

Draft  
Natomas Joint Vision Open Space Program

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**Natomas Joint Vision Open Space Program Report**

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## **1.0 Executive Summary:**

### **Urgency of the Open Space Program**

In a little over 100 years the Natomas Basin area has transformed from a natural floodway corridor associated with the Sacramento and American Rivers, to what was once one of the most productive agricultural regions of the State, to its present status as an area of multiple land uses and multiple expectations. Today, it is the subject of a joint planning effort between the City of Sacramento and Sacramento County which has come to be known as the Natomas Joint Vision. This planning effort seeks a positive solution for complex issues related to a number of competing interests and expectations for the Sacramento County portion of the Natomas Basin area including:

- The demand for urban growth, due to its proximity to urban areas of the City of Sacramento.
- A requirement to provide critical habitat for threatened and endangered species as associated with the Natomas Basin Habitat Conservation Plan (NBHCP).
- A desire that the area continue to serve as buffer land between the Sacramento International Airport and the nearby growing urban footprint.
- An expectation for continued agriculture and the preservation of farmland and/or reasonable compensation for landowners who do not obtain urban development rights.

The principles that drive the joint planning effort were formalized by a Memorandum of Understanding (MOU) that was adopted by both the City and County in December 2002. It was agreed: “the County and the City have mutual policy and economic interests in the long term development and permanent preservation of open space within that area of the County known as Natomas.” Furthermore, both jurisdictions agreed that cooperation provided the best opportunity to develop a vision which reflects areas of collective interest. Implicit in this “visionary” approach was the orderly development of the urban form as a counterpart to a defined open space system.

This study is a component of the overall Open Space Program that will need to be conducted for the Sacramento County portion of the Natomas Basin in order to ultimately shape its future. A key premise of the Open Space Program is that a comprehensive program for the Natomas Joint Vision area is necessary to meet the diverse needs and issues of all parties involved. This is because of the interdependency of the following issues and the uncertain future of each of the various interests if pursued as stand alone strategies:

- From a farming perspective, agricultural uses in the Joint Vision Area are severely challenged, and the continuation of farming is becoming increasingly difficult and costly.
- From a habitat preservation perspective, the status quo is currently unstable. An assumption was made in the NBHCP that ongoing farming would provide a significant portion of the future habitat needs for the species of concern, but that plan did not address a dramatic decrease in farm production within the Basin. Any development in addition to the permitted area would need to be subsequently analyzed.

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- From an airport operations perspective, Sacramento International Airport requires compatible management practices and conditions with its adjoining and nearby land uses.
- From a development perspective, meeting the needs of agricultural protection, habitat protection, and airport protection is required as a condition of development. Without an Incidental Take Permit (which will require an amended or new HCP) no new development will be permitted, yet continued speculation further diminishes existing and future HCP viability.

Consequently, the City and County are not alone in the desire to find a satisfactory planning strategy for the Natomas Joint Vision area. Other major players/interest groups that are directly affected by this program include:

- Farmer-landowners, who face uncertainties regarding the future of their farming operations and interests,
- Developer-landowners who own or have options on land that is currently outside of the County General Plan Urban Services Boundary and presently zoned for agriculture,
- The U.S. Fish and Wildlife Service, and the California Department of Fish and Game, who are the regulating agencies on behalf of biological resources especially threatened and endangered species,
- Various environmental interests (e.g., Environmental Council of Sacramento (ECOS), Friends of Swainson's Hawk, Sierra Club, Save Our Sandhill Cranes, etc.) that underscore the importance of biological resources,
- The Sacramento County Airport System, with an interest in continued, expanded, and unimpaired operations and the absence of nuisance issues associated with incompatible or conflicting land uses,
- Natomas Central Mutual Water Company, whose interest is in "remaining whole" within the context of providing affordable irrigation water in an environment of declining service area and customer base, and
- The Sacramento Area Flood Control Agency (SAFCA) which is mandated to implement a Levee Improvement Program to protect the Basin from flooding and to complete such improvements on schedule and within budget in a complex political and regulatory environment.

This report is presented as an initial step towards defining a plan and program for identifying important open space values and preserving open space. The focus of this report is to provide fact based objective information for decision-makers, ultimately leading to the strategy configuration for open space, strategies for preserving, enhancing, and maintaining open space, and providing fair compensation to landowners whose land is ultimately designated as permanent open space.

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### Open Space Program Purposes

This program is intended to help identify the most important open space resources within the Joint Vision Area to be considered for preservation, and to recommend a strategy including a range of options for accomplishing this open space preservation results in an appropriate level of cost for the owners and land interests:

- Provide the starting point for a new or updated HCP
- Guide the implementation of the City-County Joint Vision MOU
- Serve as a vehicle for launching focused discussions with landowners
- Provide a better planning context for Airport and SAFCA actions
- Provide a framework for decision making within the Joint Vision Area
- Contribute to bigger picture decision making
- Facilitate more focused subsequent economic evaluations
- Enable more precise and refined economic considerations for funding the open space program and assuring equity among the existing land owners
- Allow for flexibility to adapt to the various moving targets affecting the plan outcome

### Key Challenges

Fundamental challenges presented to this planning effort include:

- **Natomas Basin Habitat Conservation Plan (NBHCP):** The following future challenges were identified in the Natomas Basin HCP :
  - Landowner actions challenging the assumption that continued agricultural uses would provide “de-facto” habitat outside of the “incidental take” permitted areas,
  - Pressure to develop outside of the permitted areas,
  - Implications of the County’s absence as a signatory to the NBHCP,
  - The proposal that mitigation could occur outside of the permittees’ jurisdiction
  - The absence of stakeholder buy-in to key elements of the plan such as the Swainson’s Hawk Zone (SHZ), and
  - The interdependency between agriculture and habitat without the means of supporting existing agriculture.
- **Diverging/incompatible purposes of open space:** The Natomas Joint Vision Memorandum of Understanding (MOU) makes the assumption of a multiple purpose open space system. In some instances this cannot be achieved, such as with the critical airport protection requirements conflicting with both habitat and recreational open space needs.
- **Extreme project complexity:** Due to the numerous (up to 20) independent projects concurrently underway in the Basin, it is problematic to anticipate the outcome of decisions and their consequences, or assess their cumulative effects.
- **Highly speculative market:** The land values in the Joint Vision Area have been driven up well above agricultural land values.
- **Difficulty in achieving fair compensation for landowners:** Owners of land that may be designated for open space purposes expect fair market-based compensation.

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- **Uncertainties regarding the viability of agriculture within the Basin:** Agricultural practices in the Natomas Basin are faced with physical and economic challenges such as urban encroachment, development pressures, high water prices, and crop restrictions imposed by wildlife objectives and proximity to the Sacramento International Airport.
- **Agriculture as the foundational land use:** Agriculture is a key component of the open space strategy and much of the other open space value is dependent on continued agricultural uses. Thus the continuation of agriculture is imperative for the success of the other open space purposes. And, if agriculture is not economically viable in the Basin, agriculture will have to be supported or subsidized.

### **A Legacy Framework for Open Space Preservation**

The desired culmination of this process will lead to the accomplishment of several important milestones:

- Fulfill the intent of the MOU with a one-to-one (or greater) ratio between future development and open space preservation.
- Create a system of permanent open space serving a variety of purposes and interests
- Define an adaptive management framework for a sustainable open space system.

A successful Open Space Program will lead to the initiation of the urban planning process as a counterpart to this effort, and ultimately to the entitlement of development rights where open space is less important.

### **The Planning Process**

The physical conditions were objectively characterized and depicted in the form of open space analysis maps according to the principal purposes of open space as specified in the Joint Vision MOU. With this approach, a series of open space value maps were developed that differentiated the remaining non-committed lands within Sacramento County's portion of the Basin from the vantage of their general suitability for open space. Non-committed lands did not include those already planned for use by the airport and Metro Air Park, and other existing commitments. The result was approximately 12,000 acres, which with a one-to-one ratio would allow 6,000 acres for permanent open space preservation and 6,000 acres for urban development.

The acreage determination approach included:

- Emphasis on objective data to guide the decision making process
- Compilation of geographic information and application, mapping, and analysis of Geographic Information System data
- Planning process to identify the highest value areas
- Public process built around a broad range of stakeholders including management and regulatory agencies, surrounding jurisdictions, landowners, development and agricultural interests, environmental interests, and others

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- Community workshop meetings to gather preliminary information and solicit feedback

The NBHCP serves as the backbone to the Natomas Joint Vision Open Space Program. The NBHCP provides:

- Criteria for open space based on habitat values
- Data which was derived primarily from HCP monitoring information from the enhanced mitigation areas

A future amended or new HCP will be required with an accompanying effects analysis. Supplemental data will be needed that examines agricultural lands not currently owned by The Natomas Basin Conservancy.

### Key Economic Strategies

The Open Space Program introduces economic strategies for the preserving of open space and outlines implementation strategies. The strategy relies primarily on free market principles and functions within a set of rules and regulations:

1. **Adopt a ratio of open space to development:** At a minimum, adopt the one-to-one open space to development ratio as the appropriate goal for the initial planning process to be met within the Natomas Joint Vision Open Space area. Thus, if there are approximately 12,000 acres in the unincorporated county area beyond those already planned for City development, airport and Metro Air Park, and other existing commitments, then roughly 6,000 acres could ultimately be developed and 6,000 would be left in permanent open space.
2. **Establish and abide by the designated Development Areas:** Reduce speculation by limiting development to designated areas and permanently maintain an urban services boundary.
3. **Require Land Dedication:** Expand the City's current HCP Ordinance to the Joint Vision area. Continue to require a land dedication instead of in-lieu fees as compensation for loss of open space resulting from development. Rapidly changing market conditions have frustrated the ability to collect fees sufficient to ensure purchase of appropriate properties. Land dedication also puts the burden on the developer to identify and acquire the appropriate open space land, subject to review and approval by the land management entity.
4. **Establish Responsible Land Management Entities:** Open space lands will have to be managed over the long term. The fee ownership lands or other property rights acquired by private developers to preserve land as open space must be delivered to an appropriate public or non-profit entity for ongoing monitoring and land management. Recognizing that there are varied types of open space (i.e., habitat, agriculture, recreation, airport buffer, flood protection), the type of land management entity may be varied.

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- 5. Establish an Endowment Fee:** For lands delivered in-kind as fee ownership property, the receiving entity should collect an additional subsidy similar to fees now collected by The Natomas Basin Conservancy to cover administration, operations and management (O&M) endowment, restoration/enhancement, and all other non-acquisition costs. This fee could be either an annual fee or an endowment (up-front one-time) and committed in perpetuity as it is intended to provide for the long term maintenance of the open space land. Keeping in mind that an annual fee could be rescinded by subsequent homeowners, an endowment is a prudent approach.

The five elements of the preservation strategy described above will create a market place, operating within a set of rules, where individuals can be creative about how they satisfy the need for contributing to the open space program. Examples of how the system can work with various land management entities include:

- A developer purchases land with higher habitat values and delivers it to TNBC and pays the endowment portion of the TNBC fee for ongoing land management.
- A developer purchases land with lower habitat value, and conveys it to the County along with an appropriate endowment fee for ongoing land management expenses. The County may then choose to lease the land to a farmer both as a land management strategy, and as a way to bolster the County's agricultural productivity.
- A developer purchases an open space easement from a farmer, restricting development rights on that tract of land. The farmer retains title to the land and continues farming. The easement is conveyed to the County, which would then monitor the open space and agricultural use of the land, much as it does now.
- A farmer continues to own his land in fee simple and continue farming. There is nothing in this system that forces a landowner to sell.

### **Preliminary Open Space Concept**

A Preliminary Open Space Concept has been prepared in order to support the decision making process. The Preliminary Concept addresses the broad open space needs as defined in the Joint Vision MOU. The delineations are not intended to be "hard line" but rather a flexible line to guide subsequent evaluations.

The Open Space Concept:

- Is structured around the primary open space elements:
  - Agricultural preservation
  - Habitat for the NBHCP covered endangered/threatened species
  - Buffers for the habitat areas
  - Community separator element
  - Recreational trails and open space
  - Airport protection
  - Flood protection
- Identifies areas that best serve open space purposes and the areas less suitable for open space protection,
- Identifies additional open space corridor features to accomplish connectivity for key species,

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- Incorporates economic evaluations and overall strategies and
- Identifies possible management structures such as The Natomas Basin Conservancy to ensure long term sustainability of the Open Space Program.

The concept includes three distinct areas: the North Area, the Western Area and the Boot Area. All of the areas are linked by connective corridor elements. There are also three management concepts suggested based on distinct management objectives for the respective areas shown in Figures 1.1 and Figure 7.3,

### **Draft Preliminary Concept.**

1. The Natomas Basin Conservancy is the management model suggested for the North Area and the Boot. The principal management objectives for these areas are to optimize habitat and agriculture sustainability. The management model needs some adjustments to accommodate public access and habitat corridors in some places.
2. The second management area includes the non-committed lands west of the Sacramento International Airport and the adjoining lands to the south and north of the airport. The objectives for this management unit are suited for optimizing agricultural uses and protecting Sacramento International Airport operations. An important feature of this management unit will be the preparation of a Wildlife Hazard Management Plan (WHMP) for this area. An important facet of the plan will be the determination of which of the 22 species covered in the HCP could be accommodated within this area without posing undue risk related to Sacramento International Airport operations. Land owned by the Airport should be managed by the Sacramento County Airport System.
3. The third management area is embedded within the future development envelope in the North Area. Here it is envisioned that this area could be principally managed for combined flood control, passive recreation (or active recreation along urban-open space interface), and compatible habitat.

### **Conclusion**

This Open Space Program is presented as an initial step toward defining the future configuration of the unincorporated portion of the Natomas Basin within Sacramento County. It is part of a process that will ultimately establish future urban growth areas and open space preserves. Subsequent steps in the development planning for the Natomas Joint Vision area will include an effects analysis and a new or amended habitat conservation plan.

No development can occur until the area has full local government entitlements and has obtained incidental take permits based on an effective HCP

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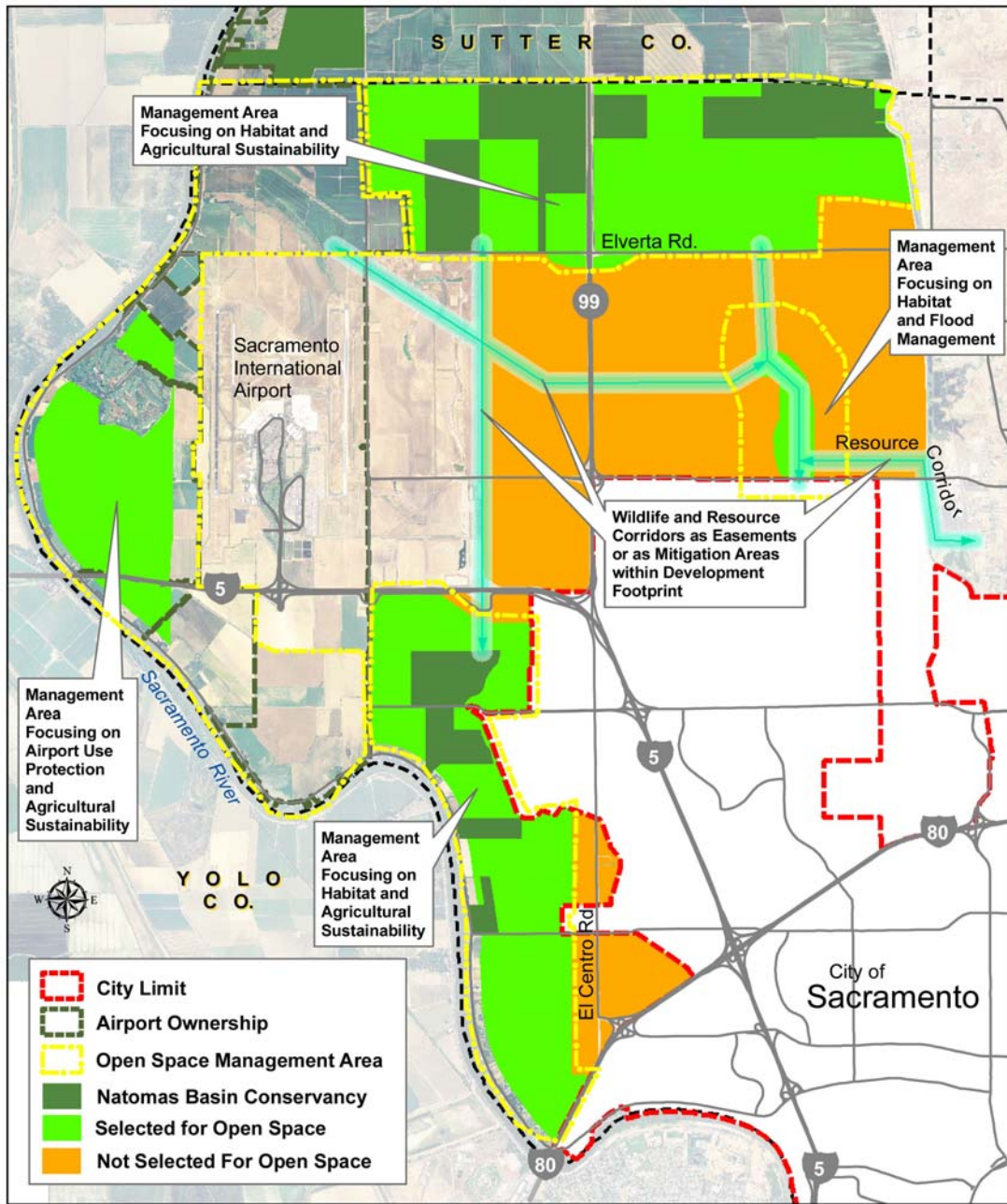


Figure 1.1 and 7.3

**Draft Preliminary Concept**

