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• COUNCIL •
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Mayor and City Council
City Hall
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June 28, 2021

via email at publiccomment@cityofsacramento.org

Council Agenda, Consent Item 9, June 29, 2021

Item City-Sacramento LAFCo Memorandum of Understanding (MOU) for the 9. Processing of the Airport South Industrial Project File ID: 2021-00731

Location: Unincorporated Natomas area south of I-5, extending from Powerline Road on the west to the City of Sacramento city limits on the east, and south to the West Drainage Canal.

Recommendation: Adopt a Resolution authorizing the City Manager or City Manager’s designee to sign a Memorandum of Understanding (MOU) between the City of Sacramento and Sacramento Local Agency Formation Commission (LAFCo) for the coordinated environmental review and preparation of a single environmental document for processing the Sphere of Influence (SOI) amendment and annexation.

Dear Mayor and Councilmembers:

We urge you to remove **Item 9** from the Consent Calendar and vote to deny the staff’s recommendation. The Resolution before you conflicts with and interferes with the success of the 2003 Natomas Basin Habitat Conservation Plan (“NBHCP”) the City’s efforts to reach carbon zero status, and General Plan policies. The City’s approval of the proposed annexation and development would constitute a breach of the City’s obligation under the 2003 Natomas Basin Habitat Conservation Plan to not annex or develop outside of the NBHCP permit area, and could lead to revocation of the City’s Incidental Take Permit under the Natomas Basin Habitat Conservation Plan.

The NBHCP is a commitment by the City to mitigate for its environmental impacts from previous and remaining permitted development with the City’s Permit area under the Natomas Basin HCP. Approving this resolution means the City is willing to back away from the laudatory commitments it has made to reduce impacts on the environment. It would rescind part of the mitigation that previously had been agreed is needed.

The proposed annexation includes 419 acres of farmland in the County of Sacramento that is protected by County General Plan policies from development as necessary farmland. It is part of the Natomas Basin Habitat Conservation Plan and not permitted for development under that plan. The property includes extensive habitat resources for both upland and wetland species, specifically including nesting threatened Swainson's Hawks, listed as threatened under the California Endangered Species Act, and the Giant Garter Snake, listed as threatened under the Federal and State Endangered Species Act. It is adjacent to habitat preserves of the Natomas Basin Conservancy to the south, and to airport buffer lands maintained as upland habitat to the west. It is part of an historic regional agricultural landscape. It is part of a critical link in the ecology of riparian and upland habitat that the City has promised to respect and preserve in the North Natomas Community Plan, the NBHCP and the General Plan. Rezoning to industrial will destroy that link and would breach the City's legal obligations under the 2003 Natomas Basin Habitat Conservation Plan.

The proposed development is bounded on the east by existing homes ("Westlake") whose owners relied upon the City's promise to comply with the NBHCP by not annexing or developing westward. Industrial development may well adversely impact the market value of nearby Westlake homes, and would justifiably cause those homeowners to feel backstabbed by the City.

The project is bounded on the south by a wildlife preserve of the Natomas Basin Conservancy, separated from the Project by the West Drainage Canal which is habitat for the aquatic Giant Garter Snake, listed as threatened under the Federal and State Endangered Species Act. A canal which is also Giant Garter Snake habitat runs north-south through the project area and provides the only aquatic connectivity between existing known Giant Garter Snake populations north and south of I-5.

Much of the project area is within the Natomas internal 100-year floodplain, being the bottom of the former Upper American Lake. The Natomas West Drainage Canal, managed by Reclamation 1000 and running east-west, is the southern boundary of the project. A levee on the south side of the West Drainage Canal protects the land to the south from flooding, but there is no such levee on the north side of the West Drainage Canal. Consequently the West Drainage Canal overflows onto the proposed project site during seasons of heavy rain. Flooding of the site could be avoided only by establishing on-site detention basins or a levee along the north side of the West Drainage Canal, or both. If the project is approved, any such approval should be conditioned upon the landowners/developers paying the entire cost of flood prevention measures.

In addition, the lands north of I-5, including the Greenbriar and MetroAirPark development sites, drain to the south via canals running under I-5 and ultimately into the West Drainage Canal. Greenbriar and MetroAirPark are starting urban development which, when complete, will substantially cover both sites with hardscape that will shed substantially more water to the south and into canals across the Industrial Project area that will likely need to be enlarged to accommodate the added volume of water.

There are some discrepancies in the documents presented to City Council.

- Staff's document state at several places that 121 acres of the project area, next to Westlake, is located within the boundaries of the North Natomas Community Plan. In fact the 121 acres within the project area is designated by the Community Plan as only a "Study Area" and is not designated for any development.
- Staff's documents incorrectly state in several places that the 121 acre "study area" of the Natomas Community Plan, west of Westlake, is within the City's NBHCP Permit Area, which is false. The official map of the 2003 NBHCP Permit Areas, NBHCP pg 161, Figure 2, shows the City Permit Area ending at the western boundary of the Westlake development, the City limit.
- The EPS market analysis, pg 4, states that approximately 400 acres of industrially zoned undeveloped land remain in the Metro Air Park development. In fact there is far more undeveloped land within the Metro Air Park project. The fact that some landowners may have planned projects and obtained approvals does not mean that the projects are "developed" until the projects are physically built. It is common for planned projects to not materialize.

We urge you to defeat this proposed resolution as inconsistent with the City's policies, the NBHCP and preferred footprint. Please notify us directly of any future hearing on this project.



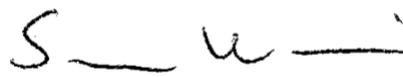
Ralph Propper
President of ECOS



Heather Fargo
Former City Mayor



Barbara Leary
Chair, Sacramento Group
Sierra Club



Sean Wirth
CoChair Habitat 2020
Sierra Club MLC Conservation Chair



James P. Pachl
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