiveness of our department's overall operations. The four primary Performance Objectives are:

Deter and Prevent Crime

Apprehend and Prosecute Offenders

Maintain and Resolve Conflict

Promptly Respond to Incidents Requiring Immediate Attention

Each of these Performance Objectives is measured by statistical data that relate directly to primary Performance Objective. While these Performance Objectives have the potential to provide a "snapshot" of the impact of our policing efforts, it is important to remember these statistics can be influenced by a wide variety of factors. For instance, a rise in reported crime may not necessarily reflect a decrease in public safety, but instead it could reflect a strong working relationship between the community and the police department which results in the community feeling comfortable reporting criminal behavior.

Objective 1: Deter and Prevent Crime

This performance objective shall be measured by comparing the following data:

- a. Uniform Crime Reporting data will be used to determine crime patterns occurring in the City.
- b. State of California crime rates will be compared with crime rates for the City of Sonoma.

UCR Summary Data¹	2010	2011	2012	2013	% Change²
Homicide	2	0	1	0	-100%
Rape	3	1	0	3	300%
Robbery	5	0	3	11	267%
Aggravated Assault	27	31	23	24	4%
Simple Assault ³	50	43	33	47	42%
Total Violent Crime⁴	33	32	27	38	41%
Burglary	61	57	51	63	24%
Larceny	159	158	142	139	-2%
Auto Theft	5	7	0	10	1000%
Total Property Crime⁵	225	222	193	212	10%

California Crime Rates⁶		Violent Crime	Property Crime
	Area	Rate per 100,000	Rate per 100,000
2013	State	N/A	N/A
	Sonoma	354	1,976
2012	State	425	2,773
	Sonoma	253	1,810
2011	State	413	2,594
	Sonoma	299	2,073
2010	State	439	2,630
	Sonoma	327	2,232

¹ UCR data per California Department of Justice Table 11

² From prior year

³ Simple assault not included in Violent Crime total

⁴ Violent crime includes homicide, forcible rape, robbery, and aggravated assault

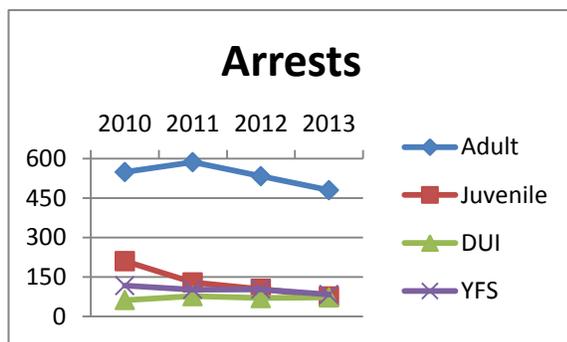
⁵ Property crime includes burglary, larceny-theft, motor vehicle theft, and arson

⁶ California Department of Justice Table 1

Objective 2: Apprehend and Prosecute Offenders

This performance objective shall be measured by comparing the following data:

- The number of arrests for adults and juveniles will be compared to determine arrest patterns.
- The number of DUI arrests will be compared to determine DUI arrest patterns.
- The number of referrals to the Sonoma Valley Youth and Family Services Program will be compared to determine juvenile crime patterns.
- Clearance rates for the City of Sonoma and the Pacific Region (Uniform Crime Reporting) will be compared to determine number of crimes solved.



Arrest Data	2010	2011	2012	2013	% change
Adult	549	586	533	480	-10%
Juvenile	210	129	104	76	-27%
Total Arrests	759	715	637	556	-13%
DUI Arrests ⁷	62	77	70	72	3%
Referrals to YFS ⁸	117	102	103	83	-19%

UCR Clearance Data ⁹	Area	Violent Crime	Property Crime
2013	Pacific Region ¹⁰	Data not available	
	Sonoma	87%	23%
2012	Pacific Region	45%	14%
	Sonoma	86%	29%
2011	Pacific Region	45%	15%
	Sonoma	89%	20%
2010	Pacific Region	44%	15%
	Sonoma	64%	25%

⁷ Included in the figure for total arrests

⁸ These figures are reported on a fiscal calendar and are included in figure for total arrests

⁹ Clearance rates indicate the percent of crimes that are solved or otherwise cleared and are calculated by dividing the number of crimes cleared by the total number of crimes. The FBI's UCR program considers a crime cleared when at least one person is arrested, charged with a crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain circumstances, a crime can be cleared by "exceptional means."

¹⁰ Pacific region includes California, Oregon, Washington, Alaska, and Hawaii. FBI Table 26

Objective 3: Maintain Order and Resolve Conflict

This performance objective shall be measured by comparing the following data:

- a. Traffic accident data in the Statewide Integrated Traffic Records System (SWITRS) for fatal, injury, and non-injury accidents will be compared to determine the effectiveness of the Agreement's Traffic Enforcement Program.
- b. Parking citation data will be compared to determine the effectiveness of the Agreement's Parking Enforcement Program.
- c. Animal Control statistics (animal complaints and impounds) will be compared for the previous 3 years to determine patterns.

Traffic Accident Data¹¹				
	2010	2011	2012	2013*
Fatal	0	0	1	0
Injury	32	28	31	31
Non-injury	71	59	62	108
Total	103	87	94	139¹²
*Unofficial data from internal source				
Parking Citations				
Year	2010	2011	2012	2013
Citations Issued	2,639	2,703	2,726	1,474
Animal Control				
	2010	2011	2012	2013
Calls for service	510	628	596	700
Impounds (Dogs and Cats)	83	87	109	121

¹¹ Data provided by the California Statewide Integrated Traffic Reporting System (SWITRS) Report #3.

¹² Due to delays in State reporting, 2011 or 2012 SWITRS data is not available.

Objective 3: Maintain Order and Resolve Conflict, cont

- d. Citizen perception of safety and the maintenance of order as reported in citizen surveys shall be compared when such survey data is available.

Periodically, the Sheriff's Office will commission a private company to conduct a Community Survey to assess the community's perceptions of services, and develop communication and collaborative problem-solving approaches to address concerns surfaced in these evaluations.

In 2008, the Sonoma Police Department was included in this survey. The survey results were provided to the City Council when the original Law Enforcement Services contract was due for renewal. Overall, the survey revealed strong community support, a feeling of safety within our community, and satisfaction with our service. Some of the survey responses include:

- *87% of respondents rate our overall performance as Good or Excellent*
- *95% feel Safe or Very Safe*
- *Compared to a year ago, 76% feel our community is as Safe or Safer*
- *Of those who were victims of crime, 93% were Very Satisfied or Satisfied*
- *97% felt our crime prevention programs were Effective or Very Effective*

In addition, the community identified gangs, violent crime, and drugs/alcohol as our most pressing concerns, while indicating more crime prevention programs as a possible area of improvement.

Overall, the survey revealed the police department has the "ear" of the community and has established a solid partnership with our citizens.

Objective 4: Promptly Respond to Incidents Requiring Immediate Attention

This performance objective shall be measured by comparing the average response time to "Priority 1" calls over the previous 3 years.

Median Response Time to Priority 1 Calls for Service		
Year	Number of calls	Response Time
2013	262	4 min 37 secs
2012	286	4 min 41 secs
2011	212	4 Min 55 secs
2010	224	5 Min 0 secs



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the Minutes of the May 5, 2014 City Council goal setting meeting and the May 5, 2014 regular meeting.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Minutes

Alignment with Council Goals: N/A

cc: N/A

CONCURRENT SPECIAL MEETINGS OF THE SONOMA CITY COUNCIL & SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY

Emergency Operations Center (EOC) 175 First Street West Sonoma CA 95476

City Council Tom Rouse, Mayor David Cook, Mayor Pro Tem Steve Barbose Ken Brown Laurie Gallian



Monday, May 5, 2014 3:00 p.m. ****

CITY COUNCIL GOAL SETTING WORKSHOP MINUTES

1. CALL TO ORDER

Mayor Rouse called the meeting to order at 3:00 p.m.

PRESENT: Mayor Rouse and Councilmembers Barbose, Brown, Cook and Gallian. Also present were City Manager Giovanatto and Assistant City Manager/City Clerk Johann.

2. COMMENTS FROM THE PUBLIC

Madolyn Agrimonti stated she would like information regarding the City's traffic enforcement program and regulations relating to taxi businesses.

Jack Wagner stated concerns regarding the need for water conservation and stated that additional signage and enforcement was needed at the First Street West / Napa Street intersection.

3. GOAL SETTING WORKSHOP

The City Council conducted its goal-setting workshop facilitated by City Manager Giovanatto. City Manager Giovanatto stated that the results of the workshop would be presented for further discussion at an upcoming City Council meeting.

4. ADJOURNMENT

The meeting adjourned at 5:10 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the ___ day of ___ 2014.

Gay Johann Assistant City Manager / City Clerk

**CONCURRENT REGULAR MEETINGS OF THE
SONOMA CITY COUNCIL
&
SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE
DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY**

*Community Meeting Room, 177 First Street West
Sonoma CA 95476*



Monday, May 5, 2014

6:00 p.m.

MINUTES

City Council

Tom Rouse, Mayor
David Cook, Mayor Pro Tem
Steve Barbose
Ken Brown
Laurie Gallian

OPENING

Mayor Rouse called the meeting to order at 6:00 p.m. He announced that the City Council had, earlier in the day, conducted their annual goal-setting workshop and that the results of that session would be presented at a future Council meeting. Fred Allebach led the Pledge of Allegiance.

PRESENT: Mayor Rouse and Councilmembers Barbose, Brown, Cook, and Gallian

ABSENT: None

ALSO PRESENT: City Manager Giovanatto and Assistant City Manager/City Clerk Johann.

1. COMMENTS FROM THE PUBLIC

Patricia Cullinan requested that the Council support AB 199, known as the Economic Development and State Historic Tax Credit Act. She stated the proposed legislation would allow homeowners to benefit from potential tax credits for the preservation of historic homes and thereby support the preservation of the character of the City.

Jack Wagner stated that as a City Council candidate he wanted to bring stability to the dialog regarding peaceful forms of communication. He said he had been studying Marshall Rosenberg's method of nonviolent communication.

Fred Allebach stated that he enjoyed watching the Councilmembers interact during their goal-setting session. He suggested Council explore ecotourism and forums where the voice of the people could be heard. He also suggested that the City annex the entire Valley and restrict growth.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Clm. Barbose dedicated the meeting in the memory of Chef and Depot Hotel owner Michael Ghilarducci.

Clm. Brown announced the opening of the Tuesday Farmers Market and Bike to Work Day on Thursday.

Clm. Gallian announced that Wednesday was Walk and Roll to School Day.

Clm. Cook reported attendance at Julie Atwood's readiness fair and stated he would place AB 199 on a Council agenda as requested by Ms. Cullinan.

3. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF - None

4. PRESENTATIONS

Item 4A: Ballet Folklorico Quetzalen Day Proclamation

Mayor Rouse explained that, upon being contacted by Angel Santoyo, he met with him and was had been very impressed with both him and the Quetzalen, a dance company comprised of more than ninety Sonoma Valley students. Angel and five other dancers came forward and performed two traditional Mexican dances at the enjoyment of those present. Mayor Rouse then read the proclamation and presented it to Mr. Santoyo.

Item 4B: Transcendence Theatre Company

Stephan Stubbins, Amie Miller, and Brad Surosky of the Transcendence Theatre Company expressed appreciation to the entire community for its support and announced that they had been named the Theater of the Year by the San Francisco Bay Area From Broadway World. They also announced their upcoming season schedule and invited the public to attend their performances.

Item 4C: Community Resilience Challenge Proclamation

Mayor Rouse read aloud the proclamation declaring May 17-18, 2014 Community Resilience Challenge Weekend. Daily Acts Program Manager Gretchen Schubeck accepted the proclamation and spoke about the activities planned as part of the weekend event.

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

Item 5A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.

Item 5B: Approval and ratification of the reappointment of Nellie Cravens to the Cultural and Fine Arts Commission.

Item 5C: Approval of Applications for Temporary Use of City Streets for the 2014 Valley of the Moon Vintage Festival Parade, Blessing of the Grapes, Water Fight and Foot Race (September 27 and 28, 2014). Approved subject to conditions recommended by staff.

Item 5D: Approval of the Minutes of the April 21, 2014 City Council meeting.

Item 5E: Approval of an Application for Temporary Use of City Streets by the Sonoma Community Center for the 4th of July Parade on Friday, July 4, 2014. (Res. No. 24-2014)

ADDITIONAL AGENDA ITEM:

City Manager Giovanatto explained that it had come to her attention after the agenda had been posted that letters of support relating to AB 2493 and SB 1129 needed to be submitted and she would like the council to consider the issue. It was moved by Clm. Barbose, seconded by Clm. Cook, to add the item to the agenda as Item 8C. The motion carried unanimously.

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Barbose to approve the consent calendar as presented. The motion carried unanimously.

6. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS SUCCESSOR AGENCY

Item 6A: Approval of the portions of the Minutes of the April 21, 2014 City Council / Successor Agency Meeting pertaining to the Successor Agency.

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Brown, to approve the consent calendar as presented. The motion carried unanimously.

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Discussion, Consideration and Possible Action to Approve Amendments to the REMIF Joint Powers Agreement.

City Manager Giovanatto reported that the proposed amendments to the Redwood Empire Municipal Insurance Fund (REMIF) Joint Powers Agreement (JPA) would accomplish two major goals. 1) Change the amendment process to require a two-thirds approval by all participating agencies, including the founding Members and Associate Members. 2) The language relating to composition of the Board would be vested entirely in the Bylaws, rather than partially in the JPA Agreement and partially in the Bylaws. She stated that currently, the Board was comprised of seven Directors appointed by the founding Members, and two selected from among the Associate Members. The proposed amendments would guarantee founding members representation on the Board, and would leave all other details as to Associate Members and composition of the REMIF Board to the Bylaws. The Bylaws could be amended from time to time by the Board, on 45 days' notice to all members, without the need to bring each revision back to member City Councils.

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Brown, to adopt Res. No. 25-2014 entitled A Resolution of the City Council of the City of Sonoma Approving Amendments to the REMIF JPA. The motion carried unanimously.

Item 8B: Discussion and update of the 2013-14 City Council GOALS “Report Card”.

City Manager Giovanatto provided an update of the City Council goals report card. She reported that of the original thirty-six action items, thirty-two were either completed or in progress and four had not been initiated or were recommended for deletion.

Mayor Rouse and all Councilmembers expressed their appreciation to City Manager Giovanatto and staff for their hard work and diligence in keeping up with the goals and for providing a transparent report not only for their information but to keep the public informed as well.

The public comment period was opened and closed with none received.

Item 8C: Discussion, Consideration and Possible Action to Direct the City Manager to Submit Letters of Support on Legislative Efforts to Secure Use of 2011 Redevelopment Bond Proceeds.

City Manager Giovanatto reported that AB 2493 (Bloom) and SB 1129 (Steinberg) were pending legislation that if approved would relieve the City of the legal action filed against the Department of Finance for release of the remaining 2011 Sonoma Community Development Agency Tax Allocation Bond Proceeds \$7.5 million. She requested authorization to send letters of support for both pending bills.

Mayor Rouse inquired what would happen if the City lost its suit against the State. Giovanatto stated that after paying interest on the money for ten years, the \$7.5 million would be paid down and the City would not be able to utilize the funds.

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Barbose, to authorize the City Manager to send letters of support for both pieces of legislation. The motion carried unanimously.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

10. COUNCILMEMBERS’ REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Cook reported on the Legislative Committee meeting.

Clm. Brown reported on the Economic Development Steering Committee meeting.

Clm. Barbose reported on the Sonoma Clean Power meeting.

Item 10B: Final Councilmembers’ Remarks.

Clm. Gallian wished all a Happy Mothers Day.

Clms. Cook and Brown announced their weekly office hours.

Clm. Barbose and Mayor Rouse stated that if anyone wanted to meet with them to feel free to call.

11. COMMENTS FROM THE PUBLIC – None.

12. ADJOURNMENT

The meeting adjourned at 8:20 p.m. in the memory of Michael Ghilarducci.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the ____ day of ____ 2014.

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 05/19/2014

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director / City Engineer

Agenda Item Title

Authorization for City Manager to Execute a Purchase Agreement to Purchase a New (Replacement) Public Works Department Flatbed Truck

Summary

The Public Works Department needs to replace its aging 1997 Ford Flatbed truck. The vehicle was originally scheduled for replacement in 2006 however the purchase was deferred in an effort to get additional service life out the vehicle. The current 1997 Ford Flatbed truck is experiencing increasing maintenance and repair costs and has broken down on the streets several times over the past year.

Staff has obtained a quote for a replacement flatbed truck (attached) piggybacking on a state bid contract (State Contract #1-14-23-20A). The replacement of the flatbed truck is a budgeted expenditure in the FY 2013/14 budget, with a mid-year budget adjustment.

Recommended Council Action

Authorize the City Manager to purchase a new 2015 Ford F350 Flatbed Truck utilizing the State Bid Contract #1-14-23-20A for the replacement of the existing 1997 Ford Public Works flatbed truck.

Alternative Actions

Delay the replacement of the flatbed truck, and effect major maintenance repairs.

Financial Impact

Funding of \$33,160 for the replacement of this vehicle has been set aside in the Vehicle Replacement Fund. \$45,000 has been budgeted for the replacement of this vehicle in the adopted mid-year 2013/14 budget adjustments. The estimated cost of the vehicle as quoted is \$46,006.26. The slight overage in cost can be absorbed in the normal operating budget without need for an operating budget amendment.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Alignment with Council Goals:

Not directly related to Council Goals.

Attachments:

Quote from Downtown Ford Sales dated 4/23/14 for flatbed truck utilizing state bid pricing.

cc:

QUOTATION

DOWNTOWN FORD SALES
 525 N16th Street, Sacramento, CA. 95814
 916-442-6931 fax 916-491-3138

DF0411141000

QUOTATION

Customer

Name CITY OF SONOMA
 Address _____
 City _____ CA _____
 Phone _____

Date 4/11/2014
 REP FORBESS
 Phone _____
 FOB _____

Qty	Description	Unit Price	TOTAL
1	2015 FORD F350 CHASSIS CAB	\$21,532.00	\$21,532.00
1	DUAL REAR WHEELS	\$614.00	\$614.00
1	SUPERCAB	\$2,456.00	\$2,456.00
1	DAYTIME RUNNING LIGHTS	\$42.00	\$42.00
1	HD SERVICE SUSPENSION	\$118.00	\$118.00
1	LIMITED SLIP REAR AXLE	\$366.00	\$366.00
1	PRIVACY GLASS	\$375.00	\$375.00
1	9' CONTRACTOR BODY, WOOD FLOOR, TAPERED OVER CAB FORK LIFT LOADABLE MATERIAL RACK, (2) TB096 (TOP MOUNT BOX), (2) UB-3420 (UNDER BODY BOX DRW), CLASS 4 RECEIVER HITCH WITH 2" RECEIVER TUBE, 7 BLADE/4PIN TRAILER CONNECTOR, TOMMY GATE G2 SERIES, 1800LB CAPACITY G2-92-1650TP35, 87"X35" + 6' TAPER, 4.3TFT LCD COLOR REAR VIEW MIRROR WITH INFA RED CAMERA	\$15,809.00	\$15,809.00
1	TOW COMMAND BRAKE CONROLLER	\$253.00	\$253.00
1	XL VALUE PACKAGE	\$558.00	\$558.00
1	DOC FEE	\$80.00	\$80.00

\$42,203.00

SHIPPING

\$100.00

Taxes

8.75

\$3,692.76

TIRE FEE

\$10.50

TOTAL

\$46,006.26

Payment Details

P.O. TO FOLLOW

Delayed

CITY OF SONOMA

4/23/14

Office Use Only

\$500.00 DISCOUNT FOR PAYMENT IN 20 DAYS



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Acceptance of the City of Sonoma Annual Financial Audit for the fiscal year ending June 30, 2013 as prepared in accordance with GASB Statement 34

Summary

The audit firm of C.G. Uhlenberg LLC completed the annual audit of the City's financial transactions for FY 2012-2013. The audit was completed on March 19, 2014 and the final report document was received on April 7, 2014. The auditors met with the Council Audit Committee [Mayor Rouse and Councilmember Gallian], City Manager City Manager Giovanatto and Finance Director Hilbrants on May 19, 2014 to review audit procedures and audit results.

Recommended Council Action

Accept final audit report.

Alternative Actions

Request additional information.

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Annual Financial Report/Audit distributed in hardcopy to Councilmembers only; electronic document can be found on the City's website www.sonomacity.org or by contacting the City of Sonoma directly.

Alignment with Council Goals:

N/A

cc:



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5E

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Jeffrey Walter, City Attorney

Agenda Item Title

Approve Indemnity Agreement between the City and the Sonoma County Waste Management Authority (SCWMA) indemnifying the City for Liabilities and Claims Arising out of the SCWMA's adoption of an ordinance banning the use of plastic bags in the City of Sonoma

Summary

The SCWMA has adopted an ordinance that bans the use of plastic, single use bags. Each of the members of the SCWMA were given the option of allowing that ordinance to become effective within the jurisdictional boundaries of each member agency. Sonoma's City Council agreed to make that ordinance effective within the City's boundaries. SCWMA has offered to indemnify each member for any claims or lawsuits brought to challenge SCWMA's adoption of that ordinance and/or SCWMA's approval the related CEQA document. That indemnification agreement is attached and is offered at this time for the Council's consideration and approval. Along with permitting the SCWMA's plastic bag ordinance to be effective in the City of Sonoma, the City Council has agreed to have SCWMA staff enforce that ordinance in the City of Sonoma. The SCWMA will not agree to indemnify the City for any claims, litigation or liability brought against the City or arising out of SCWMA's enforcement activities undertaken to enforce the ban in the City of Sonoma.

Recommended Council Action

If the Indemnity Agreement is acceptable to the Council, approve same and authorize the City Manager to execute same on behalf of the City Council.

Alternative Actions

1. Do not approve the agreement.
 2. Approve the agreement with modified terms.
 3. Direct staff to negotiate a different agreement.
-

Financial Impact

Adoption of the offered agreement should have no fiscal impact on the City.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Indemnity Agreement

cc:

INDEMNITY AGREEMENT

THIS INDEMNITY AGREEMENT is entered into as of _____, 2014, by and between the SONOMA COUNTY WASTE MANAGEMENT AGENCY (hereinafter "Agency"), a California joint powers agency, and the City of Sonoma (a "Member" of the Agency).

RECITALS

A. The Agency was formed by the Members through their execution of that certain Joint Powers Agreement dated February 11, 1992 (the "JPA Agreement").

B. The Agency has adopted an ordinance to ban the use of plastic, single use bags in retail establishments. Because such ordinances have been the subject of litigation in other jurisdictions, the Members have requested that the Agency agree to indemnify and hold each Member harmless from any litigation over such an ordinance, and the Agency has agreed to do so.

NOW, THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, Agency and Member agree as follows:

AGREEMENT

1. Recitals. The above Recitals to this Agreement are declared by the parties to be true and correct in all material aspects and are hereby incorporated into this Agreement as if fully set forth below.

2. Indemnification. Agency shall defend, indemnify and hold harmless the Member, as well as its agents, officers and employees (collectively, the "Indemnitee") from (a) any claim, action or proceeding against the Indemnitee to attack, set aside, void or annul any ordinance that bans the use of plastic, single use bags, or any approval or other action that may be related to such an ordinance, including but not limited to the Agency's certification of an environmental impact report or any other CEQA document related to the ordinance, and (b) any and all damages, claims, injuries, causes of action, expense or liabilities of any sort, including attorneys' and expert fees, arising out of or in any way connected with Agency's adoption of such ordinance.

3. Indemnitee's Covenants. The Indemnitee shall promptly notify the Agency of any such claim, action or proceeding. In addition, the Indemnitee shall cooperate reasonably with Agency in any discovery or trial preparation efforts related to litigation covered by this Indemnity Agreement.

4. Severability. Wherever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid and enforceable to the fullest extent permitted by law. If any provision of this Agreement, or the application of any such provision to any person or circumstance, shall, to any extent, be held to be invalid, illegal or unenforceable under applicable law, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is invalid, illegal or unenforceable, shall not be affected thereby.

5. Notice to Parties. All notices and demands or other communications hereunder shall be in writing, and shall be deemed to have been sufficiently given or served for all purposes when presented personally or sent by generally recognized overnight delivery service, with postage prepaid, addressed to Agency or the Member, as applicable, at the addresses stated below, or at such other address of which either Agency or the Member may hereafter notify the other in writing:

Agency: City of Sonoma
No. 1 the Plaza
Sonoma, CA 95476

Attn: City Manager

Member: At the address Agency retains on file for the distribution of agendas and other materials, as such addresses may be changed from time to time by the Member in writing.

Each notice or demand so given or served shall be deemed given and effective, (a) if personally delivered, on the day of actual delivery or refusal and (b) if sent by generally recognized overnight delivery service, on the next business day. Notwithstanding the foregoing, service of any notice of default provided or required by law shall, if mailed as required by law, be deemed given and effective on the date of mailing.

6. Governing Law. This Agreement shall be governed by, and construed and enforced in accordance with, the law of the State of California, without regard to principles of conflicts of law.

7. Changes and Modifications. This Agreement cannot be changed or modified, except by a written instrument signed by Agency and the Member.

8. Legal Construction. This Agreement shall be given a fair and reasonable construction in accordance with the intentions of the parties and without regard for or aid from any canons requiring construction against the party drawing this Agreement. As used in this Agreement, (a) the terms "herein", "hereto," "hereof" or "hereunder" or similar terms used in this Agreement refer to this Agreement as a whole and not to any particular provision and (b) the word "including" shall mean "including, without limitation". Unless otherwise stated, all references herein to Sections are references to Sections of this Agreement.

9. Successors and Assigns. The covenants, agreements and obligations of Agency hereunder shall be binding upon Agency and Agency's respective heirs, executors, administrators, legal representatives, successors and assigns, and the rights, remedies and benefits of the Indemnified Party hereunder shall inure to the benefit of the Indemnified Party and its respective successors and assigns.

[Signatures appear on next page.]

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date first written above.

AGENCY: SONOMA COUNTY WASTE MANAGEMENT AGENCY, a California joint powers agency

By: _____
Name: _____
Chair

ATTEST:

Agency Clerk

APPROVED AS TO FORM:

Agency Counsel

MEMBER:

By: _____
Name: _____

ATTEST:

_____ Clerk



CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the portions of the Minutes of the May 5, 2014 City Council goal setting meeting and the May 5, 2014 regular meeting pertaining to the Successor Agency.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

See Agenda Item 5B for the minutes

Alignment with Council Goals: N/A

cc: NA



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 8A

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, consideration and possible action to take a position regarding the Economic Development and State Historic Tax Credit Act, AB 1999, requested by Mayor Pro Tem Cook.

Summary

Mayor Pro Tem Cook placed this item on the agenda for City Council consideration upon receiving a request by Patricia Cullinan at the May 5 Council meeting.

The "Economic Development and State Historic Tax Credit Act" (AB 1999) was introduced during the 2014 legislative session by incoming Speaker of the Assembly, Toni Atkins (D-78) of San Diego. It provides for a California Historic Rehabilitation Tax Credit said to benefit economic development of properties on or eligible for the State or Federal Register of Historic Places. It is sponsored by a broad-based coalition under the leadership of the California Preservation Foundation and the California Chapter of the American Institute of Architects. Leading preservation organizations, property owners, developers, affordable housing advocates, and builders support this incentive, to begin in January 2015 and sunset in December 2024.

Recommended Council Action

Council discretion

Alternative Actions

- Authorize the City Manager to send a letter of support for AB1999
 - Take no action
 - Postpone action and request additional information
-

Financial Impact

N/A

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

- Fact Sheet
- Assembly Bill 1999

Alignment with Council Goals:

This subject matter aligns with the City Council goal of exploring economic development drivers to ensure preservation and long term viability of community assets.

cc: Patricia Cullinan



Speaker-Elect Toni Atkins, 78th Assembly District

AB 1999– Historic Preservation Tax Credit

IN BRIEF

AB 1999 seeks to create an incentive for economic development through the establishment of a tax credit for the preservation and rehabilitation of historic buildings in California.

THE ISSUE

As California communities continue to adjust and adapt with the dissolution of redevelopment, proven tools are still needed to incent economic development and revitalize economically depressed areas.

BACKGROUND

The 20% Federal Historic Preservation Tax Incentives program has generated nearly 1.5 billion dollars in investment during the last 10 years. Thirty-four states have similar state level credits or incentives. No such credit exists at the state level in California.

Over the last 10 years, California has had 129 projects qualify for the federal credit. These projects have been located in 20 different counties. These revenue-enhancing programs soon more than pay for the initial one-time economic cost of the rehabilitation credit.

Studies show that a third of the initial cost of a credit is paid back during the construction phase, prior to the issuance of any credit. Furthermore, these credits:

- Stimulate local economies
- Revitalize downtown areas and communities
- Promote and increase the supply of affordable housing
- Support smart growth through infill development
- Encourage property maintenance and rehabilitation
- Leverage use of the federal rehabilitation tax credit

THE SOLUTION

Establish a state level tax credit for the preservation and rehabilitation of historic buildings. The applicable credit will be for 25% of the qualified rehabilitation expenditures, and would offer a 5% bonus on top of that if:

- The structure is located on federal, state, or local surplus property.
- The rehabilitated structure will contain a majority of low-income housing units.
- The structure is located in an economically depressed area.
- The structure is located in a Base Realignment and Closure Zone.
- The structure is located in a Transit-Oriented Development Area.

To qualify, the property must be on the National Register of Historic Places or the California Register of Historical Resources.

Additional economic benefits of the credit include:

- Construction and building industry job creation
- State tax revenues through increased employment and wages
- Local property tax revenues through increased property values
- Local tax revenues through sales tax and heritage tourism

AB 1999 helps communities adjust to the phase-out of redevelopment dollars and stimulates public and private investment, all while building civic pride as we celebrate our heritage and preserve California's past.

SUPPORT

California Preservation Foundation (Co-Sponsor)
American Institute of Architects, California Council (Co-Sponsor)

FOR MORE INFORMATION

Zack Olmstead, Office of Speaker-Elect Toni Atkins

916 319 2078 | zachary.olmstead@asm.ca.gov

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1999

Introduced by Assembly Member Atkins

February 20, 2014

~~An act relating to taxation. An act to add and repeal Sections 17053.86 and 23686 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1999, as amended, Atkins. ~~Income taxes: California Economic Development and Historic Preservation Tax Credit Act. Personal income and corporation tax credits: rehabilitation.~~

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws.

This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2015, and before January 1, 2026, in an amount, determined pursuant to a specified section of the Internal Revenue Code, that is paid or incurred during the taxable year for rehabilitation of certified historic structures. This bill would provide for a 25% credit, or 30% credit if the structure meets specified criteria, for rehabilitation of a certified historic structure within the state.

This bill would take effect immediately as a tax levy.

~~This bill would state that it is the intent of the Legislature to enact the California Economic Development and Historic Preservation Tax Credit Act, the purpose of which is to create jobs and revitalize communities by providing an incentive for the renovation and restoration of historic properties.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17053.86 is added to the Revenue and
2 Taxation Code, to read:
3 17053.86. For each taxable year beginning on or after January
4 1, 2015, and before January 1, 2026, there shall be allowed as a
5 credit against the “net tax,” as defined in Section 17039, an
6 amount determined in accordance with Section 47 of the Internal
7 Revenue Code, except as follows:
8 (a) (1) In lieu of the percentages specified in Section 47(a) of
9 the Internal Revenue Code, except as provided in paragraph (2),
10 the applicable percentage shall be 25 percent of the qualified
11 rehabilitation expenditures with respect to a certified historic
12 structure.
13 (2) The applicable percentage shall be 30 percent of the
14 qualified rehabilitation expenditures with respect to a certified
15 historic structure if that certified historic structure meets one of
16 the following criteria:
17 (A) The structure is located on federal, state, or local surplus
18 property.
19 (B) The rehabilitated structure will contain a majority of
20 low-income housing units.
21 (C) The structure is located in an economically distressed area.
22 (D) The structure is located in a Base Realignment and Closure
23 Zone.
24 (E) The structure is located in a Transit-Oriented Development
25 Area.
26 (b) For purposes of this section, a certified historic structure
27 means a structure in this state that appears on either the National
28 Register of Historic Places or the California Register of Historical
29 Resources.
30 (c) A deduction shall not be allowed under this part for any
31 expense for which a credit is allowed by this section.
32 (d) If a credit is allowed under this section with respect to any
33 property, the basis of that property shall be reduced by the amount
34 of the credit allowed.

1 (e) In the case where the credit allowed by this section exceeds
2 the “net tax,” the excess may be carried over to reduce the “net
3 tax” in the following year, and the seven succeeding years if
4 necessary, until the credit is exhausted.

5 (f) This section shall remain in effect only until December 1,
6 2026, and as of that date is repealed.

7 SEC. 2. Section 23686 is added to the Revenue and Taxation
8 Code, to read:

9 23686. For each taxable year beginning on or after January
10 1, 2015, and before January 1, 2026, there shall be allowed as a
11 credit against the “tax,” as defined in Section 23036, an amount
12 determined in accordance with Section 47 of the Internal Revenue
13 Code, except as follows:

14 (a) (1) In lieu of the percentages specified in Section 47(a) of
15 the Internal Revenue Code, except as provided in paragraph (2),
16 the applicable percentage shall be 25 percent of the qualified
17 rehabilitation expenditures with respect to a certified historic
18 structure.

19 (2) The applicable percentage shall be 30 percent of the
20 qualified rehabilitation expenditures with respect to a certified
21 historic structure if that historic structure meets one of the
22 following criteria:

23 (A) The structure is located on federal, state, or local surplus
24 property.

25 (B) The rehabilitated structure will contain a majority of
26 low-income housing units.

27 (C) The structure is located in an economically distressed area.

28 (D) The structure is located in a Base Realignment and Closure
29 Zone.

30 (E) The structure is located in a Transit-Oriented Development
31 Area.

32 (b) For purposes of this section, a certified historic structure
33 means a structure in this state that appears on either the National
34 Register of Historic Places or the California Register of Historical
35 Resources.

36 (c) A deduction shall not be allowed under this part for any cost
37 for which a credit is allowed by this section.

38 (d) If a credit is allowed under this section with respect to any
39 property, the basis of that property shall be reduced by the amount
40 of the credit allowed.

1 (e) *In the case where the credit allowed by this section exceeds*
2 *the “tax,” the excess may be carried over to reduce the “tax” in*
3 *the following year, and the seven succeeding years if necessary,*
4 *until the credit is exhausted.*

5 (f) *This section shall remain in effect only until December 1,*
6 *2026, and as of that date is repealed.*

7 *SEC. 3. This act provides for a tax levy within the meaning of*
8 *Article IV of the Constitution and shall go into immediate effect.*

9 ~~SECTION 1. It is the intent of the Legislature to enact the~~
10 ~~California Economic Development and Historic Preservation Tax~~
11 ~~Credit Act, the purpose of which is to create jobs and revitalize~~
12 ~~communities by providing an incentive for the renovation and~~
13 ~~restoration of historic properties.~~



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 05/19/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AMEND SONOMA MUNICIPAL CODE TO INCREASE CURRENT REGULATIONS RELATED TO SMOKING, SMOKING LOCATIONS AND/OR SMOKING PRODUCTS IN THE CITY OF SONOMA

Summary

At the Council meeting held on March 3, 2014, Mayor Rouse invited representatives from the American Lung Association to speak to the Council on the impacts of smoking and actions that other cities have taken statewide to mitigate the impacts of smoking and secondhand smoke. Following discussion and public comment, Council directed staff to direct staff to provide research on potential options and impacts on regulating smoking in Sonoma. Staff and Mayor Rouse met with members of the Public Health Community along with doing additional research on smoking regulations enforced Countywide. Sonoma has not addressed anti-smoking regulations since the early 1990's. Sonoma Municipal Code sections as currently exist which address smoking regulations were adopted between 1992 and 1994. The regulations contained in the two chapters in the Municipal Code have been superseded by State Law which essentially means that Sonoma is starting at the base level to rebuild smoking regulations. The options for creating a "Smoke-Free Sonoma" are very extensive.

Recommended Council Action

Review the options presented by staff; give direction to staff.

Alternative Actions

Request additional information.

Financial Impact

To be determined.

Environmental Review

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

Status

- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Supplemental Report
State of Tobacco Control 2014-Local Grades
Smoke-free Living Checklist

Alignment with Council Goals:

POLICY & LEADERSHIP: Providing continuing leadership as elected officials and residents of the community; take steps to assure a safe and vibrant community.

cc:

SUPPLEMENTAL REPORT

DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AMEND SONOMA MUNICIPAL CODE TO INCREASE CURRENT REGULATIONS RELATED TO SMOKING, SMOKING LOCATIONS AND/OR SMOKING PRODUCTS IN THE CITY OF SONOMA

For the meeting of May 19, 2014

At the Council meeting held on March 3, 2014, Mayor Rouse invited representatives from the American Lung Association to speak to the Council on the impacts of smoking and actions that other cities have taken statewide to mitigate the impacts of smoking and secondhand smoke. Mayor Rouse requested Council support to consider limiting smoking in designated areas of the City. Following discussion and public comment, Council directed staff to provide research on potential options and impacts on regulating smoking in Sonoma. Since receiving that direction, staff, along with Mayor Rouse met with several members of the public health community including representatives from:

- Sonoma County Health Department, Tobacco Prevention Program
- American Lung Association of California
- Northern California Center for Well-Being
- American Cancer Society
- Public Health Policy Services

The focus of the discussion was to assist the City in efforts to increase local regulations over those which are required by existing State law. The American Lung Association prepares a Tobacco Control matrix and issues "Local Grades". Of the 10 agencies in Sonoma County [9 Cities and the County], Sonoma is one of three cities who received a failing grade in their "Overall Tobacco Control Grade". It is the desire of the public health community representatives that the City of Sonoma aim to increase their local grade to an "A". This may occur immediately or in a phased approach over time depending upon the direction and approach the Council chooses. During the meeting, a significant amount of research and information was reviewed and discussed including the various ordinances in effect throughout Sonoma County. The most comprehensive ordinance reviewed is from the City of Petaluma. In addition, the City Manager conferred with other City Managers in the County to discuss other City ordinances as well as speaking with Chief Sackett on potential enforcement issues. Reference was made in the discussion on the County Health enforcement for compliance of the smoking regulations but staff has not verified what level of participation the County is willing to contribute.

Sonoma Municipal Code sections as currently exist which address smoking regulations were adopted between 1992 and 1994.

- Chapter 7.24 Smoking Regulations [1992]
- Chapter 7.25 Regulating the Manner of Sale of Tobacco Products [1994]

The regulations contained in the two chapters in the Municipal Code have been superseded by State Law which essentially means that Sonoma is starting at the base level to rebuild smoking regulations. The options for creating a "Smoke-Free Sonoma" are very extensive. Staff has attempted to format the available information into general topics. Council may choose from the strategies listed to move forward with all options listed or begin with implementing certain specific areas of regulations and delay some options for future consideration.

STRATEGIES AVAILABLE FOR INCREASING REGULATIONS ON SMOKING AND/OR CREATING A SMOKE-FREE ENVIRONMENT

To proceed with the process to initiate regulation relating to smoking, smoking locations and/or smoking products, staff is seeking direction from Council on specific areas. Listed below are the options included on the American Lung Association Tobacco Control Matrix. Staff has also included a list of smoke generating products which ultimately require definition in the ordinance.

1. DEFINE TYPE AND LOCATION OF ENFORCEMENT

- Smoke-free Outdoors
 - Citywide or only designated areas
 - Plaza & Parks only
 - All Public Events
 - Downtown Business District/sidewalk areas
- Smoke-free Multi-unit Housing
 - All multi-unit residential or common areas only
 - Rental only or include condominium/townhouses
 - Immediate or phase-in period
 - Allowance for designated smoking area/zone
- Lodging Properties
 - All establishments as defined by Transient Occupancy regulations
 - Increasing number of designated non-smoking rooms
 - Allowance for designated smoking area/zone
- Require Smoke-free Residential Childcare facilities
 - All times or only during hours of operation

2. EXPAND DEFINITION OF SMOKE GENERATION

SMC Chapter 7.25 defines tobacco product as *cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco*. Updated ordinances included expanded definitions of other types of smoke generating products.

- E-cigarettes/aerosol or vapor
- Any act that generates smoke including but not limited to lighting or possession of a lighted pipe, or hookah water pipe or lighted smoke inhalation device of any kind that generates smoke of any kind from tobacco or other weed or plant

3. EXPAND REGULATION OF TOBACCO SALES - Tobacco retailer licensing [TRL] –

Main focus to prohibit the sale of tobacco products to minors. TRL could cap the total number of licenses issued based on population.

- Restriction on sale of other products such as little cigars and cigarillos
- Zoning & Land Use Laws for regulation
 - Designate location and density of retailers
 - Sales near Schools & Parks
 - Sales in Pharmacies
- Establish moratorium on Vapor bars and e-cig lounges [following Healdsburg model recently adopted]
- Establish annual fees for TRL to fund administration and enforcement
- Establish penalties for violators through fines and penalties
- Increase age for sale of tobacco products from 18 to 21 [Healdsburg to consider increasing age in mid-late summer]

POTENTIAL IMPACTS – OUTCOMES – NEXT STEPS

Based on the level of regulation of smoking and tobacco products the Council directs, there will be varied levels of impacts to City operations as well as residents, property owners, and local businesses. Issues related to implementation, education, enforcement, training and notification will be key in bring together the community for understanding and compliance.

Potential impacts-City

- Managing implementation of ordinance
- Public notification/media communication plan
- Outreach to property owners
- Installation of signage in public areas [potential budget impact]
- Initiation/set-up of retailer licensing procedures [potential budget impact may be covered by new licensing fees]
- Enforcement of ordinance [potential budget impact]

Potential impacts-Property and Business owners

- Notification to tenants; changes in tenant leases
- Business owner signage and enforcement for outdoor areas
- Limitations on Tobacco sales for certain type businesses
- Tobacco Retailer Licensing and payment of Fees

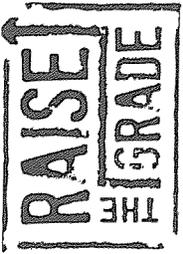
Outcomes

- Create healthier community
- Raise Sonoma's "grade" on the American Lung Association matrix

Next Steps

- Council direction on extent of ordinance implementation and issues
- Proposed model ordinance language
- Consideration of establishing stakeholders work group
 - Public Education Forum
 - Outreach Training
- Draft model ordinance
- Public Hearing on ordinance
- Projected implementation date – January 2015

State of Tobacco Control 2014 - Local Grades



SONOMA COUNTY

	Coverdale	Corati	Healdsburg	Pealuma	Rohnert Park	Santa Rosa	Sebastopol	Sonoma	Windsor	Unincorporated County
Overall Tobacco Control Grade	F	F	D	B	B	D	B	F	D	B
Total Points	0	1	4	8	8	4	9	1	4	8
Smokefree Outdoor Air	F	F	B	A	B	A	A	F	B	A
Dining	0	0	4	4	4	4	4	0	4	4
Entryways	0	0	4	4	4	4	4	0	4	4
Public Events	0	0	4	3	4	4	4	0	4	3
Recreation Areas	0	2	4	4	0	4	4	0	4	3
Service Areas	0	0	0	4	4	2	4	0	0	4
Sidewalks	0	0	0	0	0	1	0	0	0	0
Worksites	0	0	0	1	0	0	1	0	0	0
Total Points	0	2	16	20	16	19	21	0	16	18
Smokefree Housing	F	D	D	A	A	F	A	D	F	A
Nonsmoking Units	0	0	0	4	3	0	4	0	0	4
Nonsmoking Common Areas	0	2	2	4	4	0	4	2	0	4
Disclosure	0	0	0	4	4	0	4	0	0	4
Nuisance	0	0	0	0	0	0	1	0	0	0
Housing Authority Units	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Total Points	0	2	2	12	11	0	13	2	0	12
Reducing Sales of Tobacco Products	F	F	F	F	D	F	D	F	D	F
Tobacco Retailer Licensing	0	0	0	0	0	0	0	0	0	0
Sales near Schools and Parks	0	0	0	0	1	0	0	0	1	0
Sales in Pharmacies	0	0	0	0	0	0	0	0	0	0
Sampling of Tobacco Products	0	0	0	0	0	0	1	0	0	0
Total Points	0	0	0	0	1	0	1	0	1	0

Smoke-free Living Checklist

Checklist of common drifting secondhand smoke policy areas covering outdoors, multi-unit housing, retail, daycare and hotels

Smoke-free Outdoors:

- Dining Areas – outdoor seating at restaurants, bars, etc.
- Entryways – 25' minimum from windows, doors & vents
- Public Events – farmer's markets, fairs, concerts, etc.
- Recreation including parks, trails, beaches, stadiums, etc.
- Service Areas - ATM, ticket lines, bus stops, taxi stands, pay phone booths
- Sidewalks – business districts
- Worksites – any outdoor working area, such as construction areas

Smoke-free Multi-unit Housing (MUH) 2+ units:

- Indoor Common Areas – laundry, lobby, mail boxes, etc.
- Outdoor Common Areas – pools, walkways, gardens, play areas – sometimes accompanied by designated smoking area a minimum of 25' from protected areas
- Designate a 100% of new and existing multi-unit housing as non-smoking
- Declaring secondhand smoke as a nuisance – provides negotiation tool for people impacted by drifting secondhand smoke when other mediation fails
- Requiring a phase in period and lease language be updated to include no-smoking terms

Retail Considerations

- Tobacco retailer licensing – annual fee supports education and compliance checks
- Conditional Use Permit - prohibits new retail tobacco outlets from proximity to youth sensitive locations such as schools and parks and ensures neighboring businesses and residents are considered prior to granting a license
- Prohibit sampling of tobacco products
- Eliminate the provisions allowing smoking in tobacco shops and owner-operated establishments
- Prohibit private smokers' and electronic cigarette lounges and hookah bars
- Tobacco-free pharmacies – prohibit tobacco/e-cigarette product sales in pharmacies

Other

- Reasonable Distance minimum from anywhere smoking prohibited 25'
- Restricting smoking in residences used for child care at all times – not just when day care children are present.
- Increasing the percentage of hotel/motel guestrooms designated non-smoking plus making all other areas, including banquet rooms non-smoking
- Requiring appropriate signs and no ash cans in protected areas
- Designate that the ordinance will be enforced by _____ but also enforceable by a peace officer or code enforcement officer
- Declare violations based on illegal smoking to be infractions with a fixed fine amount of \$ _____ (cannot be more than \$100)
- Allow private citizens to seek an injunction (an order to stop violations) and/or money damages against individuals who violate the ordinance



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8.C

Meeting Date: 05/19/14

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Discussion, consideration, and possible action on a draft amendment to the Management Plan for the Montini Preserve to allow leashed dogs on trails and related matters, including direction to circulate a draft initial study/mitigated negative declaration for review and comment.

Summary

At its meeting of October 7, 2013, the City Council voted 4-1 (Councilmember Rouse dissenting) to direct staff to prepare an amendment to the Management Plan for the Montini Preserve that would allow leashed dogs on trails. The City and the Sonoma County Agricultural Preservation and Open Space District (District) have entered into an agreement that will result in the City taking ownership of the Preserve later this year. The Transfer Agreement implements a number of restrictions that the City will be required to abide by, as set forth in a Conservation Easement and a Recreation Covenant. Among these restrictions is that the City will administer the Preserve in conformance with a Management Plan previously adopted by the District.

The Management Plan, adopted by the District in 2008, prohibits pets within the Montini Preserve. However, in section 6.1.1, of the Conservation Easement, a mechanism is provided for amending the Management Plan, subject to the review and approval of the District. As set forth in this section, it must be demonstrated that any amendment is consistent with maintaining the identified conservation values associated with the Preserve, as set forth in Section 2 of the Conservation Easement. As required by the District, an environmental review has been prepared. The draft initial study, which will need to be circulated for comment before it can be adopted, suggests that the potential environmental effects of the amendment can be reduced to less-than-significant levels though identified mitigation measures. Following the close of the 30-day comment period, the City Council will hold a public hearing on the initial study/mitigated negative declaration and decide whether or not to approve it. Assuming that a negative declaration is adopted, the amendment will be forwarded to the District for their review.

It is important to keep in mind, that the amendment process is separate from the ultimate action that the Council would need to take to authorize dogs on trails within the preserve. The amendment of the Management Plan would give the Council the option, but would not in itself institute that change, which could only occur through an amendment to the Municipal Code. It is also important to note that the issue of western access could become a complicating factor, since a portion of the trail crosses the Vallejo Home State Park, as allowed by a revocable license. Under State law, dogs are prohibited on trails within State Parks and the District Superintendent has expressed concern about this issue. The amendment to the Management Plan proposes to address this problem by prohibiting dogs on the trail segment south of vista point some distance from the State Parks property. The Recreation Covenant between the Open Space District and the City requires that, in the event the connection through the State Parks property is lost, the City is required to design and implement an alternative western access route within 5 years.

Recommended Council Action

Staff recommends that the City Council: 1) provide feedback and direction on the draft amendment, and 2) direct staff to circulate the draft initial study/mitigated negative declaration.

Alternative Actions

Decline to pursue the amendment at this time.

Financial Impact

As previously reported to the Council, staff estimates that the preparation and processing of an amendment to the Management Plan to allow leashed dogs on trails within the Montini Preserve will cost approximately \$7,000. If the amendment is approved by the Open Space District, there will be costs associated with implementing various mitigation measures (see Initial Study, attached). Staff does not yet have estimates of those costs, but will develop them and report them to the Council as the amendment process moves forward.

Environmental Review**Status**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

- Approved/Certified
- No Action Required
- Action Requested: Circulate for review and comment

Alignment with Council Goals:

While amending the Montini Preserve Management Plan is not directly related to any of the Council's adopted goals, if there is majority interest in doing so, it can be accommodated as part of the normal workload of planning staff.

Attachments:

1. Draft Amendment to the Management Plan
2. Draft Initial Study/Negative Declaration
3. Biological Resources Evaluation

cc: Bill Keene, General Manager, SCAPOSD

Jacob Newell, Stewardship Planner, SCAPOSD

Danita Rodriguez, District Superintendent, State Parks

Richard Dale, Sonoma Ecology Center

Joanna Kemper, Sonoma Overlook Trail Taskforce

Bob Edwards/Jennifer Hainstock, SVD OG

Proposed Amendment of the
“Montini Open Space Preserve, Management Plan and Initial Study”
to Allow Leashed Dogs on Trails with the Montini Preserve

DRAFT

City of Sonoma
May 2014

1. Summary of Proposed Amendment

The project consists of an amendment to the adopted Management Plan for the Montini Preserve that would allow leashed dogs on portions of the trail system within the Preserve. The purpose of this amendment is to allow responsible dog-owners to enjoy the Montini Preserve with their animals, subject to necessary restrictions, in a manner that protects the special qualities of the Preserve. The project incorporates measures to ensure that the conservation values of the Preserve are maintained (including the protection of sensitive biological resources), as required by the Management Plan and the Conservation Easement. These measures include the following:

- Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance within the Sonoma Municipal Code.
- Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance within the Sonoma Municipal Code. (A bag dispenser would be placed at the main trailhead, but not elsewhere in the Preserve.)
- Dogs will continue to be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District.
- To comply with State law, dogs will be prohibited on the trail segment between vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- To protect sensitive areas, small segments of fencing would be installed at key locations, as identified on the Resources Map. Any such barrier would take the form of low rock walls, low split-rail fences, or posts with cables to ensure visual compatibility with the Preserve.
- Signage will be placed at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.
- Volunteer patrols organized by the Sonoma Ecology Center under contract with the City through the approved maintenance plan will be used to monitor compliance and assist in education and enforcement.
- The approved maintenance plan also includes regular trail maintenance, erosion control, the removal of invasive plant species, and periodic trail clean-up days, which will address potential secondary issues that could occur as a result of an allowance for leashed dogs.

Although these measures are integral to the amendment application, they also highlighted as mitigation measures in the environmental evaluation that was conducted for the proposal (see Attachment 2 of the amendment request). These measures are responsive to the environmental evaluations undertaken by the City and are based on best-practices

employed by other jurisdictions that successfully manage parks and open space preserves with an allowance for leashed dogs while protecting wildlife habitats and sensitive biological resources.

2. Required Actions and Timing of Implementation

The amendment process is separate from and precedes the ultimate action that the City Council would need to take to authorize dogs on trails within the preserve. While the amendment of the Management Plan would give the Council the option to allow leashed dogs on trails within the Preserve, it would not in itself institute that change, which could only occur through an amendment to the Municipal Code. Following the approval of the amendment by the District, the City Council would consider whether or not to exercise the allowance. Assuming that they choose to do so, under this proposed amendment, the following steps would need to be taken before leashed dogs could be allowed within the Preserve:

- A. The City Council would adopt amendments to the Municipal Code authorizing the activity and establishing leash and clean-up requirements (including penalty provisions), as discussed above in the description of the amendment. As part of this process, the City Council would provide detailed direction in areas such as the number of dogs allowed per person and whether there would be “dog-free” days or other restrictions on timing or use that would be different than for general public access.
- B. The City would install, in consultation with the District, any required fences or other measures necessary to protect sensitive areas. (See Resources Map, attached.) Any such features would be small in scale and designed to be compatible with the visual character of the Preserve (e.g., split rail fences and low rock walls).
- C. The necessary signage would be installed at key locations to inform visitors of the rules regarding dogs and to identify areas that are off-limits to dogs.
- D. The City would coordinate with the Sonoma Ecology Center (SEC), its partner in maintaining the Preserve, to ensure readiness for implementing the approved *Montini Preserve Management Work Plan* (“Work Plan”). The City would review the scope of the Work Plan with the SEC and identify any necessary modifications.

The City has not yet developed a precise schedule for implementing these actions, but it seems likely that they could be implemented within six months of the approval of the amendment. The City would work with District staff throughout the implementation of these actions to ensure notice and coordination. As part of the already-approved Work Plan, the City and the SEC would conduct monitoring and would submit annual reports to the District as a means of identifying and correcting any issues that might emerge.

3. Consistency with Conservation Purposes

The conservation purposes established for the Montini Preserve are set forth in Section 2 of the Conservation Easement. Five basic purposes are identified. These are set forth below, along with an analysis of consistency with respect to the proposed amendment.

- A. *Natural Resources. The Property provides habitat for important plant and animal species integral to preserving the natural character of Sonoma County. Native plant communities include blue oak foothill pine, blue oak woodland, montane hardwood, and wet meadow. Native plant species on the Property currently include coast live oak, black oak, blue oak, California bay, California buckeye, manzanita, and other woodland and grassland plant species. This Conservation Easement intends to protect special-status species on the Property, and at the time this Easement is executed, three special-status plant species (Franciscan onion, narrow-anthered brodiaea, and bristly leptosiphon) are known to exist on the Property. The Property's plant communities provide largely undisturbed habitat for a number of native birds, reptiles, amphibians, insects and mammal species. In addition, the Property provides notable fawning habitat for deer and provides important nesting habitat for ground-nesting birds. The Property is located within a major groundwater basin area. The subsurface water and its drainage patterns on the land protect the biological integrity of the natural resources and habitats, providing a healthful and attractive outdoor environment. GRANTOR and DISTRICT recognize that the Property is an evolving eco-system and that the specific composition of plant and animal species on the Property may naturally shift over time due to natural forces beyond GRANTOR's control.*

Fortunately, as a starting point, the trail system developed by the District was designed to minimize impacts on wildlife and other natural resources. As stated in the Management Plan: *"The alignment takes advantage of the most scenic portions of the Preserve while leaving large parts of the Preserve unaffected."* The proposed amendment benefits from this earlier work. That said, the City did not undertake this amendment with the assumption that there would be no impacts associated with allowing leashed dogs within the Preserve. Instead, the City commissioned a thorough and critical analysis with the objective of identifying potential problem areas so that they could be effectively addressed. This analysis is set forth in the *Biological Resources Evaluation* ("Evaluation") and the *Negative Declaration/Initial Study* ("Initial Study") (attachments 2 and 3). These documents complement one another in that the Evaluation provides a comprehensive review of the natural characteristics and resources present within the Preserve and highlights potential issue areas, while the purpose of the Initial Study is to address issue areas and identify the measures necessary to protect sensitive resources.

As demonstrated in the Initial Study accompanying this application, the mitigations measures incorporated into the proposed amendment will protect sensitive biological resources and maintain the natural qualities of the Preserve. The main issues addressed in the environmental review may be summarized as follows:

- Instances of rare plants and wetlands in proximity to the trail have been identified and mapped. Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas.
- To limit activity to trail areas and avoid incursions elsewhere in the Preserve, the City will codify restrictions on leashed dog in the Municipal Code, including requirements for keeping to the trail, leash restrictions, and the identification of trail segments where dogs would continue to be prohibited. It is estimated the

allowance for leashed dogs on trail will extend to no less than 5% of the total area of the Preserve, avoiding impacts on wildlife and other biological resources.

- Signage and regular volunteer patrols will be used to educate visitors and assist in enforcing restrictions.
- As discussed in Section 4, following, it is possible that City may be required to develop an alternative western access route that would cross through the pasture adjoining Fifth Street West. (This would only become necessary if the license with State Parks that enable the existing access from Fourth Street West were to be revoked.) However, an alternative route has already been identified and evaluated in the existing Management Plan for the Preserve, which found it to be compatible. The minimal impacts on wetlands associated with this route would be mitigated in the same manner as was proposed by the District. (See mitigation measure 4.c.1 in the Initial Study.)
- The implementation of the Work Plan will also address secondary issues, such as potential for increased erosion and the spread of non-native plant species, as the Work Plan provides for on-going trail maintenance and erosion control, regular clean-up, and the removal of invasive plant species.

The implementation of the Work Plan will also address secondary issues, such as potential for increased erosion and the spread of non-native plant species, as the Work Plan provides for on-going trail maintenance and erosion control, regular clean-up, and the removal of invasive plant species.

B. Scenic Resources. The Property's open space character includes one of the distinctive ridgelines that surround the City of Sonoma and that is visible from the Highway 12 Scenic Corridor and other public vantage points. The Property provides a central scenic backdrop to the City of Sonoma and its openness and natural condition contribute to the overall rural character and natural setting of the City of Sonoma. For residents and visitors on the Property, the Property offers unobstructed views of Sonoma Valley and beyond to San Pablo Bay.

The proposed amendment would not change the views of the Preserve or the visual character of the Preserve in any significant way. The implementation of the amendment would require the placement of a limited amount of additional signage at the two trailheads, at the connection to the Overlook Trail at Norrbom Road, and at the vista point overlooking the Fifth Street Pasture. Some low fences and rock walls would also be placed, as needed, in limited areas to ensure the protection of sensitive plants. (See Resource and Mitigation Map.) As discussed below ("State Parks/Western Access"), it is possible that an allowance for leashed dogs could lead to a requirement to develop alternative western access. Such access has already been identified and evaluated in the approved Management Plan and was found by the District to be visually and environmentally compatible with the Preserve.

- C. *Urban Open Space. The Property is adjacent to dense urban residential development. Protection of the Property will provide opportunities for residents and visitors of Sonoma County to access and enjoy the natural environment and public open space.*

An allowance for leashed dogs on trails within the Montini Preserve will enhance its value as an urban open space area, as City residents and residents of urbanized unincorporated areas within Sonoma Valley have few venues to enjoy natural open space with their dogs. The amendment will enable a wider spectrum of visitors to the Preserve, while protecting its open space qualities for the enjoyment of all.

- D. *Recreation. The Property will be established by the City of Sonoma as the “Montini Open Space Preserve (“the Preserve”), providing opportunities for low-intensity public outdoor recreation, such as hiking, picnicking, nature study and bird watching. The trails on the Property will link to the Sonoma Overlook Trail. The Property offers enjoyment of its natural features to residents and visitors of Sonoma County.*

The proposed amendment is consistent with low-intensity outdoor recreation activities. It would not introduce any new activities to the Preserve, as the allowance for leashed dogs on trails would simply be an adjunct to hiking that some visitors would make use of and that others would not. The amendment includes restrictions and protective measures to ensure that the other activities allowed for in the Preserve are not diminished in terms of quality and enjoyment. The City recognizes that some persons may be bothered or made nervous by dogs, no matter how well-behaved. While most dog owners are aware of this potential and control their dogs accordingly, the City will take steps to address this issue. As part of the development of the ordinance establishing restrictions on dogs within the Preserve and in addition to the basic limitations incorporated into the amendment proposal, the City Council will consider restrictions such as dog-free days (or periods) and limitations on the number of dogs per person. The signage installed by the City will address not only codified requirements and prohibitions, but also courtesy practices to make sure that hiker encounters with dogs are positive. This approach follows the best practices employed by the Marin County Open Space District, which allows leashed dogs in nine out of ten of the preserves that they manage (see Attachment 3). Another important component of the amendment in this regard will be the volunteer patrols organized and managed by the Sonoma Ecology Center in accordance with the Work Plan. The volunteer patrols will help educate visitors about all of the Preserve rules and restrictions, including those related to dogs, and assist in enforcement. The regular clean-up days and trail maintenance provided for through the Work Plan will further ensure a high-quality experience for all visitors to the Preserve.

- E. *Education. The Property’s natural resources provide educational opportunities for residents and visitors of Sonoma County.*

The proposed amendment has no potential to interfere with educational opportunities within the Preserve.

In conclusion, the proposed amendment is consistent with maintaining all of the conservation values associated with the Montini Preserve.

4. State Parks/Western Access

State Parks has been a key partner in the development of the trail system within the Montini Preserve. The western access for the trail system within the Montini Preserve, which begins at Fourth Street West, relies on a trail segment of approximately 350 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. Under State law (CGC, Title 14, section 4312), leashed dogs cannot be allowed on this trail segment. In light of this prohibition, the State Parks District Superintendent has expressed concern regarding an allowance for leashed dogs. The City appreciates this concern and proposes to address it by prohibiting dogs on the trail segment west of the vista point overlooking the pasture that adjoins Fifth Street West (see Resource and Mitigation Map, attached). This prohibition would be codified by City ordinance and would be spelled out in signage, placed at the vista point and at the trail entrance on Fourth Street West, as well as the primary trailhead off of First Street West. As discussed above, the volunteer patrols provided for through the Work Plan will also help achieve compliance with this prohibition.

The City is confident that the prohibition will be respected and it is our hope that State Parks will allow us the opportunity to demonstrate this. However, the City respects the right of State Parks to revoke the license if substantial compliance is not achieved. If, as a result of an allowance for leashed dogs on trails within the Preserve (or for any other reason), State Parks were to revoke the license associated with the existing western access route, the City acknowledges that under the terms of the Recreation Covenant it would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan. The construction and use of this route was evaluated in the environmental review of the Management Plan and found to be consistent with maintaining the character of the Preserve. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation, as set forth in the Initial Study.

The City is very appreciative of the role that State Parks has played in the development of the trail system to date and welcomes feedback and suggestions from State Parks through the amendment process.

5. Review of Best Practices

In preparing this amendment, the City has researched best practices employed by other jurisdictions for ensuring compatibility with an allowance for leashed dogs and preserving open spaces values and sensitive biological features within open space preserves, parks, and other outdoor areas. Agencies that have been contacted include:

- Sonoma County Regional Parks
- Marin County Open Space District
- Oregon Parks and Recreation Department
- Washington State Parks

Each of these agencies manage multiple open space resources featuring a wide range of habitats, with sensitive features such as rare plants, protected animal species, and all types of riparian environments, including creeks, rivers, lakes, and wetlands. All of them allow leashed dogs, while successfully protecting natural resources and open space values. The practices these agencies implement in common include codified regulations--clearly communicated through signage and other means--carefully designed and placed protective measures to preserve sensitive features, on-going maintenance programs to address clean-up and erosion issues, and an effective education and enforcement program. The proposed amendment incorporates all of these features. It should be noted that none of the agencies and jurisdictions achieve perfect compliance with restrictions on dogs, which of course is true of most restrictions generally. However, this demonstrates that perfect compliance is not necessary to successfully protect habitat values and sensitive resources, while allowing leashed dogs in open space areas. What is required for success is substantial compliance and these jurisdictions have proven that to be attainable.

6. Monitoring

The approved Work Plan for the Montini Preserve includes a process for regular monitoring and reporting. This monitoring will be used by the City to identify any problems that may occur and adjust programs or requirements as necessary. As provided for in the Work Plan, monitoring reports will be provided to the District and the City will use the monitoring process to work with the District to ensure that any problems or concerns are addressed.

Attachments:

1. Text of Proposed Amendment
2. Resources Map
3. Sample rules, restrictions, and guidance (Marin County Open Space District)
4. Initial Study/Negative Declaration (enclosure)
5. Biological Resources Evaluation (enclosure)

Text of Proposed Amendment

Goal 5. The public will enjoy and appreciate the natural landscape of the Sonoma Valley.

Objective 1. By summer ~~2007~~ 2014, construct about 1.8 miles of pedestrian trail on and connecting to the Preserve.

Narrative: Trail planning expertise was provided by California State Parks, one of the Preserve partners. Trails were aligned on site over 6+ days of fieldwork. The trail was designed not to exceed sustainable maximum grade so that the trail would be less susceptible to erosion. A botanist and an archeologist then checked the preliminary trail alignment to ensure that no natural or cultural resources were disturbed. Once the trail alignment was inventoried, adjustments were made where necessary and the final alignment was identified. The alignment takes advantage of the most scenic portions of the Preserve while leaving large parts of the Preserve unaffected.

In addition, the site was assessed for its ability to provide trail access for the disabled. Using the 2007 Architectural Barriers Act (ABA) Accessibility Guidelines for Outdoor Developed Areas; Proposed Rule, a section of disabled-accessible trail was designed (Architectural and Transportation Barriers Compliance Board 2007).

Strategies:

- Working with the Sonoma Overlook Trail Task Force, the city of Sonoma, California State Parks, the Sonoma Ecology Center and other partners, construct and maintain trail (Figure 5) in accordance with the prescriptions in the trail log (Appendix F) and the alternative western access route (connecting to Fourth Street West) approved as an amendment to the Management Plan in 2009.
- The trail will be constructed to State Parks draft guidelines, where possible, to obtain maximum durability and sustainability.
- Construction will occur in spring to obtain maximum soil compaction.
- Construct the trail to conform to the guidelines described in the final report of the Regulatory Negotiation Committee on Accessibility Guidelines for Outdoor Developed Areas where feasible.
- Contract with a trail specialist for technical aspects of trail construction and volunteer oversight.
- Construct accessible parking for one car along Fourth Street West, with accessible access to the trailhead at that location ~~a gravel parking lot for 2 cars off 5th St. West with disabled access, where feasible,~~ as described by the Final Report of the Regulatory Negotiation Committee on Accessibility Guidelines for Outdoor Developed Areas.
- Work with the city to establish a disabled accessible connection from the city's ballfield parking lot to the Montini Preserve trailhead.
- Install self-closing and/or kissing gates at trail heads (Appendix G)(Agate. 1983).

- Construct an information kiosk at the Norrbom Rd and 5th St. West trailheads with a bulletin board for information (see also Goal 4, Objective 4).
- Information displayed on the bulletin board would include maps, hours of operation, safety tips, conservation messages (stay on trails, pack in/pack out), rules, emergency contacts, information about the District, and interpretive information. Kiosk designs should be compatible with the Sonoma Overlook Trail kiosk and State Parks kiosks.
- Link the trail on the Preserve to the Sonoma Overlook Trail via the Rattlesnake Cutoff spur.
- Install a pedestrian gate from the city's ballfield lot to the Preserve that will not allow cows to escape. Install a pedestrian gate along Norrbom Road across the road from the Sonoma Overlook Trail.
- Construct a fence bisecting the southwestern 9-acre parcel to separate livestock from hikers.
- Install directional trail signs.
- Install bike parking racks at the 5th St. West and 1st St. West trailheads.
- Working with others, construct a bridge across the ditch that separates the Sonoma Overlook Trailhead from the Sonoma Veterans' Memorial parking lot to allow Overlook hikers to cross Norrbom Road.
- Protect the narrow-anthered brodiaea, ~~and~~ the Franciscan onion, and the bristly leptosiphon with barriers, when necessary to provide protection from nearby trails or other potential disturbance.
- Monitor populations of the narrow-anthered brodiaea, ~~and~~ the Franciscan onion, and the bristly leptosiphon annually to monitor their reaction to the trail.
- Authorize visitors to bring leashed dogs on trails within the Preserve, subject to the following minimum restrictions and requirements:
 - a) The City of Sonoma must adopt specific legislation authorizing this activity.
 - b) Dogs shall be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs shall be restricted to trails. These requirements shall be codified by the City of Sonoma within the Sonoma Municipal Code.
 - c) Dog owners and individuals accompanying dogs shall be required to clean up and remove dog waste. This requirement will be codified by ordinance within the Sonoma Municipal Code. A bag dispenser shall be placed at the main trailhead, but not elsewhere in the Preserve.
 - d) Dogs shall be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District.
 - e) Dogs shall be prohibited on the trail segment south of the vista point overlooking the pasture adjoining Fifth Street West (see Resource and Mitigation Map), unless a specific authorization for dogs on the trail segment through the Sonoma State Historic Park is

granted by State Parks. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

- f) To protect sensitive areas, small segments of fencing shall be installed at key locations (see Resource and Mitigation Map), as required by the District. Any such barrier would take the form of low rock walls, low split-rail fences, or posts with cables to ensure visual compatibility with the Preserve.
- g) Signage shall be placed at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.
- h) The City of Sonoma shall fully implement approved Work Plan with respect to regular trail maintenance, erosion control, the removal of invasive plant species, and periodic trail clean-up days.
- i) Volunteer patrols organized under the approved Montini Preserve Management Work Plan (Work Plan) shall be used to monitor compliance and assist in education and enforcement.
- j) The City of Sonoma shall monitor issues associated with the allowance for leashed dogs and submit annual reporting to the District. The City shall consult and coordinate with the District to resolve any issues that arise as a result of this allowance.
- k) The City of Sonoma shall implement all of the mitigation measures identified in the approved Initial Study/Negative Declaration that evaluated the potential impacts of allowing leashed dogs on trails within the Preserve.

Goal 4. Remove obstacles to natural wildlife movement within the Preserve.

Objective 1: Within 8 years, adopt at least two strategies to facilitate wildlife movement. Strategies:

- Inventory existing fencing and remove unnecessary fencing within the Preserve.
- With the exception of leashed dogs on trails, as provided for under Goal 5, Objective 1, pets will not be allowed on the Preserve.
- Route trails so that there is a large portion of the Preserve that is undisturbed, particularly shaded grassy areas favored for fawn beds.
- Investigate exterior fencing and gates that would keep cattle in the Preserve while allowing wildlife to move out of the Preserve (wildlife friendly fencing).
- Protect nesting sites of important birds such as pileated woodpeckers and great-horned owls by keeping nesting sites safe from disturbance by rerouting trails or closing sections of trail, if necessary.



Figure 1
Montini Preserve Management Plan Amendment

Resource & Mitigation Map

Scale: 0 0.05 0.1 0.2 Miles

- Preserve Boundary
- Existing Trail: Leashed Dog Allowance
- Existing Trail: Dogs Prohibited
- Alternative Western Access
- Wetlands
- Plant Locations (Approximate)
- ✕ Proposed Signage

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dogs

Search

become accustomed to the presence of people and dogs encountered on roads and trails, but when unleashed dogs explore adjacent areas, wild creatures perceive them as predators and react with fear or flight. MCOSD regulations governing dogs are intended to protect native species that depend on these remaining tracts of undeveloped land and to ensure that all visitors have a safe and enjoyable experience. Be respectful of others, be in control of your dog(s) at all times, and always clean up and pack out.

When visiting MCOSD Preserves with Your Dog

- Unless signed otherwise by MCOSD, dogs are permitted on MCOSD lands when restrained by a leash.
- Leashes must not exceed six feet in length.
- Dogs are allowed off-leash on fire protection roads only when under the direct and immediate control of a responsible person.
- Dogs may not run free in marshes, meadows, ponds, hillsides, or on trails.
- Sensitive wildlife areas and preserves may have additional restrictions, as signed by MCOSD (**dogs are not permitted at Santa Margarita Island Preserve, except service animals**).
- A maximum of three dogs per person are permitted per visit on MCOSD lands.
- Commercial dog walkers require a special permit – visit [permits](#) for more information.
- Dog owners and individuals accompanying dogs on MCOSD lands are required to clean up and remove dog waste.
- All individuals bringing a dog or multiple dogs on MCOSD lands must possess a leash no longer than six feet in length, for each dog.
- Dogs may not be left unattended in vehicles at any time.
- Violation of the MCOSD code is subject to citation and fine.

Excerpt from the MCOSD Code

Section 2.05.010 - Dogs and other animals. Dogs and other domestic animals are allowed on District lands when under the direct and immediate control of a responsible person. Up to three dogs per individual are allowed, with exceptions beyond that number granted only through issuance by the District General Manager of a Special or Commercial Use Permit. On maintained and designated fire protection roads three dogs off-leash per individual are allowed. In all other areas, dogs and other domestic animals must be fastened to and restrained by a chain or leash not exceeding six feet in length. No person shall do any of the following on District lands:

- allow any dog or other domestic animal to enter environmentally sensitive or restricted areas of District lands;
- allow any dog or other domestic animal to interfere with, bother or disturb others using District lands;
- allow any dog or other domestic animal to hunt, pursue or harass other animals or wildlife;
- bring or keep a noisy, vicious or dangerous dog or other animal;
- bring or keep a dog four months of age or more without proof that the dog has a valid rabies inoculation and a valid license;
- fail to promptly remove from District lands any dog or other domestic animal after being ordered by District personnel to do so;
- allow excrement from dogs under their control to remain on District land;
- bring dogs or other domestic animals onto District lands without possessing a chain or leash not exceeding six feet in length for each dog or animal so that they shall be prepared to restrain their animals, if necessary.

Visit [Rules and Regulations](#) to view the entire Marin County Open Space District Code.

Leash-Only Preserves

Dogs must be on leash at all times at the following MCOSD preserves, either because there are no fire protection roads or because of the presence of sensitive wildlife habitat:

- Bald Hill



- Bolinas Lagoon
- Bothin Marsh
- Cascade Canyon
- Deer Island
- Maurice Thorne
- Ring Mountain
- Rush Creek
- San Pedro Ridge

Note: Dogs are not permitted at Santa Margarita Island Preserve, except service animals.

Dog Parks

The Marin County Parks and Open Space Department does not have a formal dog park or, as the Marin Humane Society describes, “a place where dogs can socialize and run off leash in a safe, secure environment.” Please visit the [Marin Humane Society](#) for information about dog parks in Marin. Check out [DogFriendly.com](#) for a comprehensive guide to dog-friendly locations in Marin and the North Bay.

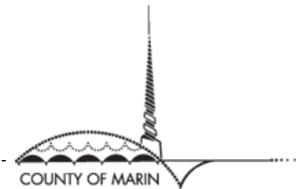
Dogs and Other Land Management Agencies

A mix of local, state, and federal agencies own public land throughout Marin. Each agency has unique and different rules concerning dogs. The following links are provided to help dog owners locate information and understand which public agency has jurisdiction over the area(s) they want to visit with their dog(s).

- Visit [Marin County Parks](#) to learn about the rules governing dogs in Marin County parks and facilities.
- Visit the [Golden Gate National Recreation Area](#) to learn about the rules governing dogs on their lands.
- Visit the [Point Reyes National Seashore](#) to learn about the rules governing dogs on their lands.
- Visit the [Marin Municipal Water District](#) to learn about the rules governing dogs on their lands.
- Use [Find a Park](#) tool to locate a California State Park in Marin County. Select Marin from the dropdown list of counties and click go to find the park you want to visit or learn about.

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HOME FAQs PHOTO CREDITS TERMS & CONDITIONS

The contact for this page is: ctorresan@marincounty.org



Site Design: Conscious Creative
Development: Marin County & Conscious Creative

1. Project Information

1. Project Title	Amendment of the Montini Preserve Management Plan to allow leashed dogs on trails
2. Lead Agency Name & Address	City of Sonoma Planning Department #1 The Plaza Sonoma, CA 95476
3. Contact Person & Information	David Goodison, Planning Director Telephone number: (707) 938-3681 Email: dgoodison@sonomacity.org
4. Project Location	The Montini Preserve is located immediately north of the Vallejo Home State Park and extends from Fifth Street West to First Street West. (APNs: 018-011-017; 018-021-006, 018-031-003 & 018-071-007; 127-051-105 & 127-051-106). Two of the parcels are located outside of city limits; however, the City is in the process of annexing these parcels (127-051-105, 106).
5. Project Sponsor's Name & Address	City of Sonoma Planning Department #1 The Plaza Sonoma, CA 95476
6. General Plan Designation	Park, with Open Space Overlay
7. Zoning	<i>City of Sonoma:</i> Park, with an Open Space Overlay <i>Sonoma County:</i> Resources and Rural Development, 100-acre density with a Scenic Landscape Unit overlay.
8. Description of Project	The project consists of an amendment to the adopted Management Plan for the Montini Preserve that would allow leashed dogs on the trails within the Preserve. The project includes related measures intended to ensure that the conservation values of the Preserve are maintained (including the protection of sensitive biological resources), as required by the Management Plan and the Conservation Easement.
9. Surrounding Land Uses and Setting	The project is bordered to the north by a cattle ranch (parcels subject to a conservation easement purchased by the Open Space District); to the east by the City-owned Mountain Cemetery property, which includes a substantial open space area and a recreational trail; to the south by City and Sonoma County Water Agency water tanks, City ball fields, a State Historic Park, and a subdivision; and to the west by a cattle ranch and residences.
10. Other Public Agencies Whose Approval may be Required	Please refer to Section 1.5 for a list of local entitlements and public agencies that may have permitting or approval authority over certain aspects of the project.

1.1 Project Background

The Sonoma County Agricultural Preservation and Open Space District (“District”) acquired the Montini Preserve and an adjacent conservation easement from the Montini family for \$13.9 million in 2005. Of this amount, the California State Coastal Conservancy and the City of Sonoma contributed \$1.15 million and \$1.25 million, respectively, while District’s contribution was \$11.5 million. Following the acquisition, the District prepared a Management Plan addressing the protection and maintenance of the Preserve, as well as the development of a trail system within it. The Management Plan was adopted by District’s Board of Directors in 2009. (An amendment to the Management Plan altering the western alignment of the trail was subsequently approved by the District in 2010.)

In 2010, at the invitation of the District, the City Council began discussing the possibility of taking ownership of the Montini Preserve, as the District is not set up for the long-term management of property and typically seeks agencies and organizations to which it can transfer the property the District acquires. In 2013, the City and the District agreed on a process for transferring the ownership of the Preserve to the City. This process, which is currently underway, is implemented through a number of enabling documents including: 1) a transfer agreement, 2) a conservation easement, and 3) a recreation covenant. These documents require the Preserve to be maintained and managed in accordance with the adopted Management Plan following the transfer of ownership. However, in section 6.1.1, of the Conservation Easement, a mechanism is provided for amending the Management Plan, subject to the review and approval of the District. As set forth in this section, it must be demonstrated that any amendment is consistent with maintaining the identified conservation values associated with the Preserve, as set forth in Section 2 of the Conservation Easement.

The adopted Management Plan for the Montini Preserve currently prohibits pets, including dogs (see Chapter 5, under Objective 1 of Goal 4). This direction was based on several factors, including the following: 1) dogs are prohibited on the City-owned Overlook Trail to the east, to which the Montini trail system will connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs on trails are prohibited by State law. The City of Sonoma proposes to amend the Management Plan by making an allowance for leashed dogs on trails. In accordance with the amendment process set forth in the Conservation Easement, the City has prepared an evaluation of the potential environmental effects of such an allowance, as documented in this Initial Study.

1.2 Summary Project Description

The project consists of an amendment to the adopted Management Plan for the Montini Preserve that would allow leashed dogs on portions of the trail system within the Preserve. The project incorporates measures to ensure that the conservation values of the Preserve are maintained (including the protection of sensitive biological resources), as required by the Management Plan and the Conservation Easement. These measures include the following:

- Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code. (A bag dispenser would be placed at the main trailhead, but not elsewhere in the Preserve.)
- Dogs will continue to be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District on the east side of Norrbom Road.

- To comply with State law, dogs will be prohibited on the trail segment between vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- To protect sensitive areas, small segments of fencing would be installed at key locations. Any such barrier would take the form of low rock walls, low split-rail fences, or posts with cables to ensure visual compatibility with the Preserve.
- Signage will be placed at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.
- Volunteer patrols organized by the Sonoma Ecology Center under contract with the City through the approved Work Plan will be used to monitor compliance and assist in education and enforcement.
- The approved Work Plan also includes regular trail maintenance, erosion control, the removal of invasive species, and periodic trail clean-up days, which will address potential secondary issues that could occur as a result of an allowance for leashed dogs.

Although these measures are integral to the amendment application, they are also highlighted as mitigation measures in the environmental evaluation (section 3 of this document).

1.3 Project Location and Existing Uses

The site consists of the Montini Preserve, a 98-acre protected open space area acquired by the Sonoma County Agricultural Preservation and Open Space District (SCAPOD) in 2005, located at the northern boundary of the City of Sonoma (see Figure 1). The Preserve consists of (six) parcels. Four parcels, with an area of 38.5 acres, are located within the city limits of Sonoma, while the other two parcels, which have a combined area of 59.5 acres and are located outside of city limits but are in the process of being annexed to the city. The Montini Preserve includes a significant portion of Sonoma's hillside backdrop and is located immediately north of the Vallejo Home State Park, extending from Fifth Street West to First Street West/Norrbom Road. Development within the Preserve is limited to a system of hiking trails constructed over the course of 2013/14. (Note: although the construction of the trail system is nearly complete, it will not be finished and open to the general public until August/September 2014.)

1.4 Environmental Setting

The Montini Open Space Preserve is located in the rolling hills to the north of downtown Sonoma. Elevations range from approximately 120 feet to 500 feet. The Preserve supports two ephemeral drainages that flow in a southerly direction between ridges, and a large seasonal swale at the western edge, in an area of pastureland adjoining Fifth Street West. Native habitats on the Preserve are contiguous with lands to the north and northwest. The Preserve supports blue oak woodland, mixed oak woodland, annual grassland, and small seasonal wetland habitats. Although portions of the Preserve have been used for various purposes over the years (woodcutting, grazing, and quarrying), in many areas native vegetation is relatively intact. Currently, the Preserve is closed to the public except for guided outings; however, it is being used informally. The District is in the process completing the construction of approximately 1.8 miles of trails and access points. Once the trail system is completed and the transfer of ownership is implemented (expected by August/September 2014), the trails will be opened for access to the general public. The site is seasonally grazed under a grazing lease, an activity that is intended to continue and that is allowed for in the Management Plan.

1.5 Other Public Agencies Whose Approval is Required

Pursuant to the Conservation Easement that encompasses the Montini Preserve, any amendment of the Management Plan is subject to the review and approval of the Sonoma County Agricultural Preservation and Open Space District, in accordance with Section 6.1.1 of the Conservation Easement.

1.6 Application of CEQA Requirements

This Project is subject to the requirements of the California Environmental Quality Act (CEQA). The City of Sonoma is the CEQA lead agency. Prior to making a decision to approve the Project, the City must identify and document the potential significant environmental effects of the Project in accordance with CEQA. This Initial Study/Proposed Mitigated Negative Declaration (MND) has been prepared under the direction of the City to fulfill the CEQA requirements.

This Initial Study/Proposed MND will be circulated for public and agency comment for 30 days from XXX to XXX. Written comments may be e-mailed, delivered, or mailed to the following address until close of business on XXX:

David Goodison, Planning Director
#1 The Plaza
Sonoma, CA 95476
Email: dgoodison@sonomacity.org

This Initial Study/Proposed MND is intended to satisfy the requirements of CEQA (Public Resources Code, Div 13, Sec 21000-21177), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387). CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts.

2. Determination and Mitigation Measures

2.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. Topics indicated with an asterisk (*) would result in at least one "Potentially Significant Impact" which would be "Less-Than-Significant" with incorporation of mitigation that the project applicant has agreed to implement.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services* |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation* |
| <input type="checkbox"/> Biological Resources* | <input type="checkbox"/> Land Use and Planning* | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources* | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance* |

2.2 Determination (Draft)

We find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

We find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

We find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

We find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

We find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

City Council Meeting Date: _____, 2014 **Vote – Yes:** ____ **No:** ____ **Absent/Abstain:** ____

Signature: _____ **Date:** _____

David Goodison, Planning Director, City of Sonoma

2.3 Project Sponsor's Incorporation of Mitigation Measures

Acting on behalf of the project sponsor or the authorized agent of the project sponsor, I (undersigned) have reviewed the Initial Study for the Project and have particularly reviewed the mitigation measures identified herein. I accept the findings of the Initial Study, including the recommended mitigation measures, and hereby agree to modify the proposed project to include and incorporate all mitigation measures set out in this Initial Study.

Signature: _____ **Date:** _____
David Goodison, Planning Director, City of Sonoma

2.4 Summary of Mitigation Measures

Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.

Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer patrols, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.

Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.

Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.c.1: To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (*Quercus agrifolia*) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (*Juncus* spp. and *Eleocharis* spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit.

Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.

Mitigation Measure 5.c: If paleontological resources and/or unique geologic features are discovered during construction of alternative western trail access (if implemented), construction will cease in the

immediate vicinity of the find until a qualified geologist is consulted to determine the significance of the feature and has recommended appropriate measures.

Mitigation Measure 5.d: In the event of an accidental discovery or recognition of any human remains during construction of an alternative western trail access (if implemented), activity at the site or any nearby area reasonably suspected to overlie adjacent human remains will cease until the coroner of the county is contacted to determine that no investigation of the cause of death is required, and the coroner determines whether the remains are Native American. If the remains are Native American the coroner shall contact the NAHC within 24 hours. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of (with appropriate dignity) the human remains and any associated grave. The City of Sonoma will complete necessary documentation associated with the discovery, compliance with this protocol, and any required follow-up.

Mitigation Measure 9.b.1: Dogs will be prohibited on the trail segment south of the vista point overlooking the pasture adjoining Fifth Street West (unless a specific authorization for dogs on the trail segment through the Sonoma State Historic Park is granted by State Parks). This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

3. Environmental Evaluation

1. AESTHETICS <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
<p>Significance Criteria: A significant impact would occur if a project results in a substantial reduction of visual quality or the creation of substantial light or glare adversely affecting views in the area.</p> <p>Discussion: (1.a, c) The Development Code defines “scenic vistas” as a public view, benefiting the community at large, of significant features, including hillside terrain, ridgelines, canyons, geologic features, and community amenities (e.g., parks, landmarks, permanent open space). This would include public views from road corridors of the hillsides areas that adjoin Sonoma Valley as are found in the Montini Preserve. An allowance for leashed dogs would not alter the visual characteristics of the approved trail system, except for the addition of minor signage and some low fences at a limited number of locations (see Figure 2, Resource and Mitigation Map). Fencing/barriers would take the form of low rock walls, split-rail fences, or posts with cables to ensure visual compatibility with the Preserve. A less-than-significant impact would be caused by implementation of the amendment to the Montini Preserve Management Plan with regard to scenic vistas and the visual character of the site and its surroundings.</p> <p>(1.b, d) The site is not located within a state scenic highway and the proposal would not introduce light or glare. No impact would occur.</p>				
2. AGRICULTURAL RESOURCES¹ <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
(2.a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
(2.b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
(2.c) Involve other changes in the existing environment, which, due to their location or nature,				X

¹ In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the

could result in conversion of farmland to non-agricultural use?				
<p>Significance Criteria: A significant impact would occur if a project results in the conversion of existing agriculture on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural land, or conflict with existing zoning for agricultural use, or a Williamson Act contract.</p> <p>Discussion: (2.a, b, c) The State Farmland map shows the property as “other lands,” “farmland of local importance,” and “urban or built up land.” The soils mapping units on the preserve, Goulding-Toomes complex, 9 – 50 percent slopes, Red Hill clay loam, 2 – 15 percent slopes, and Clough gravelly loam 2 to 9 percent slopes. These soils do not meet the criteria for prime farmland as outlined in the U.S. Department of Agriculture's land inventory and monitoring project for the Sonoma county soil survey. The Preserve is not under a Williamson Act contract. Grazing has traditionally occurred on the Montini Preserve and would continue to do so. (However, this activity does not fall under the “unique” category as defined by the United States Council on Environmental Quality in cooperation with the US Department of Agriculture.) As called for by the Management Plan, a grazing management plan has been developed and will continue to be implemented by the City upon the transfer of ownership. The grazing licensee has stated that leashed dogs would not conflict with the grazing of beef cattle. An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, will not interfere with continued grazing. No impact would occur.</p>				
3. AIR QUALITY²	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<p>Significance Criteria: A significant impact would occur if the project would cause or contribute to the violation of any ambient air quality standard, contribute substantially to an existing or projected air quality standard violation, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people.</p> <p>Discussion: (3.a, b, c, d) An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would not result in any impacts whatsoever to air quality. No impact would occur.</p>				
4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species		X		

² Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X		

Significance Criteria: A significant impact would occur if the project substantially affects a rare or endangered plant or animal species or its habitat, causes a substantial loss of riparian vegetation or habitat, impacts an area of wetlands determined significant by the Army Corps of Engineers, or causes a loss of acreage of other types of habitat identified as unique or of limited distribution, such as serpentine chaparral, serpentine grassland, or native grasslands.

Discussion: (4.a) *Special Status Plants.* Two botanical surveys of the trail alignment were performed in conjunction with the preparation of the Montini Preserve Management Plan and its associated environmental review (Ruygt 2006, 2008). A third survey was performed in 2013 (*Biological Resources Evaluation of the Effects of Dogs Montini Open Space Preserve, PCI, 2013*). Through these surveys, two instances of special status plant species have been identified near the trail as follows:

1. Narrow-anthered brodiaea (*Brodiaea leptandra*, List 1B.2). About 50 plants were found along the trail, approximately 300 feet from the upper vista point. They were found growing with a related but common species, harvest brodiaea (*Brodiaea elegans* ssp. *elegans*). As noted in the Biological Resources Evaluation, this plant is vulnerable to soil disturbance as this species stores perennial plant material in an underground stem, similar to a bulb. This species occurs in open mixed evergreen forest or chaparral on gravelly soil and is considered threatened by development, foot traffic, and collecting, and may also be threatened by road maintenance and non-native plants (CNPS 2014). It occurs primarily in Sonoma and Napa counties, with a few additional locations in Lake and Yolo counties.
2. Franciscan onion (*Allium peninsulare* var. *franciscum*; List 1B.2). Eight plants were found near the trail crossing of Norrbom Road, under buckeye and bay trees. It is a perennial bulb, which may make it vulnerable to soil disturbance. It typically occurs in clay, volcanic, or serpentinite soils on dry hillsides in grassland and woodland. It is considered to be threatened by development, foot traffic, non-native plants, and trail maintenance (CNPS 2014); trampling by park users was cited as a threat for the Preserve population (Ruygt 2006). In total, fifteen known occurrences of this taxa are documented, in Mendocino, Sonoma, Santa Clara, and Sonoma counties.

In addition, another plant species—the bristly leptosiphon (*Leptosiphon acicularis*)—occurs on the Preserve that is listed by the California Native Plant Society with a ranking of 4.2, which is defined as follows: *The plants in this category are of limited distribution or infrequent throughout a broader area in California. While we cannot call these plants "rare" from a statewide perspective, they are uncommon enough that their status should be monitored regularly.* Leptosiphon is a small, flowering, annual herb found in grasslands, chaparral, and woodland areas.

The approximate locations of these plants are shown on Figure 2, Resource and Mitigation Map. While other special status plants have the potential to occur within the Preserve, the species identified above are the only ones documented

in proximity to the trail system. With regard to the brodiaea, these plants are located upslope of the trail. The area in which the plants are found is partially buffered from the trail by rock outcroppings, trees, and shrubs, although some adjoining areas of the trail are more open. This area has not been subjected to any informal trails, nor does it provide a short-cut to any feature of interest or other trail segment. For these reasons, the prospect of hikers or hikers with dogs venturing into the area containing the brodiaea is limited. With regard to the Franciscan onion, these plants are not actually located within the Montini Preserve. The plants are found along a segment of trail constructed by the District that connects the Preserve trail system to the Sonoma Overlook Trail, which is located on the City-owned Mountain Cemetery property. The area in which the plants are located is steep, rocky, and brushy (including abundant poison oak). This area has not been subjected to any informal trails, nor does it provide a short-cut to any feature of interest or other trail segment. As with the brodiaea, the likelihood of hikers or hikers with dogs venturing into the area containing the Franciscan onion is quite limited. Furthermore, the Overlook Trail, including the connecting segment constructed by the District, is closed to dogs. Signage informing visitors of this existing limitation will be placed at the trailheads of the Montini Preserve trail system and at the crossing location at Norrbom Road. The two instances of the leptosiphon are located in the vicinity of the trail segment in the hill above the Fifth Street West pasture. The trail was aligned to provide a minimum distance of 15 feet from the plant clusters in order to avoid any disturbance to them. As is the case with the brodiaea and the Franciscan onion, the leptosiphon are located in areas that have not been disturbed by informal trails and that do not lend themselves to short-cutting. However, in light of status of the three plants, the following mitigation measure would also be implemented:

Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.

More generally, it is possible that an allowance for leashed dogs on trails within the Preserve could lead to a greater incidence of the spread of non-native plant species, which compete with and have the potential to crowd out native plant varieties, including special status species. The control and reduction of invasive non-native plants is already an objective of the Management Plan, which will be implemented through the approved "Montini Preserve Management Work Plan" ("Work Plan"), (Sonoma Ecology Center, 2013), as reiterated for in the following mitigation measure:

Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.

Special Status Animals. Based on the habitat types within the Preserve and recorded sightings elsewhere in Sonoma Valley, the Preserve has the potential to host a number of special status animal species including the pallid bat, the northern spotted owl, and the white-tailed kite. Two special status species, both birds, have actually been observed within the Preserve: the Cooper's Hawk and the oak titmouse, both of which are likely to reside within the Preserve year-around. Cooper's Hawks build nests in pines, oaks, firs, beeches, spruces, and other tree species, often on flat ground rather than hillsides, and in dense woods. Nests are typically 25-50 feet high, often about two-thirds of the way up the tree in a crotch or on a horizontal branch. Oak Titmice are strongly associated with oaks and typically build their nests in the cavities of oak trees, sometimes as much as 30-40 feet off the ground, but usually lower.

Because of their nesting location and the large areas of the Preserve that are not in proximity to the trail system, the Cooper's Hawk is unlikely to be affected by an allowance for leashed dogs. With regard to the Oak Titmouse, the introduction of trails and hikers, as allowed for already under the approved Management Plan, will result in a level of activity along trail routes that might be disruptive to nests that are low to the ground and close to the trail. An allowance for leashed dogs would increase this potential for disturbance. However, these specific circumstances—of low nests, close to the trail—involve only a limited area of the Preserve, so long as there is substantial compliance with the requirement that dogs be kept leashed. To ensure that potential impacts are minimized, as called for in the proposed amendment to the Management Plan, the following mitigation measures are proposed:

Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.

The implementation of the mitigation measures identified above would reduce impacts in this area to a less-than-significant level. See Figure 2, Resource and Mitigation Map and Mitigation, for sign locations and sections of trail that would remain closed to dogs.

(4.b) There are no year-round streams on the site. There are two ephemeral drainages and two ephemeral ditches on the site. There is no presence of typical riparian plants such as willow, cottonwood, wild rose, or box elder. Due to the seasonal nature of the wetlands and drainages present on the site, it is unlikely to support special-status species dependent on fresh or saltwater aquatic habitats (e.g., California freshwater shrimp, foothill yellow-legged frog, California red-legged frog). If not removed, dog droppings in the vicinity of ephemeral streams could degrade the immediate area

where this occurs. However, the points where the trail crosses these features are extremely limited in area and visitors with dogs will be required to clean up after their pets. This requirement will be implemented through the following mitigation measure:

Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Although some instances of noncompliance are inevitable, this would be addressed by the regular maintenance that will occur through the implementation of the maintenance plan.

(4.c) The Preserve was evaluated for the presence of wetlands as part of the environmental review prepared for the existing Management Plan. This review found that there are scattered small areas within the Preserve that could be classified as federally protected wetlands. In addition, two delineated wetlands are located on the Preserve. The largest of which occurs in a grassland/pasture area near Fifth Street West, while the smaller of the two is located on the southeastern area of the Preserve, northeast of the main trailhead. The existing trail does not cross any wetland areas. However, if, as a result of an allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke the license allowing access through the Sonoma State Historic Park, then, under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access. (See discussion under 9.b, c.) An alternative route has already been identified by the District in the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. This route, if implemented, would cross the wetland located in the Fifth Street West pasture (see Resource and Mitigation Map). This feature traverses the pasture in a generally north/south orientation. The area of wetland affected by this crossing was estimated by the District to be approximately 100 square feet. The crossing (if needed) would be designed as a raised boardwalk so as not to create a barrier to the wetland. The mitigation measure adopted by the District to address the crossing of this wetland and re-adopted as part of this environmental review is as follows:

*Mitigation Measure 4.c.1. To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (*Quercus agrifolia*) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (*Juncus* spp. and *Eleocharis* spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit.*

With regard to the smaller wetland located northeast of the main trailhead, it is close enough to the existing trail to warrant consideration of fencing as called for in mitigation measure 4.a.1, as it is possible that if dogs were to go off-leash, they could enter that area. The determination of whether not to implement low fencing would be made in consultation with the District. The implementation of the mitigations measures identified above would reduce impacts in this area to a less-than-significant level.

(4.d) Due to the range of habitats within it, the Montini Preserves hosts a variety of animal species. Woodland mammals observed within the Preserve include black-tailed deer, raccoon, coyotes, gray foxes, bobcats, and squirrels (ground squirrel burrows are noted on Figure 2, Resource and Mitigation Map). Mountain lions have been spotted on the adjoining Mountain Cemetery property and evidence of mountain lion kills has been seen within the Montini Preserve. (Note: the home range of a Mountain Lion is typically between 3-15 miles, meaning that Montini Preserve would make up only a small fraction of that territory.) Birds within the preserve that make particular use of oak trees include the acorn woodpecker and the western-scrub jay. Grassland areas within the preserve support squirrels, voles, gophers, and various smaller species. Bird species observed within the Preserve that utilize the grasslands also include those occupying adjacent woodlands patches, such as western bluebird, dark-eyed junco, California towhee, and American goldfinch. In turn, predatory hawks and owls are likely to forage over the grassland patches in search of small mammals and other wildlife species. Observed species include the Cooper's Hawk (discussed above) and the red-tailed hawk. A variety of snakes and lizards make use of both woodland and grassland areas. The ephemeral streams within the Montini Preserve do not support fish, although they and the seasonal wetlands do support certain amphibians, such as the Seirran tree frog. It should also be noted that the Montini Preserve connects with woodland areas to the north and to the west (across Norrbom Road). South of the Preserve, the Sonoma State Historic Park includes a small woodland area and extensive grasslands and wetlands. While the Montini Preserve is not a wildlife corridor, per se, it is part of a larger unit of primarily natural open space within which wildlife is able to move with few impediments. That said, the Preserve lies at the fringe of urban Sonoma, adjoining single-family homes, ball fields, and a State Park that includes not only grasslands and wetlands, but also well-visited historic structures and associated parking.

As discussed above, the introduction of trails and hikers, as already allowed for under the approved Management Plan, will result in a level of activity along trail routes that could disturb animals encountering a hiker. Assuming a three-foot trail width and a potential zone of disturbance of ten feet on either side of the trail (based on an allowance for a six-foot

leash, plus and additional four feet), the area of potential disturbance along the trail system amounts to approximately 5 acres, which represents no more than 5% of the total area of the Preserve. At least 95% percent of the Preserve lies outside of this potential zone of disturbance. It should also be noted that such encounters are limited to daylight hours, as the trail would be closed at dusk. This is an important consideration as many animals are active at night. In addition, the trail system itself is not a barrier to the movement of wildlife and as stated in the environmental evaluation that was prepared for the Management Plan: *“The proposed trail would be routed through oak woodland areas that wildlife use to breed, nest and move. However, interference with wildlife movement or nesting is expected to be minimal because the trail would receive intermittent use; wildlife is expected to habituate to the trail and focus their activities elsewhere.”* An allowance for leashed dogs on trails would not change this conclusion significantly, as long as there is substantial compliance with the requirement that dogs be kept leashed. However, compliance is a key consideration, as unleashed dogs could chase, harass, and even kill wildlife before being brought under control and would extend the area of potential disturbance outside of the immediate vicinity of the trails. Compliance with the requirement to keep dogs leashed and under control at all times is addressed in Mitigation Measure 4.a.2 and 4.a.3. The implementation of those measures, along with Mitigation Measures 4.a.1 and 4.b.1, would limit potential impacts in this area to a less-than significant level.

(4.e) An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, will not conflict with any locally-adopted policy or ordinance protecting biological resources. No impact would occur.

(4.f) The Management Plan for the Montini Preserve includes goals, objectives and implementation measures aimed at protecting the natural character of the Preserve, including the preservation of habitat values and species diversity. Currently, the Management Plan prohibits pets within the Preserve, including dogs. The prohibition on pets was not based on an environmental analysis, as the evaluation that was performed simply assumes their exclusion. It appears that this prohibition was based largely on two factors: 1) dogs are prohibited on the City-owned Overlook Trail, to which the Montini trail will connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs are prohibited by State law. That said, an allowance for leashed dogs within the Montini Preserve will only be consistent with the Management Plan if the Management Plan is amended. The District has established a process for amending the Management Plan, set forth in a conservation easement that encumbers the property. The City is following that process, which includes the preparation of an environmental evaluation. The approval of any amendment to the Management Plan is at the discretion of the District, based on a finding that the amendment is consistent with maintaining the conservation values identified for the Preserve.

Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.

The adoption of this mitigation measure would reduce potential impacts in this area to a less-than-significant level.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Significance Criteria: *A significant impact would occur if a project would adversely affect the significance of a historical or archaeological resource, destroy a unique paleontological resource, or disturb any human remains.*

Discussion: (5.a, b) A cultural resources survey of the Preserve was performed as part of the environment review of the Management Plan (which included an evaluation of the potential impacts of the construction of the trail system, which at the time included the alternative western access discussed in 5.c and 5.d, below). Two resources were found: a dry-laid stone wall and the remains of a former quarry. The trail was routed so as to avoid the wall and to incorporate views of the quarry. An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to

the Management Plan, would not have any effect on either resource. No impact would occur.

(5.c, d) No paleontological features or human remains were encountered in the construction of the trail and the proposed amendment to the Management Plan does not in itself call for any additional construction. However, the western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 350 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see response 4.c and Mitigation Measures 4.a.1 and 4.c.1). To address the potential encounter of paleontological resources or human remains during trail construction, the following mitigation measures were adopted by the District through the environmental review of the Management Plan and are hereby re-adopted:

Mitigation Measure 5.c.1: If paleontological resources and/or unique geologic features are discovered during construction of alternative western trail access (if implemented), construction will cease in the immediate vicinity of the find until a qualified geologist is consulted to determine the significance of the feature and has recommended appropriate measures.

Mitigation Measure 5.d.1: In the event of an accidental discovery or recognition of any human remains during construction of an alternative western trail access (if implemented), activity at the site or any nearby area reasonably suspected to overlie adjacent human remains will cease until the coroner of the county is contacted to determine that no investigation of the cause of death is required, and the coroner determines whether the remains are Native American. If the remains are Native American the coroner shall contact the NAHC within 24 hours. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of (with appropriate dignity) the human remains and any associated grave. The City of Sonoma will complete necessary documentation associated with the discovery, compliance with this protocol, and any required follow-up.

With the adoption of the preceding mitigation measures, potential impacts in these areas would be less-than-significant.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
<p>Significance Criteria: A significant impact would occur if a project exposes people or structures to major geologic hazards such as seismic damage, slope and/or foundation instability, erosion or sedimentation, land subsidence, or if a project results in substantial increases in erosion and sedimentation rates.</p> <p>Discussion: 6. ai, aii, aiii, aiv) Apart from limited signage and some small lengths of low fence, no structures would result from the Management Plan amendment and the use of the existing trail (which would not be altered by the project) by visitors to the site is not expected to expose people to adverse effects from earthquakes. No impact would occur.</p> <p>(6.b) The Management Plan contains recommendations to repair and prevent soil erosion on the site and the trail system was carefully designed and constructed to avoid erosion problems. The City has solicited a property maintenance proposal that from the Sonoma Ecology Center that addresses trail maintenance, including the correction of erosion issues that may emerge in conjunction with the trail as well as known erosion problems elsewhere on the site. While it is possible that the allowance of leashed dogs on trails within the Preserve could result in minor increases in erosion issues beyond those associated with the use of the trail by hikers, any such issues will be addressed through the regular implementation of the Montini Preserve Management Work Plan as called for in Mitigation 4.a.2.</p> <p>(6.c, d, e) The project includes no features that would affect soils or create soil-related risks or impacts.</p>				
7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk				X

of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
<p>Significance Criteria: A significant impact would occur if the project creates a potential health or safety hazard, or involves the use, production or disposal of materials that pose a hazard to people, or animal or plant populations in the project area, or interferes with emergency response plans or emergency evacuation plans.</p> <p>Discussion: (7.a, b, c, d) The project will not create hazards, emit or release hazardous materials, and is not on a list of haz-mat sites. The District ensures that hazardous materials do not exist onsite.</p> <p>(7.e, f) The project is not within an airport land use plan, nor within the vicinity of a private airstrip.</p> <p>(7.g) The project will not affect emergency response or emergency evacuation plans.</p> <p>(7.h) The project will not result in any increased exposure of people or structures to wildland fires.</p>				
8. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

j) Inundation by seiche, tsunami, or mudflow?				X
<p>Significance Criteria: A significant impact would occur if a project violates water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes with groundwater recharge, causes substantial erosion or siltation or otherwise degrades water quality, substantially increases surface runoff and/or results in an increased exposure of persons or property to flooding or mudflows.</p> <p>Discussion: (8.a, b, c, d, e) The project would not result in increased water use. It would not affect water quality standards, waste discharge requirements, groundwater supplies or recharge. The existing trail system has been routed, designed and constructed to prevent erosion and existing gulying and eroding areas are recommended for repair and restoration in the adopted Management Plan (one major restoration project has already been implemented). The City of Sonoma has approved a property maintenance and management Work Plan prepared by the Sonoma Ecology Center that addresses trail maintenance, including the correction of erosion issues that may emerge in conjunction with the trail as well as known erosion problems elsewhere on the site. While it is possible that the allowance for leashed dogs on trails within the Preserve could result in minor increases in erosion beyond that associated with the use of the trail by hikers, any such issues will be addressed through the regular implementation of the Work Plan (Mitigation Measure 4.a.2). No impact would occur.</p> <p>(8.f) There are no year-round streams on the site. There are two ephemeral drainages and two ephemeral ditches on the site. If not removed, dog droppings at these locations could degrade the immediate area; however, the points where the trail crosses these features are extremely limited in area and visitors with dogs will be required to clean up after their pets. Although it is inevitable that there will be instances of noncompliance, this would be addressed by the regular maintenance that will occur through the implementation of the Work Plan (Mitigation Measure 4.a.2).</p> <p>(8.g, h, i, j) The project will not cause or affect flooding hazards in the area. The preserve is not subject to seiche, tsunamis or mudflows. No impact would occur.</p>				
9. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?		X		
<p>Significance Criteria: A significant impact would occur if a project substantially disrupts or divides an established community, or conflicts with applicable adopted land use plans or policies, or habitat conservation or natural community conservation plans.</p> <p>Discussion: (9.a) The project will not physically divide a community. No impact would occur.</p> <p>(9.b, c) <i>Management Plan.</i> See response 4.f, which includes Mitigation Measure 4.f.1 (amendment of Management Plan).</p> <p><i>Prohibition on Dogs in State Parks.</i> The western access for the trail system within the Montini Preserve, which begins at Fourth Street West, relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. Under State law (CGC Title 14, section 4312), leashed dogs cannot be allowed on this trail segment. To address this prohibition, the following mitigation measure will be implemented:</p> <p><u>Mitigation Measure 9.b.1:</u> <i>Dogs will be prohibited on the trail segment west of the vista point overlooking the pasture that adjoins Fifth Street West (unless a specific authorization for dogs on the trail segment through the Sonoma State Historic Park is granted by State Parks). This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.</i></p> <p>Note: the vista point, where the prohibition on leashed dogs would begin, is located approximately 950 feet north of the trail crossing into State parkland (see Figure 2, Resource and Mitigation Map.) Along with Mitigation Measures 4.a.3 (signage, to include the vista point and the trail entrance on Fourth Street West) and 4.a.2 (compliance monitoring through the Work Plan), the adoption of this measure would reduce potential impacts in this area to a less-than-significant level.</p>				

10. MINERAL RESOURCES <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>Significance Criteria: A significant impact would occur if a project results in the substantial loss of availability of a known mineral resource important to the state or region, or delineated in a land use plan.</p> <p>Discussion: (10.a, b) The project would result in no losses of known mineral resources. No impact would occur.</p>				
11. NOISE <i>Would the project result in:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<p>Significance Criteria: A significant impact would occur if a project exposes people to noise levels exceeding standards set forth in the City of Sonoma's Municipal Code (SMC 19.56), or noise from the project substantially contributes to a condition where a normally acceptable noise level is exceeded.</p> <p>Discussion: (11.a, b, c, d, e, f) No noise impacts will be caused by this project, nor will implementation cause people to be exposed to excess noise.</p>				
12. POPULATION AND HOUSING <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example,				X

through extension of roads or other infrastructure)?				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
Significance Criteria: A significant impact would occur if a project induces substantial population growth or if substantial numbers of existing housing or people are displaced.				
Discussion: (12.a, b, c) The project will not create any housing or population impacts.				
13. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:</i>				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?		X		
e) Other public facilities?				X
Significance Criteria: A significant impact would occur if a project results in substantial adverse impacts associated with new or altered governmental facilities provided to maintain acceptable performance due to the project.				
Discussion: (13.a, b, c, e) No new or altered facilities will be required as a result of this project with respect to fire protection, police protection, or schools. No impact would occur.				
(13.d) The allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would be limited to the existing trails within the Preserve. No additional trail construction is proposed in conjunction with the project, with one possible exception, as follows. Western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve (or for any other reason), California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see Mitigations Measures 4.a.1 and 4.c.1). With the implementation of the mitigation measures identified above, this impact would be less-than-significant.				
14. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing			X	

neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?		X		
<p>Significance Criteria: A significant impact would occur if a project increases the use of park and recreational facilities such that substantial deterioration would occur, or requires the construction or expansion of recreational facilities resulting in adverse effects on the environment.</p> <p>Discussion: (14.a) While it is not anticipated that an allowance for leashed dogs will result in a substantial increase in the number of visitors making use of trails within the Preserve, it is possible that the presence of dogs could result in somewhat increased wear and tear on the trails, with a commensurate increase in maintenance requirements. The City has approved a property management and maintenance plan prepared by the Sonoma Ecology Center that includes regular monitoring of the condition of the trails and trail maintenance. While it is possible that the allowance of leashed dogs on trails within the Preserve could result in minor increases maintenance needs beyond those associated with the use of the trail by hikers, any such issues will be addressed through the implementation of the Work Plan (see Mitigation Measure 4.a.2).</p> <p>(14.b) The allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would be limited to the existing trails within the Preserve. No additional trail construction is proposed in conjunction with the project, with one possible exception. Western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see response 4.c). With the implementation of Mitigation Measures 4.a.1 and 4.c.1, this impact would be less-than-significant.</p>				
15. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
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Significance Criteria: A significant impact would occur if a project causes any traffic flow or intersection to drop below Level of Service (LOS) D, or if inadequate emergency access results.

Discussion: (15.a, b, c, d, e, f) The project will cause no traffic impacts.

16. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Significance Criteria: A significant impact would occur if utilities are inadequate or unavailable to serve the project, would cause the construction of new facilities, or the project does not comply with federal, state, or local regulations on solid waste or wastewater.

Discussion: (16.a,b,c,d,e,f,g) The project will cause no utilities impacts.

17. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are			X	

individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p>Discussion: (17.a) Potential effects on biological resources are fully addressed by Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1. The implementation of these measures would reduce impacts to a less-than-significant level. No additional mitigation measures are required in this regard.</p> <p>(17.b) The proposed project would not result in cumulative impacts deemed considerable. Impacts on biological resources and hydrology and water quality would incrementally increase from what would be expected if the current prohibition on dogs on trails within the Preserve were to be maintained. However, the combined effect would not be significant. As described in this Initial Study Environmental Checklist, implementation of Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1 would reduce the magnitude of these cumulative impacts to a less-than-significant level.</p> <p>(17.c) An allowance for leashed dogs on trails within the Montini Preserve has no potential to result in substantial adverse impacts on human beings, either directly or indirectly.</p>				

4. Sources and Reference Documents

1. *Biological Resources Evaluation of the Effects of Dogs Montini Open Space Preserve*. Pruneske-Chatham, 2014.
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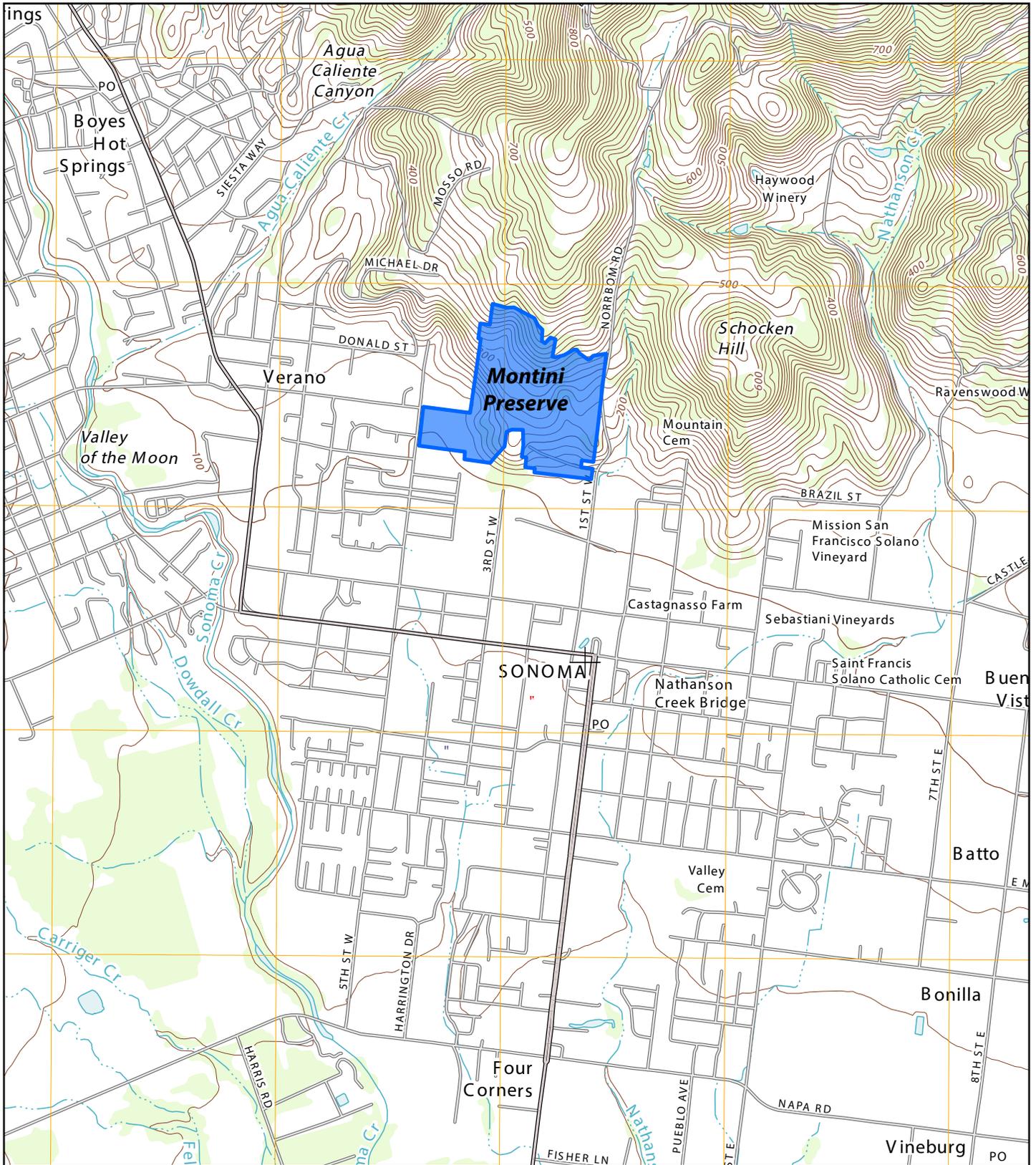


Figure 1
 Montini Preserve Management Plan Amendment



Location and Setting



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Figure 2
Montini Preserve Management Plan Amendment

Resource & Mitigation Map

Scale: 0 0.05 0.1 0.2 Miles

- Preserve Boundary
- Existing Trail: Leashed Dog Allowance
- Existing Trail: Dogs Prohibited
- Alternative Western Access
- Wetlands
- Plant Locations (Approximate)
- ✕ Proposed Signage



**Biological Resources Evaluation of the Effects of Dogs
Montini Open Space Preserve
May 2014**

Prepared for:

City of Sonoma

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Sonoma, CA 95476

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Figure 1. Montini Open Space Preserve Location Map and Areas of Interest

Figure 2. Reported Occurrences of Special-status Species within the Sonoma Valley

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PHOTO CREDITS

All photos by Prunuske Chatham, Inc. unless otherwise indicated. All photos were taken on the Preserve except narrow-anthered brodiaea, which was taken at another property in Sonoma County by PCI, and white-tailed kite and northern shrike, which were provided by local naturalist, Lisa Hug.

1 INTRODUCTION

The Montini Open Space Preserve (Preserve) is a 98-acre property that consists of a mosaic of rolling grasslands, oak woodlands, spring wildflowers, and wetland features on the outskirts of Sonoma, Sonoma County (Figure 1). The property has spectacular views of the Sonoma Valley and San Pablo Bay, and is adjacent to the Sonoma Overlook Trail, Sonoma Bike Path, and Sonoma State Historic Park. The Montini Open Space Preserve was purchased in 2005 by the Sonoma County Agricultural Preservation and Open Space District (District). In 2008, a Management Plan and Initial Study (Management Plan) was prepared by the District which highlights the Preserve's natural resources, challenges and opportunities, and management objectives and strategies. The property was acquired by the District with the intention of transferring fee title of the Preserve to a management entity to be maintained as open space, while opened to the public for recreational and educational uses (District 2008). The District is working with the City of Sonoma (City) to take over fee title and long-term management.

1.1 REPORT PURPOSE

As part of the transfer transaction, the District will retain a conservation easement over the Preserve, which will protect the identified conservation values in accordance with the Management Plan (District 2008). Currently, pets are not allowed on the Preserve; however, members of the local community have expressed interest in allowing leashed dogs on established trails. Any change in the allowable uses on the Preserve would require approval by the District, including an amendment to the Management Plan. In an effort to inform the decision making process, the City Council has requested that Prunuske Chatham, Inc. (PCI) complete an evaluation of the potential effects of dogs on the natural resources present on the site. PCI did not assess the effects that allowing dogs on the Preserve could have on recreational opportunities and visitor experience.

This Biological Resources Evaluation of the Effects of Dogs report includes a description of the biological resources present on the Preserve and their general condition (Section 3 and 4); a general discussion on the potential effects of dogs on natural resources (Section 5); and a summary of specific effects dogs may have on Montini Preserve's natural resources, along with other considerations for Preserve managers (Section 6).

1.2 PRESERVE DESCRIPTION

The Montini Open Space Preserve is located in the rolling hills to the north of downtown Sonoma at the southern end of the scenic Sonoma Valley. Elevations range from approximately 120 feet to 500 feet. The Preserve is the largest greenbelt property bordering the City of Sonoma. It is bound by Norrbom Road and the Mountain

Cemetery/Sonoma Overlook Trail to the east, a conservation easement parcel owned by the Montini family to the north and northwest, 5th Street West to the west, and water tanks, a public park, and the Sonoma State Historic Park to the south. The Preserve supports two ephemeral drainages that flow in a southerly direction between ridges, and a large seasonal swale at the western edge. Native habitats on the Preserve are contiguous with lands to the north and northwest. Although the Preserve is currently closed to the public except for guided outings, it is being used informally. The District recently completed construction of approximately 2 miles of trails and access points, which will be open to the public in the near future. They also constructed a connection trail on the Mountain Cemetery/Sonoma Overlook Trail. The site is seasonally grazed under a grazing lease held by Bill Montini, the former landowner.

1.3 CONSERVATION VALUES

As stated in the Management Plan, the property was acquired to: *“preserve and protect the open space, natural, and scenic values of the Preserve, and to prevent any uses of the Preserve that will significantly impair or interfere with those values. It is visible from much of the city of Sonoma and serves as an important backdrop contributing to the community identity. It supports a significant amount of oak woodland that serves as habitat for important plant and animal species integral to preserving the natural heritage of Sonoma County. The Preserve will also expand the public recreational access to the many residents and visitors of the Sonoma Valley”* (District 2008).

1.4 PUBLIC USES

The current allowed public uses on the Montini Open Space Preserve include hiking, nature observation and photography, interpretation, stewardship, and environmental education. The authorization of additional public uses, including dogs on trails, would require an evaluation of the potential impacts of the use on the identified conservation values and approval by the District. The Preserve is not currently open to the public, but will be in the near future. The existing trail alignment has been completed and volunteer patrols by local citizens working with the Sonoma Ecology Center and the District have been initiated to monitor site activity. The use of the Preserve by hikers and pet owners and their dogs has been documented. Volunteers report seeing an on-going increase in the amount of dog feces along trails, dog tracks, dogs on leash, and encounters with off-leash dogs (SEC 2013, 2014).

1.5 PUBLIC ACCESS

The primary access to the Preserve with vehicle parking will occur at the trailhead at the Field of Dreams/Police Department. There is also a trail crossing on Norrbom Road that

connects with the adjacent Mountain Cemetery/Sonoma Overlook Trail to the east of the Preserve. The Preserve may also be accessed through the Sonoma State Historic Park property at 4th Street West, as authorized by a revocable license agreement between California State Parks and the District. If this western access were to be lost through the revocation of the license, under the terms of a Recreation Covenant entered into between the City and the District, the City would have five years to design and implement alternative western access (including a trailhead and handicapped parking). Any alternative western access would need to be routed through the pasture/grassland area adjoining 5th Street West. Because a wetland traverses this area, special care would need to be taken the design and construction to protect that feature.

2 DATA COLLECTION METHODS

The following sections describe the background review and field survey completed by PCI to collect information on biotic resources present on the Preserve.

2.1 REVIEW OF EXISTING STUDIES AND LITERATURE SEARCH

A background literature and database search and review of existing studies previously conducted on the Preserve were completed to help characterize the biological communities present on the site. Several natural resource studies have been completed including rare plant surveys (Ruygt 2006, 2008), wetland assessment (Macmillian 2010), grazing evaluation (Bush 2005), and Audubon Christmas Bird Count (CBC, District 2008). Existing natural resources and Preserve features are also summarized in the Management Plan (District 2008) and trail alignment maps (District 2013).

The California Department of Fish and Wildlife California Natural Diversity Database and Spotted Owl Viewer¹ (CNDDDB, Figure 2, CDFW 2014), the primary sources for special-status plant and animal sighting information in the state, were also consulted to determine if special-status species, in addition to those identified in the previous studies, have been reported within the region. Special-status species with potential to occur on the Preserve were identified based on a comparison of existing habitat conditions and presence of unique habitat features, proximity to reported occurrences, and geographic range of subject species.

¹ The California Natural Diversity Data Base (CNDDDB) is a repository of information on sightings and collections of rare, threatened, or endangered plant and animal species within California. It is maintained by the California Department of Fish and Wildlife (CDFW). CNDDDB reports occurrences of special-status species that have been entered into the database and does not generally include inventories of more common animals or plants. The absence of a species from the database does not necessarily mean that they do not occur in the area, only that no sightings have been reported. In addition, sightings are subject to observer judgment and may not be entirely reliable as a result.

A comprehensive scientific literature review of studies documenting the effects of dogs on natural resources was also completed. This included a review of PCI's in-house library of scientific articles and on-line search engines (i.e., Google Scholar). A search for and review of regional management plans specific to dogs in other parks and open space properties was also completed to determine the level of impacts and management implications for resources similar to those occurring on the site (GGRNA 2013). PCI also contacted State Parks, Sonoma Ecology Center, trail patrol volunteers, and Bill Montini to solicit information and concerns specific to dogs on the site. The existing studies, site-specific maps, scientific studies, and regional plans were used to provide a baseline for the evaluation and determine potential resource concerns.

2.2 FIELD SURVEY

A one-day field survey of the Preserve was completed on March 12, 2014 by PCI's Senior Wildlife Biologist and Vegetation Ecologist, who are familiar with the region's flora and fauna. Conditions during the survey were warm and sunny, with light wind (0-5 mph) and excellent visibility. The air temperature was 70° F at 2:00 pm. The assessment was intended as a general inventory of vegetation communities, wildlife habitat, and evaluation of the potential for sensitive resources to be present on the site. The survey consisted of traversing the Preserve on foot and evaluating all representative habitats. During the survey, a general description of the plant communities present was compiled along with an inventory of all animal species observed. The survey was conducted with the aid of binoculars. Visual cues, calls, songs, and direct observations were used to identify wildlife species. Unique habitat features (e.g., woody debris, water sources, etc.) and other plant materials were examined for presence of mammals, amphibians, reptiles, and invertebrates. The number of wildlife species observed on the Preserve was limited due to activity period and seasonal nature of some species, rarity of others, and limited field survey. Botanical species observations were limited by blooming season and condition of the plant material necessary for positive identification.

3 EXISTING CONDITIONS

3.1 BOTANICAL RESOURCES

This description of plant resources on the Preserve is based on existing reports (District 2008, Ruygt 2006, 2008) and a brief reconnaissance visit by PCI in 2014. For more detail on Preserve vegetation, as well as for Latin names of common plant species, see previous reports.

The Preserve supports blue oak woodland, mixed oak woodland, annual grassland, and small seasonal wetland habitats. The Preserve lands have a history of human use (woodcutting, grazing, and basalt quarrying), but in many areas native vegetation is relatively intact. Most of the Preserve is mapped as Goulding-Toomes complex soils, with 9-50% slopes. These are gravelly clay loams derived from volcanic substrates; they are shallow, rocky, and have low water retention (NRCS 2014). This soil type frequently supports diverse native vegetation. Wetlands and grasslands at the base of the Preserve are mapped as other clay loam and gravelly loam soil types. The Preserve management plan notes that most of the soils are highly erodible and subject to slumping, and identifies several areas of erosion concern along remnant roads within the Preserve (District 2008).

3.1.1 OAK WOODLANDS

Oak woodlands and savanna on the Preserve include areas dominated by blue oak, and others characterized by a mixture of several oak species (coast live oak, blue oak, and black oak). The blue oak woodlands generally have an herbaceous, open understory composed of both native (e.g. soaproot, purple needlegrass) and non-native species (e.g., Italian thistle, wild oats). Buckeye trees, young bay trees, and sticky monkeyflower are occasionally present in the understory. Mixed oak woodland generally has a brushy understory dominated by poison oak and toyon. Oak savanna on the Preserve occurs where woodlands transition into grassland, resulting in an open tree canopy with an understory of herbaceous species. The oak-dominated habitats on the Preserve



Native oak woodlands on the Preserve (above) and existing trail through woodlands (below).

generally have a relatively rich native understory. Historically, basalt was quarried from locations within oak woodland; these rocky patches now support additional diversity of native shrubs and herbs. Typical shrubs in these locations include sticky monkeyflower, coffeeberry, and toyon, and herbaceous species include checkerbloom and soaproot as well as non-native annual grasses.

No evidence or records of Sudden Oak Death on the Preserve have been noted to date; the relatively dry setting may limit the disease. However, bay trees, the main foliar host and source of inoculum for the disease's spread in California, are present in the oak woodlands, and there are recorded occurrences of the disease elsewhere in Sonoma (OakMapper 2014), so it is possible that the pathogen could spread into the Preserve in the future.

3.1.2 GRASSLANDS

Grassland on the Preserve is dominated by non-native annual species, such as oats and bromes. However, there are also remnants of native grassland distributed throughout, including perennial grasses (purple needlegrass, California oatgrass), and forbs (oakow, brodiaea, popcorn flower, fiddleneck, poppy, and others). Often, these remnants are associated with rocky outcrops or other areas of thinner soils. The lower grasslands, including the pasture at the southwest corner of the Preserve, are lower in native species diversity.



Grassland near trailhead at Norrborm Road.

A number of invasive non-native plant species occur in the grasslands, especially along trail corridors and other disturbed areas. These include purple starthistle, yellow star thistle, field bindweed, Italian thistle, field marigold, hedge parsley, and Harding grass. Both Bush (2005) and Ruygt (2006) prioritized purple starthistle for control, as it was then still relatively limited in extent on the Preserve and removal was feasible. The management plan also notes that the Preserve is at risk for additional invasions from adjoining properties and/or from livestock operations.



Seasonal wetland near 5th Street West.

3.1.3 SEASONAL WETLANDS

Wetlands occur primarily on the flat parcel along 5th Street West and in the lower grassy fields (Figure 1). These are dominated by rushes, spikerushes, and sedges. Small seasonally wet areas are also present within the grassland (see photo in *Wildlife Resources*). Some areas of erosion concern in wetland habitat have been identified along the banks of the easternmost drainage on the Preserve (District 2008) where cattle congregate to make use of the green vegetation.

3.2 WILDLIFE RESOURCES

The Preserve supports a wide variety and abundance of wildlife species due in part to the variety of vegetation communities present, from grasslands and wetlands to oak woodlands. This mixture of habitats provides nesting habitat, food, shelter, and movement corridors for a number of native wildlife species. During a single wildlife survey by PCI of the Preserve, two reptile, one amphibian, 26 bird, and five mammal species were documented (see *Wildlife Observations* below). Wildlife common names are used throughout this report.

The following discussion includes a summary of wildlife typically associated with each habitat on the Preserve based on regional occurrence as well as the field observations. The descriptions are intended to be a general description of wildlife communities and not a comprehensive discussion. Although characteristic assemblages of wildlife species occur predictably within certain vegetation types, relatively few animals are restricted to a single habitat, and, indeed, many require more than one habitat type.

3.2.1 OAK WOODLANDS

Oak woodlands provide the greatest habitat diversity on the Preserve and support terrestrial birds, mammals, amphibians, reptiles, and a variety of invertebrates. Birds represent the most abundant and prominent wildlife species within this habitat. Year-round resident birds observed on the Preserve during the May survey included chestnut-backed chickadee, western-scrub jay, common bushtit, oak titmouse, dark-eyed junco, and Hutton's vireo. Anna's hummingbird, western scrub-jay, Hutton's vireo, and common bushtit were observed nesting or building nests in oak trees along the trail corridor. Additional migratory species not observed, but potentially breeding within the Preserve include orange-crowned warbler, Pacific-slope and ash-throated flycatchers, and swallows.



Anna's hummingbird (above) and western scrub-jay (below) nests in native oak trees.

Tree climbing birds such as woodpeckers and nuthatches also frequent oak woodlands. Red-breasted nuthatch and northern flicker, acorn and Nuttall’s woodpeckers were observed foraging within the site. Casual winter residents not observed, but likely to occur there include red-breasted sapsucker, varied thrush, and Townsend’s and yellow-rumped warblers; ruby-crowned kinglets were observed in late spring prior to departure to their breeding grounds. Oak woodlands that are structurally diverse with a healthy understory of low-growing groundcover, midstory shrubs and small trees, high canopy of trees and vines, and snags are critical for supporting the various habitat needs of the above-mentioned species.

Suitable foraging and breeding habitat also exists on the Preserve for raptors. Red-tailed, red-shouldered, and Cooper’s hawks were heard within the Preserve exhibiting breeding calls. American kestrel, a small falcon, was also seen. Small vertebrates within the woodlands are likely to serve as a food source for these predatory birds. The larger oaks are prime habitat for nesting raptors. Nocturnal avian predators also likely inhabit the Preserve including western screech, great horned, and barn owls. Due to their nocturnal nature and timing of the field survey, no owl species were observed on the

Preserve during the March survey; however, they have been documented nearby during winter bird surveys (District 2008). Northern spotted owls have established territories in higher elevation forests above the town of Sonoma (CDFW 2014). Owls may venture down into the Preserve to forage for small rodents on occasion as their territory size is rather large.



Western scrub-jay (above) and gray squirrel acorn and bay nut cache in an oak tree hollow (below).

The woodland habitats support a variety of mammals. Undisturbed habitats with limited human activity provide escape, cover, and nesting sites for a number of larger mammals. Coyote were observed on the Preserve by PCI. Motion sensor cameras installed on the Preserve by the Sonoma Ecology Center have documented coyote, gray fox, bobcat, black-tailed deer, northern raccoon, and gray squirrel (Figure 1; see *Sonoma Ecology Center Wildlife Photographs*

below). Mountain lion kills have also been observed on the Preserve and live animals observed on the adjacent Sonoma Overlook Trail property (Dale, personal communication 2014). In 2013, coyote were actively denning near the vista point (Dale, personal communication 2014). The presence of a large number of smaller vertebrate species, such as birds, small mammals, and herpetofauna may serve as a significant food source for the mammalian carnivores currently using the site. While not documented on the Preserve, bats mostly likely forage over the woodlands and roost in larger trees.

Native oaks and oak communities found within the Preserve serve as a significant resource for many wildlife species in the form of both food and shelter. Every part of the oak tree is utilized as forage for native species including acorns, leaves, twigs, pollen, roots, and sap. Perhaps the most widely recognized source of food is the acorn. This high-energy food is used heavily by acorn woodpeckers, western-scrub jays, western gray squirrels; all three species were observed on the Preserve. Individual trees are also important food storage sites for acorn woodpeckers, which cache acorns for future consumption, particularly in dead and dying oak trees. The use of acorns by a number of wildlife species is important for dispersal and colonization of trees. The entire tree from the canopy to the roots is used as shelter, as well as the layer of detritus around the base, which is utilized by amphibians and insects.

Within the woodland understory, woody debris piles and layers of duff provide habitat for amphibians. No salamanders were observed during the March survey; however, locally, common amphibians including *Ensatina*, California slender salamander, and arboreal salamander are likely to occur there and are more easily detectable during the wet winter months. Two species of reptile, Skilton's skink and Coast Range fence lizard, were observed in woodland habitats on the Preserve and, snakes are likely to be common (e.g., gopher, garter, and rattle).

3.2.2 GRASSLANDS

Grasslands provide habitat for a range of wildlife species. They provide cover for species such as birds, small mammals, and reptiles and foraging opportunities in the form of seeds, other plant parts, and insects. Grassland specialist songbirds (e.g., meadowlark, savannah and grasshopper sparrows) were not noted during the March field survey; however, the survey was short in duration. Bird species observed utilizing the grasslands include those also occupying adjacent woodlands patches such as western bluebird, dark-eyed junco, California towhee, and American goldfinch. Predatory hawks and owls are likely to forage over the grassland patches in search of small mammals and other wildlife species. Local birders report seeing American pipit, Say's phoebe, golden-

crowed sparrow, Brewer's blackbird in open fields on the Preserve in winter (ebird 2014).

Subterranean foragers, such as Botta's pocket gopher and California mole, commonly occur in grassland habitats; underground tunnels and mounds were seen throughout the site. In addition, small mice (e.g., deer and harvest), California vole, black-tailed jackrabbit, coyote, and black-tailed deer are frequently observed.



California ground squirrels were observed on the west side of the Preserve near rocky outcroppings. These areas also supported Coast Range fence lizard. A variety of butterflies were seen foraging in grasslands on flowering plants. Common butterfly species observed in grasslands and habitat margins included buckeye and mourning cloak.



California ground squirrel (above) and burrow (below).

3.2.3 AQUATIC HABITATS

The Preserve supports two seasonal drainages and a large wetland near 5th Street West. These features are seasonal, with water present during peak winter flows but mostly drying by early spring. However, they do provide a valuable resource for terrestrial wildlife and amphibians. Shallow pockets of waters provide breeding habitat for amphibians such as Sierran treefrog, which is most active during winter months (Figure 1). Low growing wetland vegetation provides cover for wildlife. These aquatic habitats provide critical watering holes for wildlife. Many birds also rely on pockets of exposed mud within the wetlands for construction of all or portions of their nests.



Stream crossing where Sierran treefrog tadpoles were observed.

3.2.4 WILDLIFE OBSERVATIONS

Vertebrate wildlife observations by PCI during the March survey included the following birds: black phoebe, common raven, northern flicker, acorn woodpecker, red-breasted nuthatch, house finch, western scrub-jay (nesting), dark-eyed junco, western bluebird, American kestrel, Nuttall's woodpecker, red-tailed hawk, Cooper's hawk, red-shouldered hawk, American goldfinch, mourning dove, American crow, common bushtit (nesting), Anna's hummingbird (nesting), chestnut-backed chickadee, ruby-crowned kinglet, California towhee, turkey vulture, Hutton's vireo (nesting), oak titmouse, and cedar waxwing; amphibians: Sierran treefrog (breeding, tadpoles), reptiles: Coast Range fence lizard and Skilton's skink; and mammals: coyote, black-tailed deer, California ground squirrel, Botta's pocket gopher, and broad-footed mole

4 SPECIAL-STATUS SPECIES

Existing natural communities on the Preserve provide habitat for several special-status plant and animal species. Special-status taxa are those listed as endangered or threatened by the U.S. Fish and Wildlife Service (FWS), NOAA's National Marine Fisheries Service (NMFS), or California Department of Fish and Wildlife (CDFW); taxa designated as candidates for listing; or any species of concern or local concern. In addition, the California Native Plant Society (CNPS) has compiled a list of plant species that are considered rare, threatened, or endangered. Consideration of these plants must be included during consultation with the regulatory agencies during any project development and California Environmental Quality Act (CEQA) compliance.

4.1 PLANTS

According to the background literature review and existing studies of the Preserve, there are a number of special-status plant species with reported occurrences within the Sonoma Valley area and on site (Figure 2). Two special-status plant taxa have been documented by botanical surveys on the Preserve, three additional taxa are reported in the CNDDDB from locations within or immediately adjacent to the Preserve, and one other taxa has been recommended for additional surveys. The botanical surveys performed to date on the Preserve (Ruygt 2006, 2008) were specific to proposed trail alignments and did not encompass the entire Preserve, so existing botanical information on the Preserve is not comprehensive.

Narrow-anthered brodiaea (*Brodiaea leptandra*, previously *B. californica* var. *leptandra*; List 1B.2) was documented on the Preserve in 2006 (Figure 1, Ruygt 2006). About 50 plants were found along the trail, approximately 300 feet from the upper vista point (Ruygt 2006). The exact location of the plants relative to the current trail has not been

determined. They were found growing with a related but common species, harvest brodiaea (*Brodiaea elegans* ssp. *elegans*). Only a portion of the trail alignment has been surveyed for this species; Ruygt (2008) recommended additional surveys on certain trail segments, but these have not been completed. This plant is a perennial vulnerable to soil disturbance; *Brodiaea* species store perennial plant material in a corm (swollen underground stem, similar to a bulb).



Narrow-anthered brodiaea

Narrow-anthered brodiaea occurs in open mixed evergreen forest or chaparral on gravelly soil and is considered threatened by development, foot traffic, and collecting, and may also be threatened by road maintenance and non-native plants (CNPS 2014). It occurs primarily in Sonoma and Napa counties, with a few additional locations in Lake and Yolo counties. There are 28 reported occurrences; 11 of these are considered in good or excellent condition, and the remainder are in unknown condition (CNPS 2014). The population found at Montini does not appear in the CNDDDB (CDFW 2014) and appears to be one of the southernmost recorded populations. The completed trail is located within very close proximity to the mapped location of narrow-anthered brodiaea (District 2013, Ruygt 2006).

Franciscan onion (*Allium peninsulare* var. *franciscum*; List 1B.2) was documented adjacent to the Preserve in 2006 (Figure 1, Ruygt 2006). Eight plants were found immediately east of Norrbom Road on both sides of the Mountain Cemetery/Sonoma Overlook Trail, under buckeye and bay trees. It is a perennial bulb, which may make it vulnerable to soil disturbance. It typically occurs in clay, volcanic, or serpentinite soils on dry hillsides in grassland and woodland. It is considered to be threatened by development, foot traffic, non-native plants, and trail maintenance (CNPS 2014); trampling by park users was cited as a threat for the Preserve population (Ruygt 2006). In total, fifteen known occurrences of this taxa are documented, in Mendocino, Sonoma, Santa Clara, and Sonoma counties. Two of these, including the population adjacent to the Preserve, are considered to be in fair condition, the rest are in unknown condition.

Three other plant taxa have been recorded in the CNDDDB as present in or immediately adjacent to the Preserve, but were not reported in 2006 botanical surveys for limited portions of the Preserve. These are Napa false indigo (*Amorpha californica*; List 1B.2), a

deciduous shrub of oak woodland habitats; big-scale balsamroot (*Balsamorhiza macrolepis*; List 1B.2), a perennial herbaceous species of chaparral, grassland, and woodland; and oval-leaved viburnum (*Viburnum ellipticum*, List 2B.3), an evergreen shrub of chaparral, woodland, and coniferous forest. Potentially suitable habitat is present for these species on the Preserve; additional surveys would be needed to determine whether any of these are present.

For one additional taxon, bent flowered fiddleneck (*Amsinckia lunaris*; List 1B.2), consulting botanist Ruygt (2008) recommended additional surveys, indicating that potential habitat for this plant is present on site. These surveys have not yet been completed.

4.2 ANIMALS

According to the background literature review, there are a number of special-status animal species with reported occurrences within the Sonoma Valley area (Figure 2). Based on the suitability of habitat within the site and surrounding areas and proximity of recorded sightings, these species were evaluated for potential occurrence within the Preserve. Several special-status species were observed during previous bird surveys of the Preserve and/or within the local area (District 2008) and during PCI's March survey. Species present or with a moderate to high potential to occur on the Preserve are described in further detail below.

PCI observed special-status Cooper's hawk and oak titmouse during the March survey. Audubon Christmas Bird Counts surveys completed during winter have documented white-tailed kite, Cooper's hawk, sharp-shinned hawk, loggerhead shrike, and oak titmouse within the Sonoma area; however, not specifically on the Preserve (eBird 2014). In addition to the bird species listed above, the Preserve supports protected native nesting birds (see photographs above and *Protected Bird Species* below) and potential habitat for special-status bat species. Due to the seasonal nature of the wetlands and drainages present on the site, it is unlikely to support special-status species dependent on fresh or saltwater aquatic habitats [i.e., California freshwater shrimp, foothill yellow-legged frog, California red-legged frog, Pacific (western) pond turtle, San Pablo song sparrow, and bank swallow].

Special-status animal species of concern known to occur or potentially occurring on the Montini Open Space Preserve include:

- Pallid bat (SSC²) – a year-round resident of Sonoma County, utilizes forest and woodland habitats, roosts in trees, forages over a variety of habitats. Suitable habitat present, bats may roost in trees and forage over the Preserve.
- Northern spotted owl (FT, SSC) – a year-round resident of Sonoma County, occupies dense forest and woodland habitats. Territories documented within 1.5 miles. Marginally suitable habitat present, owls may forage in the dense woodlands at the upper elevations of the Preserve.
- Cooper’s hawk (nesting, WL) – a year-round resident of Sonoma County, occupies open woodland and forest habitats and nests in densely wooded areas or at urban edges (PCI personal observation). Observed on the Preserve, Cooper’s may utilize the site during all seasons.
- White-tailed kite (nesting, FP) – a year-round resident of Sonoma County, occurs in semi-open areas and nests in trees and tall bushes. Suitable habitat present, kites may utilize the site during all seasons.
- Loggerhead shrike (nesting, SSC) – an uncommon year-round resident of Sonoma County, occupies open woodlands and shrublands, nests in semi-open habitats with scattered trees and shrubs. Suitable habitat present, shrikes may utilize the site during all seasons.
- Sharp shinned-hawk (nesting, WL) – a year-round resident of Sonoma County, occupies mixed forest and woodland habitats, known to nest in small numbers in



White-tailed kite (above) and loggerhead shrike (below). Photos courtesy of Lisa Hug.

² Listing Status Codes:

Federal

FT = Listed as threatened (likely to become endangered within the foreseeable future) by the federal government.

BBC = Birds of Conservation Concern

State

SSC = California Species of Special Concern

FP = Fully protected

WL = Watch list with State of California

oak woodlands in Sonoma County. Suitable habitat present, sharpies may utilize the site during all seasons.

- Oak titmouse (nesting, BBC) – a year-round resident of Sonoma County in oak woodlands and urban areas, nests in cavities and nest boxes. Observed on the Preserve, titmice may utilize the site during all seasons.

4.3 PROTECTED BIRD SPECIES

Nesting native bird species are protected under both federal and state regulations. Under the federal Migratory Bird Treaty Act (MBTA), it is unlawful to take, kill, and/or possess migratory birds at any time or in any manner, unless the appropriate permits are obtained. Protections extend to active nests, eggs, and young birds still in the nest. Birds and their nests are also protected under the California Fish and Wildlife Code (§3503 and §3503.5).

Most bird species, with a few specific exceptions, are protected under the MBTA and California Fish and Game Code. Disturbance in areas with suitable nesting habitat during the breeding period, typically mid-March to mid-August in this region (RHJV 2004), could result in nest abandonment or loss of native nesting birds.

5 DOGS AND WILDLIFE

Dog walking is one of the most popular recreational activities in the United States with an estimated 75 million dogs (Length and Knight 2008). With the increased popularity of dog walking in natural and protected areas, dogs represent a major influence on native plant and wildlife communities. Scientists are still trying to understand the complex effects dogs have on natural systems (Length et al 2008); however, studies have shown that outdoor recreation, both with and without dogs, has a number of unintended negative consequences (e.g., George and Crooks 2006, Knight and Cole 1991, Miller et al. 1998, Taylor and Knight 2003). Below we present a general discussion of the potential effects of dogs on wildlife and natural habitat. Section 6 covers potential effects of dogs specifically on the Montini Preserve.

5.1 DOGS AND WILDLIFE

While dogs and their owners go hand-in-hand and it's difficult to separate out the human element, it is well documented that dogs can have a negative effect on wildlife (Banks and Bryant 2006, Knight and Miller 1996, Length et al. 2008, Sime 1999). Studies have shown that hikers with on and off-leash dogs result in greater levels of disturbance to wildlife than hikers alone (Sime 1999). The impact of dogs on wildlife can range from harassment, injury or death, displacement, to competition for resources. While these impacts can be minimized when dogs are leashed, the laws are difficult to enforce,

especially in rural settings with little oversight.

Dogs are instinctual hunters and capable of chasing and killing wildlife. Although many dogs may be inefficient at it, dogs frequently chase wildlife (e.g., deer) and capture some species (e.g., birds, squirrels, rabbits), resulting in direct predation, serious injury, or significant energy expenditure on the part of wildlife (Length et al. 2008). Particularly susceptible are pregnant females and young with limited energy reserves. Dogs may also dig up ground-dwelling mammal burrows in pursuit of squirrels, gophers, and other fossorial species. Even if a dog does not chase, wildlife can perceive dog presence in and of itself as a threat and expend energy seeking shelter to protect themselves. This is especially true for wildlife species that are prey for wild canids such as coyote (Sime 1999).

The presence of dogs in natural settings has been correlated with altered patterns of habitat utilization by a number of wildlife species (Banks and Bryant 2007, Knight and Miller 1996). Dog walking in natural areas has been shown to decrease both bird species diversity and abundance (Banks and Bryant 2007), which has implications for long-term population-level changes. Activity patterns of deer, small mammals, and bobcats have been shown to be lower along trails with dogs than those without (Length et al. 2008). This has been attributed to higher levels of stress, reduced reproductive success, and habitat avoidance (Knight and Miller 1996). A study by Reed and Merenlender (2011) in Northern California found higher levels of human visitation, regardless of whether or not dogs were allowed, correlated to reduced carnivore abundance in protected areas. Given that allowing dogs often leads to increased human use, dog presence may indirectly contribute to less carnivore use.

The deposition of dog waste and scents along trail corridors also has implications for wildlife. While no comprehensive study on the effects of dogs on mammalian scent marking has been published (GGRNA 2013); the intrusion of dogs into natural areas may be of concern for predators which establish territories by scent. For some wildlife species, this may mean increased vigilance to defend a territory or avoidance of an area and potential alteration of carnivore activity (Length et al. 2008).

5.2 AQUATIC RESOURCES

Dogs can compete directly with wildlife for aquatic resources. Flowing streams and wetlands can be a vital source of water for wildlife. However, when resources are scarce this means less available water for wildlife when dogs are also using it as drinking source. Wading and splashing in the water can cause increases in soil disturbance, turbidity, and disturbance to eggs of amphibians and other aquatic life stages.

Dog waste within and adjacent to aquatic resources may also be a source of contamination through increased nutrient levels and the transport of microorganisms during runoff events. However, no comprehensive study of the effects of dogs on water quality has been published (GGRNA 2013), and, therefore, these effects are speculative.

5.3 DISEASE TRANSMISSION RELATING TO WILDLIFE

Dogs can transmit diseases, introduce parasites to natural areas, and infect native wildlife. Wildlife in turn can infect domestic dogs (Sime 1999). Most dogs are typically in good health and receive vaccinations against many of the transmittable diseases described below, but some diseases cannot be controlled with vaccines and booster vaccines must be given on a recommended schedule to maintain immunity. Contaminated feces is the most common mechanism for disease spread and parasite transport, but it can also occur through direct bites, bites by infected fleas, inhalation of infected airborne droplets, and ingestion of contaminated tissues or water.

Dogs and native wildlife, especially carnivores, are susceptible to canine distemper, rabies, and parvovirus; however, the rate of transmission is lower in areas where dogs are vaccinated (Sime 1999). *Giardia* is common in natural areas and can be transmitted between animals. Dogs have been implicated in the transmission of muscle cysts (*Sarcocystis* spp.) to ungulates including deer (Sime 1999). Dogs can be infected with Lyme disease transmitted by deer ticks. Infected ticks can transmit *Borrelia burgdorferi*, the bacteria that causes Lyme's, through the skin by bite. Dogs can also contract heartworm, a fatal condition, from infected mosquitos that occur in moist woodlands. A number of parasites including tapeworms and fleas can be transported by dogs. Some dog diseases can also be transmitted to humans (e.g., leptospirosis, rabies, parasites).

5.4 VEGETATION AND SOIL

Dogs can affect vegetation and soil through a variety of direct and indirect impacts. Direct impacts include trampling of vegetation, digging disturbance, and creation of new informal trails. Indirect impacts may include the spread of weed infestations or plant diseases and the compaction of soil. Very little research exists quantifying these impacts of dogs. However, it has been well documented that recreational activities in general can cause damage to plant communities (Leung and Marion 2000, Cole 1978, Bates 1935), and Bay Area land managers have recorded observations of dog impacts to natural vegetation in parks (GGNRA 2013). As with wildlife impacts, the intensity of vegetation and soil impacts is likely to increase with greater presence of dogs, and especially with off-leash use by dogs.

Dogs frequently dig in soil. In a natural setting, this can result in direct damage to or loss of native vegetation, as has been observed in Bay Area park lands (GGNRA 2013). Plants that are fragile, like ferns or many annual species, or those that are bulb-forming, with regenerative material stored just below the soil surface, are likely to be especially vulnerable to digging disturbance. For a vulnerable rare species, direct impacts from dogs could potentially eliminate a population. Digging also leaves an exposed, broken soil surface, which is more vulnerable to invasive non-native weed establishment than unbroken soil. Trail corridors are frequently infested with weed populations (Bates 1935, Cole 1978, Flory and Clay 2006), and serve as corridors for spread further into natural areas (Wells et al. 2012), so additional digging in these areas may enlarge infestations, or enable their spread to new locations. Many plant seeds are adapted to cling to animal fur for dispersal, including dog fur. Dogs may transmit noxious seeds on paws and fur, as can humans on clothing.

Dogs may trample vegetation at the side of the trail, or if off-leash, beyond the trail corridor. For some plant populations, such as annual wildflowers at the edge of a trail, trampling could result in loss of plants or changes in plant composition (Cole 1978, Bates 1935). Research on trampling effects of humans on vegetation indicates that taller herbaceous plants, ferns, and woody species are most at risk of damage from trampling while tufted or mat-forming plants such as grasses, rushes and sedges are less vulnerable (Cole 1993). Vegetation in more fertile, moister settings have been found to be more resilient to trampling, while vegetation in drier, less productive settings is more vulnerable (Leung and Marion 2000).

Dogs may create or help establish new informal pathways or trails, as has also been observed in Bay Area parks (GGNRA 2013). Aside from damage to existing native vegetation, newly created pathways also have potential to facilitate the spread of invasive species. Dogs may also result in the widening of initially narrow trails, and in the erosion or compaction of soil along trails. All of these effects could damage native vegetation and reduce its ability to regenerate.

In addition to dispersing weed seed, dogs have potential to transmit plant pathogens such as *Phytophthora ramorum*, the water mold that causes Sudden Oak Death (SOD). *Phytophthora ramorum* has been documented as spread by hikers, especially in wet weather (Davidson et al. 2005). No studies of the potential for dogs to spread the pathogen have been published, but the same mechanism by which humans transport the pathogen (by picking up mud with *Phytophthora* spores on their shoes) would apply to dogs picking up infected soil on their paws. Typical SOD containment guidelines for

managers and park users assume that dogs can transport the pathogen. For example, the California Oak Mortality Task Force (2008) states: “Keep your dog clean by staying on established trails and away from contaminated forest areas. Clean any plant material and mud from your dog’s coat and paws with a towel and brush, or rinse off before leaving the site.”

Finally, dog waste would be expected to increase nutrient inputs to soil and vegetation. No published research specific to dog waste effects was found in the literature review, but deposition of nitrogen and phosphorous is known to affect native plant communities and soil microorganisms (Inouye and Tilman 1995). Native soils are typically low in nutrients, and increases in nutrients are frequently associated with invasive plant infestation. Inputs of animal waste could have localized effects on trailside vegetation, potentially favoring highly competitive invasive species over native species adapted to low-nutrient environments.

6 POTENTIAL EFFECTS OF DOGS ON MONTINI PRESERVE

The Montini Preserve supports diverse plant communities including blue oak woodland, mixed oak woodland, annual grassland, and small seasonal wetland habitats. Wildlife species are abundant and range from oak woodland specialist birds, ground-dwelling mammals, and treefrogs breeding in seasonal streams, to top carnivores. Dogs could have varying effects on the Preserve’s plant and wildlife communities depending on the level of use by visitors with dogs, compliance with leash and waste pick-up laws, demeanor of the dogs, individual wildlife species responses, and habitat type and condition. Below we outline the potential site-specific effects of continued unsanctioned and/or authorized use of the Preserve by dogs on the natural resources present.

6.1 POTENTIAL IMPACTS ON WILDLIFE

Dogs could have a number of potential negative effects on wildlife on the Preserve. The type and intensity of the impact on wildlife could range from temporary to long-term effects. The primary effects of dogs on wildlife are likely to include:

Dogs chasing, barking at, injuring and/or killing wildlife. Volunteer patrol member, Lynn Clary, has noted seeing off-leash dogs chasing deer on several occasions (Clary, personal communication 2014). Both adult deer and fawns are frequently observed on the Preserve and both are subject to chase. Another example of wildlife that could be chased are the California ground squirrels on the west side of the Preserve (see photos above). Ground squirrels may be particularly susceptible as they make burrows underground and would be easily accessible to dogs (Figure 1). Dogs may also dig up

and destroy their burrows. Ground dwelling birds such as California quail and other species which forage or roost near the ground could be frequent targets. Dogs chasing these and other wildlife species could result in death or injury. Dogs may also disturb the Preserve's wildlife by barking at them, especially species higher up in shrubs and trees that are not accessible to dogs. The presence of dogs on the Preserve may result in altered behavioral patterns (e.g., feeding, resting, etc.) as wildlife try to avoid interactions with dogs. This has long-term implications as discussed below.

Dog disturbance to breeding birds. Dogs, especially off-leash and off-trail dogs, could impact breeding birds, including those special-status bird species described above (see *Special-status Species*). Most birds nest within 5 feet off the ground, many directly on the ground. PCI observed evidence of ground nesting dark-eyed junco within 2 feet of the overlook trail. State Parks reports the Vallejo Fields adjacent to the Preserve support ground nesting breeding birds each season; Park staff take special precautions to ensure these species are protected until nesting is complete (Schafer, personal communication 2014). If dogs veer off-trail or trample through trailside vegetation, breeding birds could be disturbed through chasing, nest disturbance, and increased levels of predation.

Changes in habitat utilization and community composition. Increased human presence and dogs both on and off-leash may result in changes in habitat utilization by sensitive wildlife species present on the Preserve. In the long-term, community composition could change over time, especially for larger mammals and bird communities. Species diversity and abundance may decline over time (see *Visitor Experience* below). This could affect the availability of prey for larger mammals and predator birds like raptors and owls (e.g, Cooper's, sharp-shinned hawks, white-tailed kite). As noted previously, the Preserve supports all of Sonoma County's top carnivores (e.g., mountain lion, bobcat, coyote) and several special-status raptors. As human and dog presence on the Preserve increases, there may be a dramatic change in how these species utilize the site and interact with other wildlife taxa.

Wildlife harm to dogs. While the incidence of wildlife capturing and killing or harming domestic dogs is uncommon, due to the presence of mountain lion and other large carnivores on the Preserve and surrounding lands, there is some risk of dogs becoming wildlife prey. The most vulnerable dogs would most likely be small and/or those running off-leash. Mountain lions and other larger predators may perceive dogs as a source of prey. Richard Dale, SEC, reported that a local hiker observed a mountain lion sitting in a tree directly over the trail on the adjacent Sonoma Overlook Trail (Dale, personal communication 2014).

Aquatic resource competition and disturbance. The limited availability of water on the Preserve may lead to direct competition for water by wildlife and dogs. The Preserve supports several wetlands and seasonal streams. These areas provide a seasonal water source for wildlife and breeding habitat for Sierran treefrog. Frogs breeding in these locations may experience higher levels of mortality as a result of dogs splashing and wading in these areas, particularly for off-leash dogs that veer off-trail to these sensitive locations (Figure 1). Dogs utilizing these water sources both for drinking and cooling themselves could crush aquatic species, especially egg masses.

Disease transmission. The transmission of diseases from dogs to wildlife and vice versa are not tracked with the exception of rabies (Animal Services, personal communication 2014) and the effects of disease transmission are not fully understood (Sime 1999). However, there is still potential for infection to occur. Perhaps the most important disease considerations for dogs on the Preserve are the presence of Lyme's disease given the prevalence of ticks in Sonoma County, heartworm from infected mosquitos, and infection of rabies from local wildlife. The Sonoma County Department of Animal Services reports several cases each year of dogs contracting rabies from native bats and occasionally foxes (Animal Services, personal communication 2014).

6.2 POTENTIAL IMPACTS ON PLANTS

Dogs could have a number of potential negative effects on plants on the Preserve. Effects would be focused along trail corridors, but could have long-term consequences for plant community composition and the persistence of rare plant populations on the Preserve. The primary effects of dogs on plants are likely to include:

Dogs affecting rare plant populations on the Preserve. Two rare plant populations have been documented on or adjacent to the Preserve (Figure 1). Four other special-status species occur near the Preserve and/or have potential to occur on the Preserve, but botanical surveys have not been completed to confirm their presence or absence. The two rare species known to be present, narrow-anthered brodiaea and Franciscan onion, are both perennial herbs with bulbs or corms, which would be vulnerable to digging from dogs. Both populations are very small (50 individuals noted of the brodiaea, and 8 of the onion), making them vulnerable to even relatively low levels of disturbance. Aside from digging, dogs could also reduce or eliminate these populations through trampling, soil compaction, or the facilitation of highly competitive invasive species.

Dogs facilitating the spread and establishment of invasive plant species. A number of invasive plant species already occur along trails on the Preserve. Purple star thistle was identified in the Preserve grazing plan (Bush 2005) and botanical survey (Rugyt 2006) as the highest priority weed. Bush states, “This state listed noxious weed is most common in areas that are repeatedly disturbed, especially along roads and near livestock concentration areas. It prefers dense clay soils. The density of infestations and potential for this species to spread increases with the age of the infestation because prolific seed output results in a seed bank that can last many years.” Purple star thistle could be facilitated by dog disturbance of soils, dispersal of seed on dog’s fur, and/or by new trails created by dogs and their human companions. Other noxious non-native weeds on the Preserve that could be facilitated by dogs are yellow starthistle, field bindweed, Italian thistle, field marigold, hedge parsley, and Harding grass. All of these have potential to limit native plant populations where they occur.



Invasive species such as field marigold, yellow flowers, spread in the disturbed ground along road and trail corridors.

Dogs digging up or trampling vegetation. Aside from rare plant populations, other vegetation on the Preserve is also vulnerable to trampling or digging. Much of the grassland on the Preserve is dominated by non-native annuals, but there are also remnant native forbs, including popcornflower, ookow, and soaproot. These annuals and bulbs would likely be damaged if dogs dig or trample them. In woodland portions of the Preserve, ferns and young regenerating trees and shrubs would all be susceptible to trampling impacts. Wetland vegetation, where it is dominated by rushes or sedges, is likely to be more resistant to trampling effects, but digging in moist soil could result in erosion.



Informal trails are already present on Preserve, reducing vegetative cover and raising potential for erosion.

Dogs compacting soils and creating new trails through native vegetation. By traveling at the trail’s edge, or off-trail, dogs could widen existing trails or create new ones. Over time, repeated travel can wear away native vegetation. Vegetation in the upland portions of the Preserve, on relatively thin, rocky, low-

productivity soils, is likely to be especially vulnerable to soil erosion and compaction.

Dogs transmitting plant pathogens. While Sudden Oak Death (SOD) has not yet been documented in the Preserve, there are several documented occurrences elsewhere in the town of Sonoma, and the disease is common in the hills west of Sonoma (OakMapper 2014). This disease is primarily a concern where bay trees are present. Woodlands on the Preserve do include bay trees, but the habitats are relatively dry, dominated by oaks, and bays are limited in number. Dog activity would be most likely to transmit SOD where trails travel through wooded areas with bay trees, and during wet, muddy conditions. This potential impact of dogs is currently a relatively low risk, but the threat could increase if the disease spreads into the Preserve.

6.3 OTHER CONSIDERATIONS

Although this report only addresses dog effects on the habitats and wildlife of the Montini Preserve, other issues such as health, safety, visitor experience, and logistical issues, are also important to consider when determining whether or not dogs should be allowed in the Preserve.

Leash laws and waste removal. Compliance and enforcement of leash laws and waste removal will require regular enforcement and monitoring. In general, there is relatively low level of leash law compliance in natural park settings (GGRNA 2013). Noncompliance with pet waste removal policies is also an issue at many parks (GGNRA 2013). Facilities will need to be in place to provide pickup stations and trash cans for waste removal.

Visitor experience. Many people enjoy walking with their dogs and are more likely to use the Preserve if they can bring them. Others prefer a wilder experience for activities such as bird watching or wildlife photography. Although most dogs may be well-behaved, visitor encounters with aggressive dogs can create safety issues and require ranger attention.

Proximity to adjacent lands with restrictive/no dog policies. The Montini Preserve is directly adjacent to two properties with restrictive dog policies; dogs are not allowed on the Sonoma Overlook Trail and only allowed in limited areas of the Sonoma State Historic Park. Dog owners and their pets may trespass on adjacent lands either intentionally or unintentionally if an allowance is made for dogs on trails within the Preserve (Shafer, personal communication 2014). This may require increased enforcement on the part of adjacent landowners.

Development of alternative western access. If dogs are allowed on the Preserve, an alternative western access route may need to be developed along 5th Street West and through the open wetland/pasture. This area supports seasonal wetland habitat running from the northern fence line to the south (Figure 1). Any trail development through this wetland complex would have to be carefully planned to avoid impacts to this sensitive resource. A pedestrian footbridge would also have to be constructed over a seasonal drainage at the eastern edge of the pasture.

7 CONCLUSIONS

The Montini Open Space Preserve was purchased to protect the natural resources and viewsheds that form the backdrop of Sonoma, and to offer public access to this magnificent area. Virtually all types of recreational activities, dog walking included, can cause negative impacts on natural systems. These impacts range from vegetation trampling, soil disturbance, habitat fragmentation and edge effects, to introduction of invasive species and disturbance to wildlife communities. The more frequent, intense, and widespread the recreational activities are, the more significant the impacts are likely to be. The more types of recreational use that are allowed on a Preserve, the more diverse and wide-ranging the impacts are likely to be.

The specific impacts of dogs on the Preserve on vegetation and soil would be likely to be spatially limited, but potentially long-lasting. Effects would be focused along relatively narrow areas of disturbance along trail corridors, including both sanctioned trails and informal trails. However, these corridors may serve as conduits for the spread of invasive species into previously uninvaded portions of the Preserve. Dogs on the Preserve could lead to the damage or possible loss of one or both rare plant populations. Though these impacts may be limited in spatial extent, if effective measures are not taken to protect sensitive areas, they are likely to be long-lasting or permanent, even if dogs were later removed from the Preserve. Impacts of dogs on native wildlife populations would likely be widespread in spatial extent, as animals are more mobile and require larger areas to sustain populations. Direct interactions between dogs and wildlife are likely to be negative and have unintended consequences. Overall, introduction of dogs to the Preserve would be likely to have widespread and long-lasting effects on natural resources, although it is possible that such effects could be reduced if effective controls are implemented that minimize off-leash/off-trail use, the incidence of dog waste, and other undesirable behaviors.

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9 SONOMA ECOLOGY CENTER WILDLIFE PHOTOGRAPHS

The following photographs were captured by Sonoma Ecology Center utilizing a motion sensor camera installed along animal trails on the Preserve in February 2012, April, June, September, and October 2013, and April 2014. Photographs provided to PCI from Richard Dale. Clockwise from top left: black-tailed deer, raccoon, coyote pup, bobcat with gray squirrel, coyote, and bobcat.





Figure 1. Montini Open Space Preserve Location Map and Areas of Interest Biological Resources Evaluation

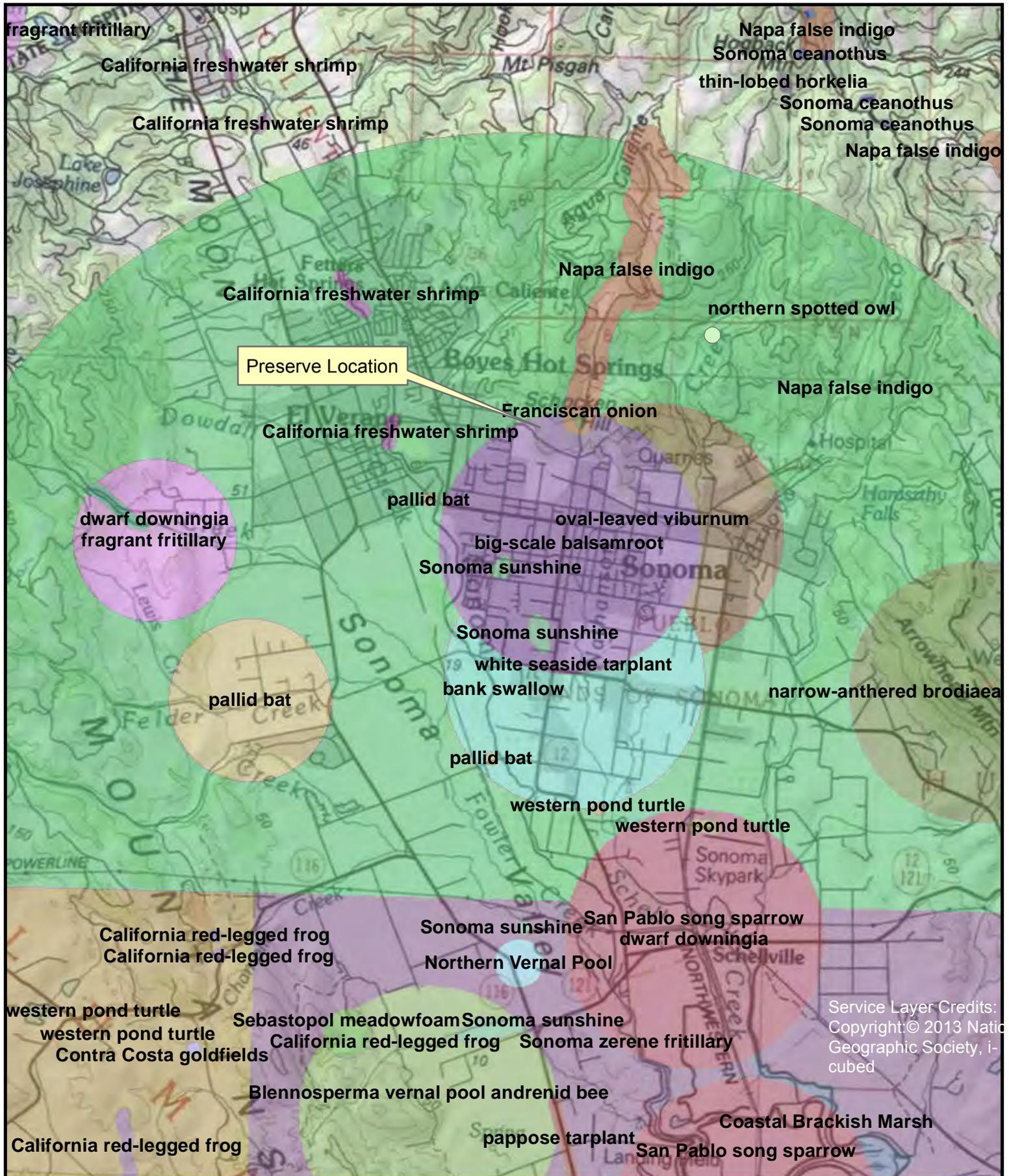


PRUNUSKE CHATHAM, INC.

Date Created: April 9, 2014

Scale: 0 0.05 0.1 0.2 Miles





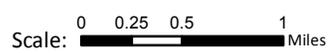
Service Layer Credits:
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Figure 2. Reported Occurrences of Special-status Species within the Sonoma Valley
Montini Open Space Preserve
Biological Resources Evaluation



PRUNUSKE CHATHAM, INC.

Date Created: April 9, 2014





CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item: 10A
Meeting Date: 05/19/2014

Department Administration	Staff Contact Gay Johann, Assistant City Manager/City Clerk
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Agenda Item Title

Councilmembers' Reports on Committee Activities.

Summary

Council members will report on activities, if any, of the various committees to which they are assigned.

MAYOR ROUSE	MPT COOK	CLM. BARBOSE	CLM. BROWN	CLM. GALLIAN
ABAG Alternate	AB939 Local Task Force	Cittaslow Sonoma Valley Advisory Council, Alt.	Oversight Board to the Dissolved CDA	ABAG Delegate
City Audit Committee	City Facilities Committee	North Bay Watershed Association	Sonoma County Health Action	Cittaslow Sonoma Valley Advisory Council
City Facilities Committee	LOCC North Bay Division Liaison	Sonoma Clean Power	S. V. Citizens Advisory Commission	City Audit Committee
Sonoma County Mayors & Clm. Assoc. BOD	Oversight Board to the Dissolved CDA, Alt.	Sonoma County Transportation Authority & Regional Climate Protection Authority, Alternate	S.V. Economic Development Steering Committee	LOCC North Bay Division Liaison, Alternate
Sonoma County M & C Assoc. Legislative Committee, Alt.	Sonoma Clean Power Alt.	Sonoma County Waste Management Agency	S. V. Library Advisory Committee, Alternate	Sonoma County Transportation Authority & Regional Climate Protection Authority
Sonoma Disaster Council	Sonoma County Mayors & Clm. Assoc. BOD	VOM Water District Ad Hoc Committee, Alternate	Substance Abuse Prevention Coalition	LOCC North Bay Division, LOCC E-Board, Alternate (M & C Appointment)
Sonoma Housing Corporation	Sonoma County M & C Assoc. Legislative Committee	Water Advisory Committee, Alternate	Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)	Sonoma County Ag Preservation and Open Space Advisory Committee (M & C Appointment)
Sonoma Valley Citizens Advisory Comm. Alt.	Sonoma Disaster Council, Alternate			VOM Water District Ad Hoc Committee
S.V.C. Sanitation District BOD	Sonoma Housing Corporation			Water Advisory Committee
S.V. Fire & Rescue Authority Oversight Committee	S.V.C. Sanitation District BOD, Alt.			Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)
	S.V. Economic Development Steering Committee, Alt.			
	S. V. Library Advisory Committee			
	S.V. Fire & Rescue Authority Oversight Committee			

Recommended Council Action – Receive Reports

Attachments: None