

Natural Resources Commission Minutes
November 27, 2017; 6:30 p.m.

Present: Steven Westhoff, John Johnston, Alan Pryor, Patrick Henderson, Mark Braly, Anya McCann
Absent: Evan Schmidt
Staff: Richard Tsai, Environmental Resources Division Manager, Kerry Daane Loux, Sustainability Coordinator
Council Liaison: Rochelle Swanson

1. **Approval of Agenda** – Approved unanimously.
2. **Brief Announcements from Staff, Commissioners, and Liaisons** – Steve Westhoff announced that the polystyrene ban ordinance is now in effect. This is a complaint-based system, and any concerns noted should be emailed to Richard Tsai.
3. **Public Communications** – Al Hirsch noted that the Davis Futures Forum is presenting a talk by Jeff Tumlin, Transportation expert from Nelson Nygaard Consultants on December 6, 2017. Eileen Samitz spoke to the Commission on new Davis development project trends which include large (4-5 room) apartment suites, each with a dedicated bathroom. Concerns include potential increased water and energy use which are not metered by individual suites and therefore decreased incentive to conserve. Samitz reported that 5-6000 student beds are currently proposed. Susan Rainier also commented on the above issue and noted that the City should show leadership by working toward zero net water projects based on components such as use of reclaimed water, recirculating systems, leak detection, on demand hot water heating, low water appliances and fixtures, storm water capture and low water use landscaping, occupant education and outreach.
4. **Consent Calendar** –
 - (A) September 25, 2017 minutes (approval 5-0; moved by Pryor, seconded by Henderson, Westhoff abstained)
 - (B) City Storm Water Quality Program Update for Fiscal Year 2016-17 (approval 6-0; moved by Pryor, seconded by Henderson)
5. **Regular Items**

A. Nishi Student Housing Proposal –Preliminary Review

Staff presented information on the revised 45-acre Nishi Student Housing proposal. The project applicants had previously submitted a multi-use business and housing project on the site, which was denied in a Measure R vote in 2016. This October 2017 resubmittal is housing only, targeting a June 2018 ballot measure. The applicant intends to use an Addendum to the previous project Environmental Impact Report, rather than create a new EIR. The standard for this approach is that no new impacts greater than the previous submittal can be allowed as a result of the project and no 45 day comment period is required. The project will use the previously proposed Sustainability Implementation Plan (SIP), as amended to include housing only project components. The proposed main vehicular, bike, pedestrian, emergency vehicle and bus access will be to the university via a railroad undercrossing. Secondary access at grade is proposed from Richards Boulevard for, at a minimum, bikes/pedestrians and emergency vehicles, with a second option to include buses as well.

The Commission’s preliminary review should include comments on the proposed project’s sustainability plan. Also welcomed is Commission input on proposed project conditions of approval or development agreement (to be determined by Planning Commission and City Council) and/or baseline features for the ballot measure. Baseline features can’t be changed following a successful project ballot vote without going back to public vote.

Initial comments and questions from Commissioners addressed

- concerns about main project access at university; the need for accommodating double decker buses at undercrossing; making sure that the Union Pacific Railroad (UPRR) project perimeter and under crossing is safe; and the need to have bus access through project, to include entry/exit at Olive Drive/Richards Boulevard (as per option 2);
- concerns about at-grade entry at Richards Boulevard vs. the previously proposed separated crossing without negatively impacting Putah Creek Parkway amenities, habitat and use;
- high number of proposed parking spaces noted in staff report (car to bed ratio);
- clarifying who will provide project water and wastewater service (City or UC Davis) and the capacity available for both;
- that the SIP is not proposed to be revised, which leaves open loose ends for understanding what sustainability measures are included with a housing only project vs. the multi-use innovation center previously proposed;
- concerns about project site location between the elevated I-80 Freeway and UPRR tracks, and related air quality concerns.

A discussion of EIR law and requirements addressed the understanding that California Environmental Quality Act does not require analysis of project impacts to people on the site, but instead solely project impacts on the environment. The issues of impacts on people are valid policy issues, but not addressed as part of CEQA.

Public comments for Commission consideration in response to the proposed project included issues and concerns about the need for additional air quality testing on the actual Nishi site; noise, vibration and health impacts to residents caused by freeway and railroad proximity, along with related potential future City liability if the project is approved; regional resiliency issues; heat island impacts of development; watershed impacts due to project design; potential loss of tax revenue to City if project is sold to university; potential increased water and energy use due to number of bedrooms/bathrooms per apartment suite without separate metering or incentives for conservation; cumulative project traffic impacts; the need for a set of project guidelines that address recycled and green building materials; providing adequate electric vehicle charging; increased community carbon footprint as a result of the project; addressing proposed renter target—questioning if it should be broader than students only, and include ‘Wavis’ residents (live in Woodland, work in Davis); the need to balance environmental impacts with housing affordability; and clearly addressing community values.

Applicant comments during the public comment period addressed the unique opportunities for Davis presented by this site and proposed project, which provides convenient housing accessible to the university and the Davis downtown and decreases the need for vehicular travel with related auto emissions reductions. The applicant referred to extensive mitigation measures committed to in the original EIR, which resulted from testing and data (provided in the EIR appendix) and to EIR responses to public comments provided, especially related to air quality issues. The applicant also addressed the importance of a through-connection for buses to South Davis from the university and downtown possibly provided by the project.

The Commission moved to support the following Commission recommendations and comments on the Nishi Student Housing Proposal (unanimous approval 6-0; moved by Braly, seconded by Pryor). These include:

1. Transportation: support for Option 2, which provides bus connection through site with access at both UPRR undercrossing and Olive Drive/Richards. This allows for significant improvements to the Davis transportation system and helps with lowering the community’s carbon footprint by reducing vehicle trips. The design proposal should address concerns about negative impacts to the Putah Creek Parkway and possibly reconsider a separated grade crossing.
2. Air quality: issues related to the site location between the elevated I-80 Freeway and UPRR tracks need to be addressed. Some measures should include disclosures and warnings to potential residents about health risks, and design responses including HEPA filtration and ventilation system design, window placement, urban forest buffer. Consider additional recalculations and/or testing on site as per community comments to answer as many questions as possible.

3. Energy: the project should be made as energy efficient as possible, with a focus on electricity and minimal or no natural gas, increase of solar photovoltaics, and striving for on-site Zero Net Energy. For energy not provided on-site, a requirement should be made to purchase all excess electricity from the Valley Clean Energy Alliance (or other utility) equivalent to the VCEA fully renewable rate. Provide smart meters for electricity and incentivize residents to conserve energy.
4. Water and waste water: require smart water meters for each apartment suite. Although each apartment is metered, individual units within each suite need not be metered. Suite-mates will have to work out water bill apportioning based on a flat rate. However, a surcharge should also be set to be implemented when usage per suite goes above a certain threshold, based on demand calculations from actual research and student feedback loop. Provide proactive education about conservation and incentives to residents to conserve water.
5. Electric Vehicle Charging: provide wired and ready EV charging, based on adopted EV Charging Plan.
6. Open Space and Parks: maximize use of open space and amenities on site, including provision of urban forest and other vegetation as buffers and filters for air quality.

B. Non-Residential Project GHG and Energy Reach Code

Staff requested feedback for establishing a non-residential reach code for energy and GHG standards for all new non-residential projects including commercial and multi-family residential four stories and higher (which are not included in residential standards). Staff recommends that this reach code should take into consideration existing City of Davis Municipal Code, LEED Gold and CALGreen measures. However, staff also noted the ambiguity of relying solely on LEED standards, which allow the developer to determine which measures to target for ratings points. Building department staff is currently trained to assess CALGreen standards, but not to evaluate LEED. A combination of the above standards would provide an approach that best meets the city's energy efficiency and GHG reduction goals. The Commissioners agreed with this approach, and forwarded the idea to the GHG subcommittee to continue to work with staff to develop an ordinance.

C. Rental Energy Efficiency proposal (Energy Subcommittee)

The NRC Energy Subcommittee presented the revised draft rental energy efficiency proposal. The Commission was in support of the concept and recommended that the subcommittee work with City Council to authorize the work scope and plan as rapidly as possible.

D. 2018 Commission Goals Planning

The Commission will review the Goals and Long Range Calendar at the next meeting. Items requested to be addressed on the Long Range Plan for 2018 include a report from Parks on turf conversions and water conservation metrics; a report on the organics feasibility draft study; review of restaurant handling of solid waste, especially fast food restaurants; a report from Cool Davis; a report on current graywater efforts from the WaterWise group; and consideration of impacts of large unit multi-family development projects related to community goals and resource use. Additional items may be brought up for inclusion by NRC subcommittees.

E. Subcommittee Updates –

The Hazardous Materials Subcommittee noted that City Council has implemented a ban on neonicotinoids, with a three year phase out of glyphosates. The Integrated Pest Management Specialist position needs to be filled. No further subcommittee reports were made.

6. Commission and Staff Communications

- a) **Long Range Calendar/Future Agenda Items.** Reviewed
- b) **Upcoming meeting items/events.** Next regular meeting January 22, 2017

7. Adjourn: 10:15 p.m.