

March 2, 2010

Susan Peters, Chair
Sacramento County Board of Supervisors
700 H Street
Sacramento, CA 95814

SUBJECT: Draft Memorandum of Understanding Between the County of Sacramento and the City of Elk Grove Regarding Elk Grove's Proposed Expansion of its Sphere of Influence

Dear Ms. Peters,

On December 2, 2009, the Wilton Action Group (WAG) appeared before the Sacramento County Board of Supervisors and outlined its views on the October 2009 Draft Memorandum of Understanding (MOU) between the County of Sacramento (County) and the City of Elk Grove (City) Regarding Elk Grove's Proposed Expansion of its Sphere of Influence (SOI) and the *Joint Policy Vision for the Cosumnes River Basin* attached to the MOU. For most of 2009, WAG advocated that the County and the City should reach agreement on the matters covered in the MOU and Joint Policy Vision before asking the Local Agency Formation Commission (LAFCO) to consider the City's request to expand their Sphere of Influence (SOI). We are pleased that the process for achieving such an agreement has been initiated.

WAG supports the following principles set forth in the Joint Policy Vision:

- Land Use – East of Highway 99, urbanized land uses will only occur in the area between Grantline Road and the 100-year floodplain. Farmland and open space lands within the 100-year floodplain will be permanently protected.
- Farmland – Farmland preservation is only possible where agricultural operations continue to be viable. Farmland selected for preservation must not be isolated or constrained by nearby development, and must be protected from groundwater depletion and trespassing by locating new growth and recreational areas as far from farmland as possible.
- Floodplain Protection – Development or alteration of the 100-year floodplain shall be prohibited. Whenever development is proposed on properties that contain land within and outside the floodplain, those portions of land within the floodplain shall be placed into a floodplain conservation easement in perpetuity as a condition of project approval.

However, WAG strongly opposes the MOU's unsupported assumption that the lands within the Cosumnes River/Deer Creek floodplain east of Highway 99 should be included in the SOI area. The purpose of the SOI expansion process is to assist cities in defining geographically contiguous areas of future urbanization that will likely require urban services. The MOU makes it clear that the lands within the Cosumnes River/Deer Creek floodplain will not be allowed to urbanize and therefore will not need the urban services that the City could provide. The map attached to the MOU shows an urban services boundary that roughly follows the floodplain boundary. Thus, there is no compelling reason to include the floodplain lands in the SOI.

The MOU suggests that the City's interest in the floodplain and the adjacent Cosumnes River corridor is to promote public access to these sensitive areas for public recreation. On its face, this interest is incompatible with habitat and farmland preservation, the key objectives of the MOU and Joint Policy Vision. As envisioned by the City, the Cosumnes River corridor would be modeled on the American River Parkway. Public access would be accommodated through development of a network of roadways, parking lots, trails and other publicly owned and managed recreational facilities. However, this sort of urban-oriented development would diminish the habitat value of the corridor and interfere with the private agricultural operations that are expected to continue in the area.

The Joint Vision Policy makes it clear that preservation of open space and habitat lands within the Cosumnes Basin is of the utmost importance and will be carried out in a manner that is consistent with the South County Habitat Conservation Plan (HCP). Moreover, the Joint Vision Policy assumes that open space and habitat preservation will be accomplished to a large extent by preserving existing farm and ranch operations through easements rather than public ownership. It is further recognized that farmland preservation is only possible where agricultural operations continue to be viable and this requires locating recreational facilities as far away from working farm and ranch operations as possible.

For these reasons, WAG has advocated that public access to the Cosumnes River corridor in the area east of Highway 99 should be based on the land management model developed for Deer Creek Hills. This model involves minimal development of recreational facilities and limited public access under the supervision of the Sacramento Valley Conservancy, the non-governmental organization responsible for managing the land. This model is consistent with the habitat and farmland preservation elements of the Joint Vision Policy. It negates the urban-oriented network of recreational facilities envisioned by the City and appropriately limits the role of government as a land manager and recreation provider in this area. Under this model, there is no reason to include the area in Elk Grove's SOI.

In addition to excluding the floodplain from Elk Grove's SOI, we have several other suggestions that would improve the MOU.

- The MOU should recognize that the Cosumnes River/Deer Creek corridor can be divided into three lateral zones: streamside, middle, and outer zones, each performing a different function with different vegetation management objectives and different land use regulations. The streamside zone protects the physical and ecological integrity of the Corridor. The middle zone extends from the streamside zone to the edge of the 100-year floodplain. The Outer zone occupies the space just outside the floodplain. The MOU should call for an appropriate delineation of these zones for the purpose of establishing corresponding management objectives and land use regulations for each zone.
- The MOU indicates that loss of farmland within the Urbanization Area will be offset by permanent preservation of existing farmland outside the urbanization area. The details of how this is to be accomplished should be clarified. One option would be to establish an agricultural overlay zone, which has been used in many places in California to identify areas for long term agricultural use.

- The MOU prohibits development in the 100-year floodplain, noting that a conservation easement ‘in perpetuity’ will be established as a condition of development of lands outside the floodplain. The details of how this will be accomplished needs to be addressed in the MOU.

As the City/County public outreach process for the MOU unfolds, we look forward to hearing how the above concerns will be addressed.

Sincerely,

Bill Kutzer
Chair, Wilton Action Group

cc:

Supervisor Roger Dickinson, District 1
Supervisor Jimmie Yee, District 2
Supervisor Roberta MacGlashan, District 4
Supervisor Don Nottoli, District 5
LAFCo, Linda Budge
LAFCo, Steve Cohn
LAFCo, Christopher Tooker
LAFCo, Charles Rose
LAFCo, Gay Jones
Sacramento Bee, Melanie Sill
Sacramento Bee, Loretta Kalb
Elk Grove Citizen, Mary Lewis
Elk Grove News, Dan Gougherty