

# City of Capitola

## Commission on the Environment Special Meeting Agenda

### Wednesday, February 1, 2023 – 6:00 PM



Capitola City Hall, Community Room  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Michelle Beritzhoff-Law

**Commissioners:** Anthony Lacenere, Margaux Keiser, Jason Shepardson, Peter Wilk

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**PLEASE NOTE THIS IS AN IN-PERSON MEETING  
NO REMOTE ACCESS WILL BE PROVIDED**

#### 1. Call to Order and Roll Call

Commissioners: Michelle Beritzhoff-Law, Chair, Anthony Lacenere, Margaux Keiser, Jason Shepardson, Peter Wilk

#### 2. Oral and Written Communications

*The Chair may announce and set time limits at the beginning of each agenda item. The Committee Members may not discuss Oral Communications to any significant degree but may request issues raised be placed on a future agenda.*

#### 3. Consider the minutes from the January 18, 2023, regular Commission meeting

Recommended Action: Approve minutes.

#### 4. General Business

A. Environmentally Sensitive Habitat Area Riparian Vegetation Planting Reimbursement Program

Recommended Action: Review the proposed reimbursement program make a recommendation to City Council regarding its implementation.

B. Commission Correspondence to City Council

Recommended Action: Authorize Chair to sign a letter to the City Council regarding use of Green Building Funds

#### 5. Items for Future Agenda

#### 6. Adjournment

Next regular Commission meeting is scheduled for February 15, 2023

**Agenda and Agenda Packet Materials:** The Commission on the Environment Agenda is available on the City's website: [www.cityofcapitola.org/](http://www.cityofcapitola.org/) on Friday prior to the Wednesday meeting. If you need additional information, please contact the Public Works Department at (831) 475-7300.

**Americans with Disabilities Act:** Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

# City of Capitola Commission on the Environment Meeting Minutes

**Wednesday, January 28, 2023– 6:00 PM**



Capitola City Hall, Community Room  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Michelle Beritzhoff-Law

**Commissioners:** Anthony Lacenere, Margaux Keiser, Jason Shepardson, Peter Wilk

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## 1. Call to Order and Roll Call

Commissioners Present: Michelle Beritzhoff-Law - Chair, Anthony Lacenere, Jason Shepardson  
Commissioners Absent: Margaux Keiser, Peter Wilk  
City Staff Present: Jessica Kahn

Chairperson Beritzhoff-Law called the meeting to order at 6:03 pm

## 2. Oral and Written Communications - None

## 3. Consider the minutes from the October 19, 2022, regular Commission meeting

A motion to approve the minutes was made by Commissioner Shepardson and seconded by Chair Beritzhoff-Law. Motion passed unanimously. (3-0-2)

## 4. General Business

### A. Elect Chair and Vice Chair

Commissioner Shepardson moved to nominate Chair Beritzhoff-Law the Chair to the Commission on the Environment; seconded by Commissioner Lacenere. There were no further recommendations and nominations were closed. The motion carried unanimously.

Chair Beritzhoff-Law moved to nominate Commissioner Shepardson the Vice-Chair to the Commission on the Environment; seconded by Commissioner Lacenere. There were no further recommendations and nominations were closed. The motion carried unanimously

### B. Environmentally Sensitive Habitat Area Riparian Vegetation Planting Reimbursement Program

The Commission considered the appropriateness of bringing forward this program during the current state of emergency and if there are potential better uses of the Green Building Fund at this time. The Commission also considered that the program may be beneficial at this time to those re-establishing planting that have been damaged during the storms as well as establishing a continuous program.

The Commission requested that this item be re-agendized to the next meeting to allow time for additional review.

#### C. 2023 Commission Goals and Priorities

The Commission considered 2023 Commission Goals and Priorities presented in the staff report. The Commission agreed upon the following priorities for 2023:

- Compostable and Biodegradable Take Out Materials Restaurant Guide
- Environmentally Sensitive Habitat Area Riparian Vegetation Planting Reimbursement Program
- Use of Green Building Fund
- Proactively support City and non-profits in clean up, rebuild, and mitigation measures in response to the current climate emergency

A motion to establish the above Goals and Priorities for 2022 was made by Commissioner Shepardson and seconded by Commissioner Lacenere. Motion passed unanimously. (3-0-2)

#### 5. Items for Future Agenda

- The Commission has requested a Special Meeting for Wednesday, February 1, 2023 at 6 pm. Staff will verify that there is a space available to hold the meeting.
- The Environmentally Sensitive Habitat Area Riparian Vegetation Planting Reimbursement Program will be re-agendized for the next Commission meeting.
- Correspondence to the Council will be agendized for the next meeting.
- Regular meeting schedule for the Commission will be agendized for the next meeting.

#### 6. Adjournment

The meeting was adjourned at 7:31 pm to the next Regular Meeting of the Commission of the Environment on February 15, 2023.

# Capitola Commission on the Environment

## Agenda Report



**Meeting:** February 1, 2023

**From:** Public Works Department

**Topic:** Environmentally Sensitive Habitat Area Riparian Vegetation Planting Reimbursement Program

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**Recommended Action:** Staff recommends the Commission review the proposed reimbursement program make a recommendation to City Council regarding its implementation.

**Background:** During the September 21, 2022 Commission meeting the Commission discussed the establishment of a grant program to support and/or incentivize private property riparian planting in the mapped environmentally sensitive areas, funded by the Green Building Fund. Staff provided a draft outline of this grant program a status memo on November 10, 2022.

The intention of the reimbursement program to encourage property owners within the City of Capitola with parcels in or immediately adjacent to Environmentally Sensitive Habitat Areas (ESHA) to plant and maintain native riparian vegetation on areas immediately adjacent to Soquel Creek and Noble Gulch. The scope of these projects are small-scale and focus on native species replanting, with supplemental irrigation. No instream or engineering projects are eligible for these funds. There is \$100,000 available in the Green Building Fund for initial program funding.

The attached draft program for Commission review and comment outlines a three-part process for reimbursement up to \$300: (1) submit a planting plan layout and pre-application, (2) install the plantings, and (3) proof of installation and receipts for reimbursement.

This item was considered by the Commission during its January 18, 2023 meeting. The Commission considered the appropriateness of bringing forward this program during the current state of emergency and if there are potential better uses of the Green Building Fund at this time. The Commission also considered that the program may be beneficial at this time to those re-establishing planting that have been damaged during the storms as well as establishing a continuous program. The Commission requested that this item be re-agendized to this meeting to allow time for additional review.

**Discussion:** The draft program has several criteria for which staff is seeking the Commission's input. Below are the criteria as stated in the draft document.

- Eligible Parcels: Must be located in or immediately adjacent to ESHA adjacent to Soquel Creek and Noble Gulch. May include common lot parcels.
- Frequency of eligibility: Should applicants be able to apply for the grant more than once and over what time frame?
- Applicant: A Homeowner's Association (HOA) may apply on behalf of a parcel owner.
- Reimbursement amount: \$300 per parcel.
- Eligible measures: Invasive plant removal, seeds, plants, and irrigation equipment be eligible for reimbursement. Installation costs by a contractor is also recommended for reimbursement.
- Plant List: A plant list has been drafted by the City's environmental consultant.

**Report Prepared By:** Jessica Kahn, Public Works Director

Attachments:

1. Environmentally Sensitive Habitat Area (ESHA) Riparian Vegetation Planting Reimbursement Program

[Type here]



420 Capitola Avenue  
Capitola, California 95010  
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Website: <http://www.cityofcapitola.org>

## Environmentally Sensitive Habitat Area (ESHA) Riparian Vegetation Planting Reimbursement Program

### Rebate Program Information

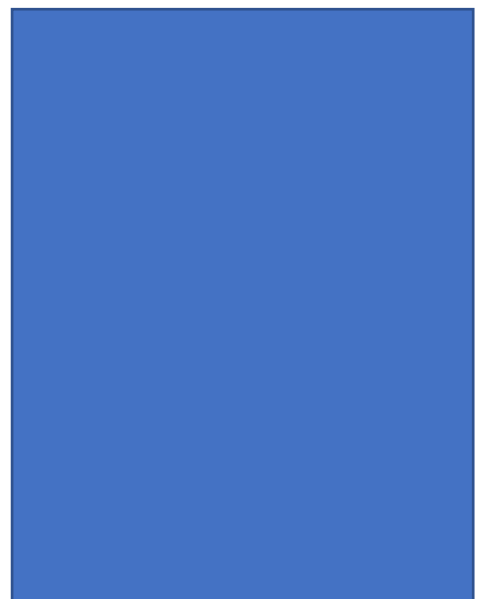
The City of Capitola (City) offers a reimbursement of up to \$300 per parcel to plant and maintain native riparian vegetation on areas immediately adjacent to Soquel Creek and Noble Gulch. The landowner is responsible for all project costs above the approved reimbursement amount. Please read the eligibility criteria, terms and conditions, and project requirements below and follow the instructions carefully. Work with City staff during the development of your project to ensure that you meet all incentive requirements.

### Table of Contents:

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### Why Restore Riparian Vegetation?

Riparian areas are vegetated areas found between aquatic and terrestrial habitats. The vegetation along streams, wetlands, and lakes can all be considered riparian vegetation. Often the plant species found here are adapted to living in this zone of fluctuating water availability. Healthy riparian zones provide a variety of benefits for water quality, wildlife (both aquatic and terrestrial), and people. These areas are distinguished as “buffers” because of the role they play in filtering pollutants and



absorbing flood water, as well as providing food and shelter for wildlife. More specifically, riparian zones:

- Stabilize streambanks with plant roots
- Provide corridors for migrating wildlife
- Help maintain water tables
- Play a role in terrestrial and aquatic food webs
- Provide shade to maintain water temperatures for aquatic organisms
- Improve water quality by trapping sediment which can be harmful to aquatic animals
- Slow flood waters, thereby protecting waterfront properties

By planting native trees and shrubs in the riparian zone on your property, you are providing numerous benefits to the landscape around your property. Native species improve habitat for birds, mammals, fish and other aquatic animals, and protect the water quality of our beautiful streams.

### **Eligibility Criteria**

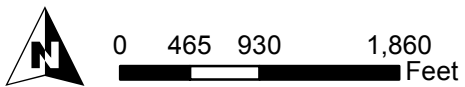
- Project must be located on parcels in or immediately adjacent to ESHA adjacent to Soquel Creek and Noble Gulch.
- Project plants must be listed in Appendix A of the linked application.
- Project location does not include severely eroded stream banks or require in-stream engineering.
- Applicant owns the land or has authorization to implement the project.
- Applicant has legal access to a source of water to irrigate the plantings.
- Applicant can demonstrate the ability to maintain the planting area for 5 years.



CITY OF CAPITOLA  
ENVIRONMENTALLY SENSITIVE HABITAT



Source: ESRI, 2017; Kimley-Horn, 2017.



## **Planting Instructions**

### **Plant Selection**

The City requires that riparian areas be planted with native vegetation. See Appendix A for a list of native plants based on ecosystem site and function.

### **Planting Densities**

We recommend planting new vegetation such that, combined with existing native vegetation, the area has a plant every 64 ft<sup>2</sup>, or 8ft. spacing between plants. Smaller trees and shrubs may be planted closer together depending on species. See Appendix B for more information on specific plant species. For example, a 1,000 ft<sup>2</sup> riparian area would have approx. 16 plants. Use a mixture of shrubs and trees.

### **Planting Timing and Site Preparation**

A layer of mulch or straw over the planting site can also reduce the risk of erosion and suppresses weeds. Each planting location should have a 2' to 3' radius clear of grass and/or competing vegetation. Fall planting is favorable for sites above the seasonal highwater mark. Spring planting is favorable for sites at risk for inundation and erosion during winter storms.

### **Irrigation Instructions**

Hand water by buckets or hoses for smaller plantings. Use drip or micro-spray systems for larger plantings. Water deep and infrequently to promote deep root growth. In the first 2 or 3 years, water 1 to 3 times per week. Consult plant specific information on how much water each species needs per irrigation cycle and how long to provide supplemental water.

**Checklist**

***Part 1 – Pre-application project assessment and design***

- Read the entire application.
- Obtain a signature authorization from the property owner.
- Create a layout of the project. Submit a planting plan and irrigation plan.
- Determine the plants to be planted and how to protect and water them
- Sign and submit this application to the City of Capitola.
- Receive a countersigned copy of the application.

***Part 2 – Implementation (Can be completed by the landowner or a qualified contractor)***

- Obtain any permits/ landscape plans necessary to complete the project.
- Plant native vegetation per recommendations above.
- Save all receipts to submit to the City of Capitola. Copies are acceptable.

***Part 3 – Post-Installation inspection and submission for rebate***

- Review the implementation with City staff and confirm that the implementation meets or exceeds the objectives in this application.
- Provide City staff with all invoices and receipts to confirm the total project cost.

**Rebate Request**  
**Environmentally Sensitive Habitat Area (ESHA)**  
**Riparian Vegetation Planting Reimbursement Program**

**Contact Information**

Applicant Name(s):

Address:

Phone:

Email:

**Project Location and Size**

Project location (check one):  Noble Gulch  
 Soquel Creek

Number of Plants: \_\_\_\_\_

Irrigation Installation:  Yes  No

Rebate Amount Requested: \_\_\_\_\_

**Narrative – Existing Conditions and Planting Description**

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**Authorizing Signatures**

Applicant Signature	Print Name	Date
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Landowner Signature (if different than Applicant)	Print Name	Date
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City Representative Signature	Print Name	Date
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**Completion Report and Rebate Request**

Total number of plants purchased: _____	Payment Issued: _____
Installation Costs:             \$_____	Issued By: _____
Rebate total:                         \$_____	

Signatures below indicate that the Applicant has completed installation of the project as outlined in this application according to the below terms, conditions, and project requirements. The City agrees to release an incentive for the above total within 30 days of the signing of this agreement.

Applicant Signature	Print Name	Date
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Landowner Signature (if different than Applicant)	Print Name	Date
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City Representative Signature	Print Name	Date
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### **Terms & Conditions**

- All rebate funds are reimbursements to the landowner and will be paid out after the project is complete.
- The amount of the rebate will not exceed the total project cost. The applicant will provide receipts and invoices for the project to demonstrate that the rebate amount does not exceed the total cost of the project. The applicant cannot include receipts dated before the project approval date in the total cost of the project.
- Projects must comply with any federal, state, local, or other ordinances that may apply
- City of Capitola offers a rebate of up to \$300 per parcel for plantings supporting riparian restoration.
- **Rebate funds can be used for invasive plant removal, planting stock, and irrigation supplies. Landowners can use rebate funds to pay contractor costs for these services.**
- All applicants must complete the application in consultation with the City of Capitola. The applicant (or landowner if different) and a City representative must sign and receive City approval before the project may begin.
- The applicant permits the City to collect photographs of the project prior to and after installation to document the project. Photos may also be used for promotional or educational purposes.
- All projects must be completed within 2 years of application approval.
- No rebate reimbursements will be disbursed prior to project completion as determined by City staff.
- The City does not endorse any particular manufacturer, contractor or product in promoting this program. City does not warranty any materials or services used during the implementation of this project.
- The City offers this rebate program on a first come first served basis, contingent upon available funds. The approved City annual budget and City staff determine the availability of funding.

### **Project Design Agreement**

Signatures above indicate that the Applicant has reviewed the above plan with a City of Capitola (City) representative, assumes all responsibility for this plan, and agrees to carry it out to the best of their ability. Any changes to this plan will be addressed with the City prior to implementation. The Applicant also indicates that they indemnify and hold harmless the City, its officers, directors, agents and employees, against any and all losses, claims (including third-party claims), damages and expenses, including reasonable and necessary attorney's fees, to the extent any such losses, claims, damages and expenses are due to the acts or omissions of the Applicant, its officers, directors, agents and employees.

## **Appendix A: Plant Lists**

### **Riparian Native Planting List**

George McMenammin, Environmental Consultant

#### **Discussion**

This is not a complete list of native plant species indigenous to the Soquel Creek watershed.

The plants found on this native plant list are indigenous to many of the general riparian habitats found along Soquel Creek. However, some of these species are found only in specific environmental conditions related to levels of sunlight, moisture and soil type. It is recommended that plants selected fit your specific conditions.

Most will require some level of maintenance such as summer water and possibly weeding for 2-4 years to get established. After that time, most will survive and flourish with minimal to no maintenance or watering required. If they are planted in the appropriate locations many of the herbaceous plants and woody shrubs will form sustainable patches and provide habitat and aesthetic value for decades, if not into perpetuity.

**Large/Medium Trees** (some of these may be too large for a given location) - Flat areas to gentle slope

- Big-leaf maple (*Acer macrophyllum*)
- Black cottonwood (*Populus trichocarpa*) - Keep away from structures, loses branches when large
- Box elder (*Acer negundo*)
- California buckeye (*Aesculus californica*)
- Coast live oak (*Quercus agrifolia*)
- Coastal redwood (*Sequoia sempervirens*)
- Red alder (*Alnus rubra*)
- White alder (*Alnus rhombifolia*)

**Small trees** (prefer to be closer to water)- may be appropriate on the low to mid bank of a creek

- Dogwood (*Cornus sericea* subsp. *occidentalis*)
- Willow (*Salix* sp.)

**Shrubs** (prefer mixed sun and shade)

- Hazelnut (*Corylus cornuta* subsp. *Californica*)
- Snowberry (*Symphoricarpos albus* var. *laevigatus*)
- Pink-flowering currant (*Ribes sanguineum* var. *glutinosum*)

- Canyon gooseberry (*Ribes menziesii*)
- Wood Rose (*Rosa gymnocarpa*)
- California Rose (*Rosa californica*)

**Shrubs** (prefer moderate sun to full sun and are evergreen)

- Toyon (*Heteromeles arbutifolia*)
- Coffeeberry (*Frangula californica*)
- Blue blossom (*Ceanothus thyrsiflorus*) – pioneer species

**Ferns** - Most of the ferns cannot tolerate full summer sun for extended periods of the day

- Coastal wood fern (*Dryopteris arguta*) – top of the bank to the top of the bank and on flat land
- Giant chain fern (*Woodwardia fimbriata*) – middle to upper bank, can be partially submerged for brief periods.
- Lady fern (*Athyrium filix-femina*) – low to middle of the bank, can be partially submerged for brief periods.
- Western sword fern (*Polystichum munitum*) – can tolerate more sun than most ferns, mid to the top of the bank and on flat land.

**Ground cover and ground dwelling native species**

- Redwood sorrel (*Oxalis oregana*) -under the redwoods in mostly shade to full shade only
- Sticky monkey flower (*Diplacus aurantiacus*) – upper bank and level ground, tolerates full sun and rocky soil
- Wood strawberry (*Fragaria vesca*)
- Yerba buena (*Clinopodium douglasii*) – partial sun to mostly shade
- There are ground dwelling native cultivars of *Ceanothus* and *Baccharis* that could serve as ground cover

**Herbaceous native plant species and bulbed native species**

- Douglas's iris (*Iris douglasiana*)
- Fernald's iris (*Iris fernaldii*)
- Western coltsfoot (*Petasites frigidus* var. *palmatus*)- flat areas close to water
- California hedge nettle (*Stachys bullata*)
- Two-eyed violet (*Viola ocellata*)
- Small-flowered alum root (*Heuchera micrantha*) – mostly shade to some sun, avoid full summer sun
- Fringe cups (*Tellima grandiflora*) - mostly shade to some sun, avoid full summer sun



- *Artemisia douglasiana*- wild areas only, spreads aggressively
- Beeplant - wild areas only, spreads aggressively

**Rushes and Sedges** – require some supplemental water if planted in full sunlight, unless placed close to a water source

- Spreading rush (*Juncus patens*) – anywhere, but full shade
- Bog rush (*Juncus hesperius*) – prefers mostly sun to full sun
- Foothill sedge (*Carex tumulicola*) – top of bank, flat areas, can grow in full sun to mostly shade

# Capitola Commission on the Environment Agenda Report



**Meeting:** February 1, 2023

**From:** Public Works Department

**Topic:** Commission Correspondence to City Council

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Recommended Action: Staff recommends the Commission review and authorize the Chair to sign the attached letter to the City Council regarding use of Green Building Funds

Background: During the January 18, 2023 Commission meeting discussion on the 2023 Commission Goals and Priorities the Chair was requested to draft alter to Council regarding actions of the Commission and use of Green Building Funds.

Per Resolution 3967 of the City Council of the City of Capitola, certified October 24, 2013, the purpose of the Commission on the Environment (Commission) is to “provide advice and recommendations to the City Council on policy matters relating to sustainability, environmental protection, and resource enhancement which benefit the City of Capitola.”

Per Capitola Municipal Code Section 15.18.080, Green Building funds are solely for program management, training, publications, public educational purposes, incentive programs, materials, and supplies to promote sustainable development, water conservation, storm water pollution prevention, and climate action planning.

Discussion: The draft letter is attached to the staff report for Commission review, comment, and action.

Report Prepared By: Jessica Kahn, Public Works Director

Attachments:

1. Draft Letter

February \_\_, 2023

Margaux Keiser, Mayor  
City of Capitola  
420 Capitola Avenue  
Capitola, CA 95010

Dear Mayor Keiser,

I am writing to you, as Chair of the Commission for the Environment (COE), to communicate the interest of the COE in supporting the City Council, and relevant non-profit organizations, in the efforts to clean up, rebuild, and mitigate future climate impacts on our city and community.

Specifically, we draw attention to the availability of the Green Building Fund (estimated at ~\$300K). This fund could help support specific beach clean-up efforts or perhaps provide support for smaller mitigation projects that may not be covered by incoming federal or state emergency funding.

Please note it is our understanding that the funds' balance is the result of a development fee and, therefore, once depleted, will only be refilled through additional development and subsequent fee processing.

As the COE works to identify ideal projects and uses for this fund in 2023, we are very interested to hear more about the council's priorities and how these funds could potentially help in the immediate to long term. We welcome any ideas, thoughts, and considerations you have.

Thank you all for the amazing job you've done thus far in handling the storm event and subsequent impacts!

Kind regards,

Michelle Bertizhoff-Law, Chair  
Commission on the Environment