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CITY OF ELK GROVE
PLANNING

January 28th, 2010

Don Hazen,
Planning Director
City of Elk Grove Planning
8401 Laguna Palms Drive
Elk Grove, CA 95758

ATTN: Taro Echiburu, Advanced Planning/Environmental Planning Manager

Dear Director Hazen,

The Nature Conservancy staff reviewed the draft MOU between the City of Elk Grove and the County of Sacramento regarding the City's application to expand its Sphere of Influence further south into the Cosumnes River Basin. We appreciate having the opportunity to meet with City staff to discuss the City's SOI Application. We believe these meetings underscore how TNC can work with the City and County on a future boundary change that addresses the City's needs while protecting the conservation goals of the multi-agency and organizational partnership at the Cosumnes River Preserve. The draft MOU between the City and County and the MOU's incorporation of the City and County's Joint Policy Vision for the Cosumnes River Basin are very positive planning documents that exemplify the collaborative effort that TNC staff envision.

Attached for your review and consideration are our recommended changes to the draft MOU. We propose these changes in the same spirit that the City and County proposed the initial draft MOU – as a means to enhance public dialogue and to focus future tasks on the transition that will obviously occur by extending urbanization into the Cosumnes River Basin, proximate to the Cosumnes River's 100-year floodplain. The following is a brief synopsis of our recommended changes:

MOU – Definitions:

“Urbanization Area” is not shown on or defined in the legend of Figure 1. We assume “Urbanization Area” is the “Elk Grove Urban Planning Area” depicted on and defined in the legend of Figure 1.

MOU – Paragraph 2:

Recommend changing “conceptually compatible” to “consistent.”

(Subparagraph c.) The Cosumnes River does not flow into the Sacramento River.

MOU – new Paragraph 5:

We recommend moving the revised text of the paragraph in the Joint Policy Vision under the heading “Commitment to Cooperative Land Use Planning” into the text of the MOU.

Joint Policy Vision – Statement of Intent

We expanded the description of the resources within the Cosumnes River Basin, and strengthened the intent to use the Joint Policy Vision to guide future land use planning in the SOI Application Area.

JPV – Commitment to Cooperative Land Use Planning

Again, we feel this commitment is best expressed in the text of the MOU.

JPV – Planning Principles, Policies and Tasks

Boundary – We have attempted to clarify the boundaries of the SOI Amendment Area on both sides of Hwy 99 and the appropriate areas for urban uses within the Elk Grove Urban Planning Area.

Land Use – We believe an initial baseline analysis of the resources with the SOI Application Area is needed. We are recommending a means to use open space areas to define an urban/rural edge.

Transitional Land Uses – Encourage transitional land uses within the Urban Planning Area. Again, utilizing open space and less dense urban development to define an urban/rural edge.

Clustering – Use clustering in the same manner as reducing residential densities to maintain and define urban/rural edge. No limitation on density in order to maximize benefits of clustering urban uses

JPV – Jurisdiction Coordination

We encourage the City and County to prepare a groundwater management program as part of this Joint Policy Vision. There are probably many opportunities on how we can utilize our limited water resources more efficiently and effectively to meet mutual needs.

JPV – Open Space and Habitat

We recommend establishing comprehensive site development standards and the development of a Specific Plan for the Urban Planning Area west of Hwy 99 and north of Eschinger Road to eliminate project-by-project review.

JPV – Farmland

We concur with the principle expressed in the draft Joint Policy Vision that agricultural land must be protected and any loss be appropriately offset or mitigated. Although preservation of

farmland by itself is not a conservation target for the Cosumnes River Preserve, we do work cooperatively and collaboratively with our agricultural neighbors. We therefore would like to clarify that we support the protection of wildlife-compatible land uses not simply all agriculture as some practices could impact our conservation objectives. We have developed a good partnership with many landowners, who have changed their farming practices to accommodate the habitat needs of the species that are conservation targets at the Preserve.

JPV – Floodplain Protection

We concur that no urban development should be sited within the 100-year FEMA-defined floodplain, and our recommended changes simply affirm that shared position.

We would be pleased to meet with you and your staff to review our recommended changes.

Sincerely,

A handwritten signature in black ink that reads "Mike Conner". The signature is written in a cursive style with a large, prominent "M" and "C".

Mike Conner
Project Director
Cosumnes River Preserve

**MEMORANDUM OF
UNDERSTANDING COUNTY OF
SACRAMENTO AND THE CITY OF
ELK GROVE REGARDING ELK
GROVE'S PROPOSED EXPANSION
OF ITS SPHERE OF INFLUENCE**

THIS Memorandum of Understanding ("MOU") is entered into this ____ day of 2009, (the "Effective Date"), between THE COUNTY OF SACRAMENTO, a political subdivision of the State of California ("County") and the CITY OF ELK GROVE, a municipal corporation organized and existing under the laws of the State of California ("City").

RECITALS

This MOU is predicated upon the following findings:

- A. City incorporated in 2000 with a sphere of influence coterminous with its city limits;
- B. Since that time, the county and the City have had discussions regarding a shared vision to preserve open space surrounding the city elk Grove within the unincorporated lands of the County;
- C. The land covered by this MOU focuses on land located along and extending out from the Cosumnes River/Deer Creek Corridor ("Corridor");
- D. The Corridor is an important resource for the Sacramento region as a whole, representing some of the last remaining free-flow rivers on the western slope of the Sierra Nevada mountain range and providing habitat of various lands supporting multiple species;
- E. In 2008, City made application to the Local Agency Formation Commission (LAFCO) for the purpose of expanding its sphere of influence into areas adjoining the Corridor that are currently within the County's General Plan planning areas. A map showing the proposed sphere of influence area is attached hereto as Exhibit "A" and is incorporated herein by this reference;
- F. City's proposed sphere amendment currently pending with LAFCO seeks to extend potential urbanization of the city into areas covered by the County's General Plan;
- G. City may, at some point in the future, also seek annexation of the sphere of influence area, which will require pre-zoning and other land use entitlements by City;
- H. The County, through its General Plan, is committed to maintain agricultural and open space uses in the area surrounding the City and discouraging urban uses, particularly in and near the Corridor area;

- I. The Parties enter into this MOU to define the shared vision of the City and the County as the City moves forward with its sphere amendment application with LAFCO.
- J. The shared vision of the City and the County is contained in the document entitled *City of Elk Grove-County of Sacramento Joint Policy Vision for the Cosumnes River Basin*, which is attached hereto as Exhibit "B" and is incorporated herein by this reference

NOW THEREFORE, the parties to this MOU agree as follows:

1. Definitions. Unless otherwise defined in this MOU all capitalized terms will have the definitions ascribed to as follows:
 - a. "Corridor" shall mean the Cosumnes River/Deer Creek Corridor, as shown in Figure 1 of the attached Exhibit "B" – "Joint Policy Vision".
 - b. "County General Plan" shall mean that document as it existed as of the Effective Date of the Agreement.
 - c. "City General Plan" shall mean the City of Elk Grove General Plan, adopted November 2003.
 - d. "Joint Policy Vision" shall mean the document entitled *City of Elk Grove-County of Sacramento Joint Policy Vision for the Cosumnes River Basin*, which is attached hereto as Exhibit "B".
 - e. "Urban Services Boundary" or "USB" shall mean that boundary as defined in the Sacramento County General Plan adopted December 15, 1993 and reflecting any amendments thereto as of the Effective Date of this Agreement.
 - f. "SOI Application" shall mean that certain application filed by the City of Elk Grove with the Sacramento LAFCO on May 21, 2008.
 - g. "SOI Application Area" shall mean the areas of land covered by the SOI Application.
 - h. "~~Urbanization Area~~ Elk Grove Urban Planning Area" shall ~~mean be~~ the areas identified for urban development within the SOI Application Area as shown in Exhibit "A" Figure 1 of the Joint Policy Vision.
 - i. "Area of Transitional Land Uses" shall mean the strip of land 1/2 mile north and 1/2 mile south of Eschinger Road, as depicted in Figure 1 of the Joint Policy Vision.
2. In ~~its any~~ future ~~land specific~~ plan prepared or reviewed by the City for any of the areas of land covered by the ~~sphere of influence amendment~~ SOI Application, the City will shall establish or require land uses that are ~~conceptually compatible~~ consistent with the land use principles and opportunities contained in the Joint Policy Vision. ~~Such conceptual compatibility~~ Consistency may be achieved through variable density within potential pockets of higher density land development; transitional land uses and clustering in an attempt to avoid impacts to surrounding ~~and adjacent~~ agricultural land uses ~~and conservation areas~~. The

