

ITEM 1 CPAC PUBLIC COMMENT 001

From: [Smith, Todd](#)
To: [Clerk of the Board Public Email](#)
Subject: Fw: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Monday, June 8, 2020 6:14:30 PM

Please see request below, along with a response.

Mr. Brady,

Your request for postponement has been relayed to the Natomas CPAC and will be addressed at their meeting June 11, 2020.

In response to concerns raised regarding the reimbursement agreement for the Upper Westside Specific Plan in your email requesting postponement, staff wishes to provide clarification. Government Code Section 65456 authorizes municipalities to impose a specific plan fee upon persons seeking governmental approvals which are required to be consistent with a specific plan. The fees are to defray but not exceed the cost of preparation, adoption, and administration of the specific plan, including costs incurred for environmental review pursuant to CEQA. As nearly as can be estimated, the fee charged shall be a prorated amount in accordance with the applicant's relative benefit derived from the specific plan. Reimbursement agreements establish the terms and conditions as well as the formula used for reimbursing applicants for specific plan preparation costs in excess of the applicant's pro-rata share. Such reimbursements are not issued from County funds and do not adversely affect the County's budget. Further, any documentation submitted to the County for purposes of establishing the reimbursement fee is public record. If approved by the Board of Supervisors, the reimbursement fee would be collected from future development applications within the Upper Westside Specific Plan area.

The draft reimbursement agreement for the Upper Westside project requires that the Board of Supervisors initiate proceedings to establish a reimbursement fee following completion of the Specific Plan process, if the proposed project is approved. This is a common practice throughout California, and Sacramento County has adopted reimbursement agreements in other Specific Plan and Community Plan areas such as the Florin Vineyard Community Plan: <https://planning.saccounty.net/LandUseRegulationDocuments/Pages/FlorinVineyardCommunityPlan.aspx>.

Finally, it is important to note that the CPAC's consideration of this item on June 11 is not for approval of the project itself. The County's master plan process requires public notifications and hearings at each important project milestone. This current milestone is the initiation of environmental review, which starts a more in-depth review of various technical topics and environmental issues. We encourage interested parties to review the latest project materials and FAQ here: <https://planning.saccounty.net/PlansandProjectsIn-Progress/Pages/UpperWestsideSpecificPlan.aspx>

From: Taylor, Todd
Sent: Thursday, June 4, 2020 2:19 PM
To: Smith, Todd
Subject: FW: Request for postponement of CPAC item on Upper Westside Specific Plan

FYI.

Todd Taylor | Associate Planner
Office of Planning and Environmental Review

The Office of Planning & Environmental Review (PER) continues to provide essential services although our physical offices are closed until further notice during the COVID-19 state of emergency.

From: Friends of the Swainsons Hawk <swainsonshawk@sbcglobal.net>
Sent: Thursday, June 4, 2020 2:16 PM

To: David Brady <davb49@att.net>; Jamie.Cutlip@smud.org; Lundgren. John <lundgrenj@saccounty.net>; Taylor. Todd <taylor@att.net>; Townsend. Stephanie <townsends@saccounty.net>; Supervisor Serna <SupervisorSerna@saccounty.net>; Nava. Lisa <NavaL@saccounty.net>

Cc: Ericka Harden <erickaharden@gmail.com>; Heather Fargo <h-fargo@comcast.net>; Jim Pacht <jpacht@sbcglobal.net>; ECOS Office <office@ecosacramento.net>; Sacramento Sierra Club <sacramentosierraclub@gmail.com>; Angelique Ashby <aashby@cityofsacramento.org>; Kevin Mcrae <kevo07@yahoo.com>; M Bradburys <melindabradbury@sbcglobal.net>; rmburness@comcast.net; Sean Wirth <wirthsoscranes@yahoo.com>; Ralph Propper <rpropper47@icloud.com>

Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

We support the request below from David Brady to postpone CPAC consideration of Upper Westside agenda item on 6/11/20 agenda for CPAC

Jude Lamare and Jim Pacht
Friends of the Swainsons Hawk
916-769-2857

On Jun 4, 2020, at 1:14 PM, David Brady <davb49@att.net> wrote:

Good afternoon Ericka,

I received notice that the Natomas Community Planning Advisory Council (CPAC) will be meeting VIA VIDEO CONFERENCE next Thursday, 6/11/20 at 6 PM.

I urge NCA to request an immediate postponement of Item #1, Upper Westside Specific Plan, until such time it can be presented in a venue that allows for full in-person public participation.

The developers of this project would put thousands of new homes on agricultural land wedged between existing homes and the Garden Highway.

According to the agenda, the CPAC will consider an agreement, under which Sacramento County will pay the Applicant for Specific Plan and General Plan Amendment costs via imposition of a fee on future development. This is potentially a large financial commitment by the County and future property owners, the amount of which is still to be determined. Because of the weight of these decisions, and the fact the Applicant is the former County Executive of Sacramento County, and his attorney is the former Chair of CPAC, it would behoove this body to ensure the public has the utmost transparency into these financial decisions.

There is no way a project of this scope, which would fundamentally change the character of our community, should be taken up by the CPAC during a pandemic, when in-person participation by the full Natomas Community is prohibited.

Thanks for your consideration.

Here are the contacts for CPAC:

CPAC

Jamie Cutlip, Chair
Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner
taylor@att.net

Erik Dallosta, Meeting Clerk
townsends@saccounty.net

CC:

Phil Serna, County Supervisor, District 1
SupervisorSerna@saccounty.net

Lisa Nava, Chief of Staff

Naval@saccounty.net

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>

To: "davb49@att.net" <davb49@att.net>

Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT

Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

The Upper Westside Specific Plan project is on the agenda for the Natomas Community Planning Advisory Council (CPAC) meeting on **June 11, 2020 at 6:00 pm**.

Please review the [Natomas CPAC Agenda](#), which includes information on:

- How to make a public comment,
- How to view or listen to the meeting, and
- How to access meeting materials.

(Please note that project materials can be found online on the County's [Planning Projects Viewer](#). After following the link, you may need to click on the "Documents" tab.)

Requested Action

The CPAC is being asked to make a recommendation to the Board of Supervisors on whether to:

- Direct staff to initiate the environmental review process, and
- Adopt the reimbursement agreement for the Upper Westside project.

The County's adopted Master Plan Procedures and Preparation Guide requires the Board of Supervisors review the project prior to initiating the environmental review process.

This is not a request for approval of the Upper Westside Specific Plan project.

What's Next

Following the CPAC meeting, the project will go to the Planning Commission for their recommendation and then to the Board of Supervisors to initiate the environmental review process.

If initiated, the environmental review process will begin and will include the preparation of technical studies and drafting of an Environmental Impact Report (EIR) in order to analyze the impacts of the Upper Westside project.

Stay Informed

While the dates of the Planning Commission and Board of Supervisors meetings are not yet known, all future meeting notices will be sent through this email list and announced on the County's [Upper Westside project webpage](#).

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ITEM 1 CPAC PUBLIC COMMENT 002

From: [of the Swainsons Hawk](#)
To: [Clerk of the Board Public Email](#); [Taylor, Todd](#)
Cc: [John Roberts](#); [Dylan@Wildlife Wood](#); [Heather Fargo](#); [David Brady](#); [debcondon@aol.com](#); [rmburness@comcast.net](#); [Sean Wirth](#); [ECOS Office](#); [M Bradburys](#); [William Blanco](#); [Kevin Mcrae](#); [Jamie.Cutlip@smud.org](#); [Ericka Harden](#); [Angelique Ashby](#)
Subject: Natomas CPA PLNP29178-992784
Date: Monday, June 8, 2020 3:19:44 PM
Attachments: [clip_image002.png](#)
[UpperwestsideNCPAC6.8.20.pdf](#)
[Upper.Westsidefinal.pdf](#)
[SASUpper Westside Specific Plan.pdf](#)

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Comment on: June 11 Agenda item, Natomas CPAC, PLNP2018-00284. Upper Westside Specific Plan. Initiation of environmental review and adoption of the reimbursement agreement for a 2,066 acre master plan located north of Interstate 80, east of Garden Highway, south of Fisherman's Lake Slough, and west of the West Drainage Canal in the Natomas community.

June 8, 2020

Delivered via email

To: Natomas CPAC, County of Sacramento

Jamie Cutlip, Chair, Mariana Sabeniano, D.E. "Red" Banes, Rosalyn Bryant, John Casillas, and Jill Zito

June 11 Agenda item, Natomas CPAC, PLNP2018-00284. Upper Westside Specific Plan. Initiation of environmental review and adoption of the reimbursement agreement

Dear Natomas CPAC Chair Cutlip and Members:

Please review the attached letters sent by the environmental community in February 2019 when this project was first approved for study. These letters explain why it is a very bad idea to consider urbanization in the area of the County designated as the Swainson's Hawk zone in the state and federally approved Natomas Basin Conservation Plan. That HCP also commits the wildlife regulatory agencies to a policy of mitigation for impacts to Swainson's Hawks to be done in the Natomas Basin.

We are opposed to any initiation of an EIR process for this Specific Plan and urge the County to abandon all Master Planning for Upper Westside.

We are troubled by the request by Applicant that the County approve now a Reimbursement Agreement. Such an agreement is appropriate only should the County approve the Specific Plan, entitling development

to occur. The proposed Agreement creates the expectation that the enormous costs of enabling this Specific Plan can be recovered through a future development fee. However no feasibility study was conducted to show that the project reasonably can be expected to pencil out and be able to pay the planning costs, not to mention the infrastructure costs. Nothing in the record of this project review to date justifies the assumption that costs can be recovered. There is not even an estimate of what the master planning costs ultimately will be. Nor are there any cost controls.

What this Reimbursement Agreement shows is that, if approved, the County will embark on a highly speculative and expensive planning process with no sound source of financing for the work. It is not sound public policy to place future planning on this weak foundation. The County has done this in the past only to find that the land simply doesn't get developed. The proposals aren't competitive. Florin Vineyard is a good example. Repeating this pattern over and over results in a lot of entitled land and speculative debt without the benefits claimed for the County.

The agreement creates a political expectation, and pressure, that the County will approve the Specific Plan in order to bail out the applicant. It is not coincidental that the Applicant is Robert Thomas, former County Administrator and former City Manager, and that the Project's attorney was recently the Chair of the Natomas CPAC. These are the hallmarks of an "inside deal." We strongly object.

We join in the community objection to the hearing on this subject being conducted during a pandemic when public participation is effectively prohibited. This is no time for the County to be moving ahead. The State is in economic recession, the financing of this proposal is sketchy at best, and the risk to the County taxpayers is substantial.

A handwritten signature in black ink, reading "Joe P. Pechl". The signature is written in a cursive style with large, flowing letters. The first letter 'J' is particularly large and loops around. The signature is positioned in the lower half of the page.

Jude Lamare

Judith Lamare and James P. Pachl,

For Friends of the Swainsons Hawk

916 769 2857 c

Inde lamare

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The image shows two handwritten signatures in black ink. The signature on the left is 'James P. Pacht' and the signature on the right is 'Judith Lamare'. Both are written in a cursive, flowing style.

Judith Lamare and James P. Pacht,
For Friends of the Swainsons Hawk



8867 Bluff Lane, Fair Oaks, CA 95628 swainsonshawk@sbcglobal.net
www.swainsonshawk.org

June 8, 2020

Delivered via email

To: Natomas CPAC, County of Sacramento

Jamie Cutlip, Chair, Mariana Sabeniano, D.E. "Red" Banes, Rosalyn Bryant, John Casillas, and Jill Zito

June 11 Agenda item, Natomas CPAC, PLNP2018-00284. Upper Westside Specific Plan. Initiation of environmental review and adoption of the reimbursement agreement

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What this Reimbursement Agreement shows is that, if approved, the County will embark on a highly speculative and expensive planning process with no sound source of



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8867 Bluff Lane, Fair Oaks CA
95628 916 769 2857



909 12th St., Sacramento CA
95814

February 21, 2019

Sacramento County Board of Supervisors
County Executive Nav Gill
700 H Street
Sacramento, CA 95814

via email

Re: PLNP-2018-00284: proposed "Upper Westside Specific Plan",
Tentatively on Supervisor's agenda TUESDAY, FEBRUARY 26, 2019, 9:30 am.

Dear Chair Kennedy, Members of the Board, and Mr. Gill:

This is a landowners' proposal to start the County planning process for a proposed 2,083-acre Specific Plan ("Upper Westside Specific Plan") for urban development on prime farmland (also known as the "Natomas Boot") in the unincorporated Natomas Community, outside of the County Urban Service Boundary and Urban Policy Area. It is sandwiched between the City limit and the Sacramento River, and bordered on the northwest by existing habitat preserves of the Natomas Basin Conservancy, the conservation operator for the Natomas Basin Habitat Conservation Plan.

Most of the project area is within the Swainson's Hawk Zone, a mile-wide strip of agriculture and open space land designated by the 2003 Natomas Basin Habitat Conservation Plan ("NBHCP") which is critical to the mitigation program of NBHCP. We strongly urge the Board to reject this proposal for the following reasons:

1. It would undermine the existing 2003 Natomas Habitat Conservation Plan and related protected wildlife mitigation in the Basin.
2. It is outside of the County Urban Service Boundary and fails to meet the County General Plan criteria required to permit expansion of the Urban Services Boundary.
3. The project is within a deep flood basin lacking even 100-year flood protection.

This letter does not respond to the County Staff Report because the latter is not available to us at this time. We would like ample opportunity to review and respond to the Staff Report before public hearing.

Please send separate notices of availability of all documents and hearings pertaining to proposed Upper Westside Specific Plan to Sierra Club Sacramento, Friends of the Swainson's Hawk, and Environmental Council of Sacramento at the addresses of each organization shown above. Also please send notice by email to Friends of the Swainson's Hawk at Friends of the Swainsons Hawk <swainsonshawk@sbcglobal.net>

1. The proposed new urban development would undermine the 2003 Natomas Basin Habitat Conservation Plan and related habitat mitigation plans that have enabled the development of Metro Air Park in the County, the County owned airport, SAFCA's flood control projects which serve the County, as well as the City of Sacramento, and Sutter County's Sutter Pointe.

The proposal directly contradicts and would undermine the Natomas Basin Habitat Conservation Plan ("NBHCP") which covers the entire Natomas Basin. The NBHCP and associated incidental take permits were required by state and federal governments as a condition of the state and federal approvals needed to urbanize within the Natomas Basin after 1991. Subsequent infrastructure projects, and Metro Air Park, have mitigated for impacts to wildlife consistent with and in support of the conservation strategy defined by the NBHCP.

The 2003 NBHCP and related documents are available on the website of The Natomas Basin Conservancy, under "Useful documents." (<https://www.natomasbasin.org/>)

The Natomas Basin Habitat Plan designates the mile-wide strip of land alongside the inland toe of the Sacramento River levee from Hwy 80 to the Natomas Cross-Canal, including most of the proposed project area, as the Swainson's Hawk Zone. The NBHCP — a binding contract between the city of Sacramento and County of Sutter, and the state and federal wildlife agencies — relies in part on the Swainson's Hawk Zone, including the project area, also known as the "Natomas Boot" continuing to remain in agriculture and open space and to be available as potential mitigation land. A map of the Swainson's Hawk zone is ATTACHED. (NBHCP Figure 13.)

It protects the Swainson's Hawk population which nests along the Sacramento River from urban disturbance and is of particular value as foraging habitat for reproduction of Swainson's Hawks because of its proximity to Swainson's Hawks' nests along the river. The success of the NBHCP in mitigating for the impacts of development on the Swainson's Hawk within the NBHCP Permit Areas (City, Sutter County, Metro Air Park) depends in large part on excluding urban uses within the Swainson's Hawk Zone and

acquiring permanent preserve lands within the Swainson's Hawk zone. The primary strategy to mitigate impacts on Swainson's Hawks caused by development authorized by the NBHCP is to avoid development within the Swainson's Hawk Zone and to acquire upland habitat inside the Swainson's Hawk Zone. (NBHCP pp. IV-28, -29; II-20. See also NBHCP pp. V-9, -10; V-20; VII-19; -20; NBHCP Incidental Take Permit p. 4, §3.1.2; USFWS Biological Opinion p. 24.)

The County had the opportunity to participate in the NBHCP but declined in the mid 1990s. Nevertheless, other key local government partners (City of Sacramento and County of Sutter, the County's Metro Air Park, and the Natomas Basin Conservancy), are permittees under the Plan and they may not take actions that undermine or conflict with the NBHCP. The County should not proceed with planning development that undermines and conflicts with conservation commitments by neighboring local governments and county's Metro Air Park as well as the Airport and SAFCA flood control projects.

The basin-wide planning for flood control and drainage, the airport, and other infrastructure includes the acceptance and honoring of the NBHCP land use assumptions. In fact, the urbanization in the Natomas Basin is only permitted because of a federal finding that the NBHCP is a regional, basin-wide habitat conservation plan that offsets the negative impacts of federal and state investments in the infrastructure which enables urban development in the Basin. Without this infrastructure, development in the Basin would be impossible.

As a practical matter, the development and removal of 2000 acres of agricultural land from the pool of potential mitigation land, and consequent requirement for additional mitigation within the Basin, would cause severe economic problems for the NBHCP mitigation land acquisition program by driving up the price of acquiring increasingly scarce mitigation land in the Basin, which would threaten the feasibility of the NBHCP. A fundamental premise of the NBHCP is that mitigation occur in the Basin to mitigate for impacts on wildlife affected by development in the Basin. ¹

The Upper Westside Preliminary Land Use Plan shows an area that includes 137 acres of preserve land owned or managed by the Natomas Basin Conservancy ("NBC") and is adjacent to other NBC owned or managed preserve lands. (NBC manages SAFCA mitigation lands as well as NBHCP mitigation preserves.) Urbanization in this Plan area would devalue and interfere with the mitigation purpose of the preserve lands.

¹Note: During the final NBHCP approval process by the Sacramento City Council and the Sutter County Board of Supervisors, authorization to purchase Mitigation Lands to offset the impacts of development was limited to the Natomas Basin and the "outer" ring of land between the Natomas levees and the river. **No authorization to purchase lands in Area B (out of Basin land) to mitigate impacts of NBHCP-authorized Development was granted** by the City Council and the Sutter Board of Supervisors. See 2003 NBHCP p. IV-1.

Please endorse the Natomas Habitat Conservation Plan as the best plan for the Boot.

The proposed project fails to meet the General Plan’s criteria for allowing expansion of the County Urban Service Boundary

The Urban Services Boundary (“USB”), which excludes urbanization in this area, is the basis for our regional air quality and transportation plans which protect our health and prevent the congestion that urban sprawl engenders. These plans are approved by federal and state governments and ensure that the region is in compliance with federal and state law. The USB is also our region’s core strategy for Climate Action and mitigation for climate change, and for planning for future infrastructure. By limiting the spread of urbanization, the region encourages compact and orderly growth, infill and transit-oriented development, and discourages sprawl and land speculation. Expanding the USB to accommodate landowners and developer’s request has the opposite effect.

General Plan Land Use Element Policy LU-2, p. 20, prohibits urbanization beyond the Urban Service Boundary, which defines long-term (over 25 years) plans for urbanization and extension of public infrastructure and services, and defines important areas for protecting open space and agriculture. The proposed project is outside of the Urban Services Boundary. (**General Plan Land Use Policy, Map, Figure 1**, p. 24).

General Plan Land Use Element Policy LU-127, p. 143, recognizes the significance of the Urban Service Boundary (“USB”). It requires that the Board make six findings before it approves an expansion of the USB. Alternatively, the Board can, by a 4/5 vote, avoid these findings if it determines that “expansion would provide extraordinary environmental, social or economic benefits and opportunities for the County.” This policy sets a much higher bar for moving the USB than normal land use decisions.

The project fails to meet several of those six mandatory criteria for expansion of the USB, as follows:

a. Inadequate vacant land within the USB to accommodate projected 25 year demand for urban uses. The Board cannot make this finding because:

In fact there is more than enough vacant land within the USB, including the cities and Urban Policy Areas, designated for urban development to accommodate projected 25 year demand for urban development, as well as thousands of acres of vacant land designated for urban development in West Sacramento (including Southport) which is very close to job opportunities in downtown Sacramento. Even the Applicant admits that “the USB may include an area that could accommodate 25 years of demand for urban uses.” (Applicants Project Initiation Attachment, p. 54.)

b. The area of expansion does not include the development of important natural resource areas or prime agricultural lands. The Board cannot make this finding because:

In fact the entire project area is prime farmland, as shown on the map titled “Agricultural Component, Figure 1A,” General Plan Open Space Element, Amended 2017, p. 7, which precludes including that area within the USB.

The project would develop an important natural resource area, namely the Swainson’s Hawk Zone, the biologically-rich mile-wide corridor of habitat and farmland running alongside the inland toe of the Sacramento River levee between the City limit and Natomas Cross-Canal, designated by the Natomas Basin Habitat Conservation Plan to supplement the habitat preserves established by the Natomas Basin Conservancy and to provide opportunity for the Natomas Basin Conservancy to acquire mitigation preserves adjacent to the Sacramento River riparian corridor that is important nesting habitat for the Swainson’s Hawk.

c. The proposal for expansion can satisfy the requirements of a master water plan as contained in the Conservation Element. The Board cannot make this finding because:

In fact there is no such document in the Conservation Element, and is no discussion of **any** water supply plan in the Application, other than applicant’s unsupported assertion that it “could likely demonstrate that it can meet the requirements of a Master Water Plan as contained in the Conservation Element,” (Applicants Project Initiation Attachment, p. 54.)

Due to Applicant’s failure to provide information about its intended water supply plan, the Board cannot find that the proposed USB expansion can satisfy the requirements of a master water plan or even the requirements of the Conservation Element. The Natomas Basin groundwater is contaminated with arsenic and other minerals, the proposed project would have no access to City’s water rights or supply because the development violates the City’s agreement with wildlife agencies (NBHCP), and the State has not approved Natomas Mutual Water Company, an agricultural water supplier, as a provider of water for municipal and industrial purposes.

There is no showing that the proposed expansion would provide “extraordinary environmental, social, or economic benefits to the County” that would justify a 4/5 vote of the Board. Thousands of acres – probably at least 10,000 acres - in Natomas Basin which are within the Permit Areas of the NBHCP and Greenbriar remain undeveloped despite being entitled for urban development for years and covered by existing community plans. (Sutter Pointe, Metro Air Park, and City, including Greenbriar and proposed Panhandle annexation.)

General Plan Land Use Policies LU 119 and LU 120 (Sacramento County General Plan, p. 131) require findings that we are not assured can be made in this case. Please review

and explain how the proposal is consistent with the criteria in these policies before proceeding with a public hearing on this application.

3. The Board should not consider this project because the Natomas Basin is a deep flood basin lacking even FEMA 100-year flood protection and is not compliant with State-required 200-year Urban Level of Flood Protection.

The Natomas Basin is designated by FEMA as A-99, which allows new development to occur, but is not any type of flood protection. In fact, Natomas Basin, including the project site, does not have even FEMA 100-year flood protection nor does it meet the State requirement for 200-year flood protection.

The levee improvement project was partially completed, but SAFCA lacked the money to complete it. The Army Corps of Engineers has agreed to complete the levees upgrades, but Congress must provide funding adequate for completion. The Corps' "projected date" for completion is FY 2024. (See SAFCA Executive Director's Report, December 20, 2018, p. 5, map.)

It is not known if the existing Congressional appropriations will be sufficient to complete the levee project by 2024, or at all. There have been repeated project delays and enormous cost overruns. Unrelated politically-driven decision-making within the Federal government, and overriding Federal fiscal issues arising from a record national debt, adds major unpredictability as to when, - **or if** - the levees will be upgraded to the 200-year standard.

County General Plan Safety Element SA-16, p. 7. requires the County to deny creation of parcels that do not have buildable areas outside the 200-year floodplain in areas subject to the state-required Urban Level of Flood Protection, such as Natomas, unless otherwise allowed in the Floodplain Management Ordinance, which specifically excludes an exception for Natomas.

County should not waste the public's time and County resources considering the "Upper Westside Project" because the Basin has not achieved the State-required 200-year Urban Level of Flood Protection.

Conclusion

There are thousands of vacant acres approved for development in the City and Sutter County portions of the Natomas Basin, and County's Metro Air Park. These projects have planned infrastructure and mitigation programs. In fact, the County's Metro Air Park mitigation program would be undermined by reducing the availability of suitable mitigation land in the Basin. There is no economic rationale for considering yet more

development in a biologically important portion of the basin that lacks infrastructure and mitigation programs.

To approve planning for urbanization within an agricultural area that is part of a federal and state habitat conservation plan is contrary to the County's General Plan conservation policies. Urbanization of the Boot area would undermine the effectiveness of the Natomas Basin Habitat Conservation Plan.

For residents of Natomas, public safety, emergency evacuation, freeway and airport access and other issues may come to mind in contemplating urbanization west of El Centro and North of I-80. The current General Plan policies have many hidden benefits to residents of the City and the County.

We urge you not to approve planning for urbanization in the Natomas Basin, and specifically not to approve moving forward with the application known as Upper Westside Specific Plan.

Sincerely,



Barbara Leary, Chair

Sierra Club Sacramento



Ralph Propper, President

Environmental Council of Sacramento – ECOS



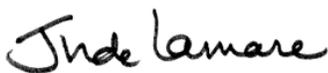
Robert C Burness, Co-Chair

Habitat 2020



Sean Wirth, Co Chair

Habitat 2020



Friends of the Swainson's Hawk



Friends of the Swainson's Hawk

Cc:

Leighann Moffitt, County of Sacramento

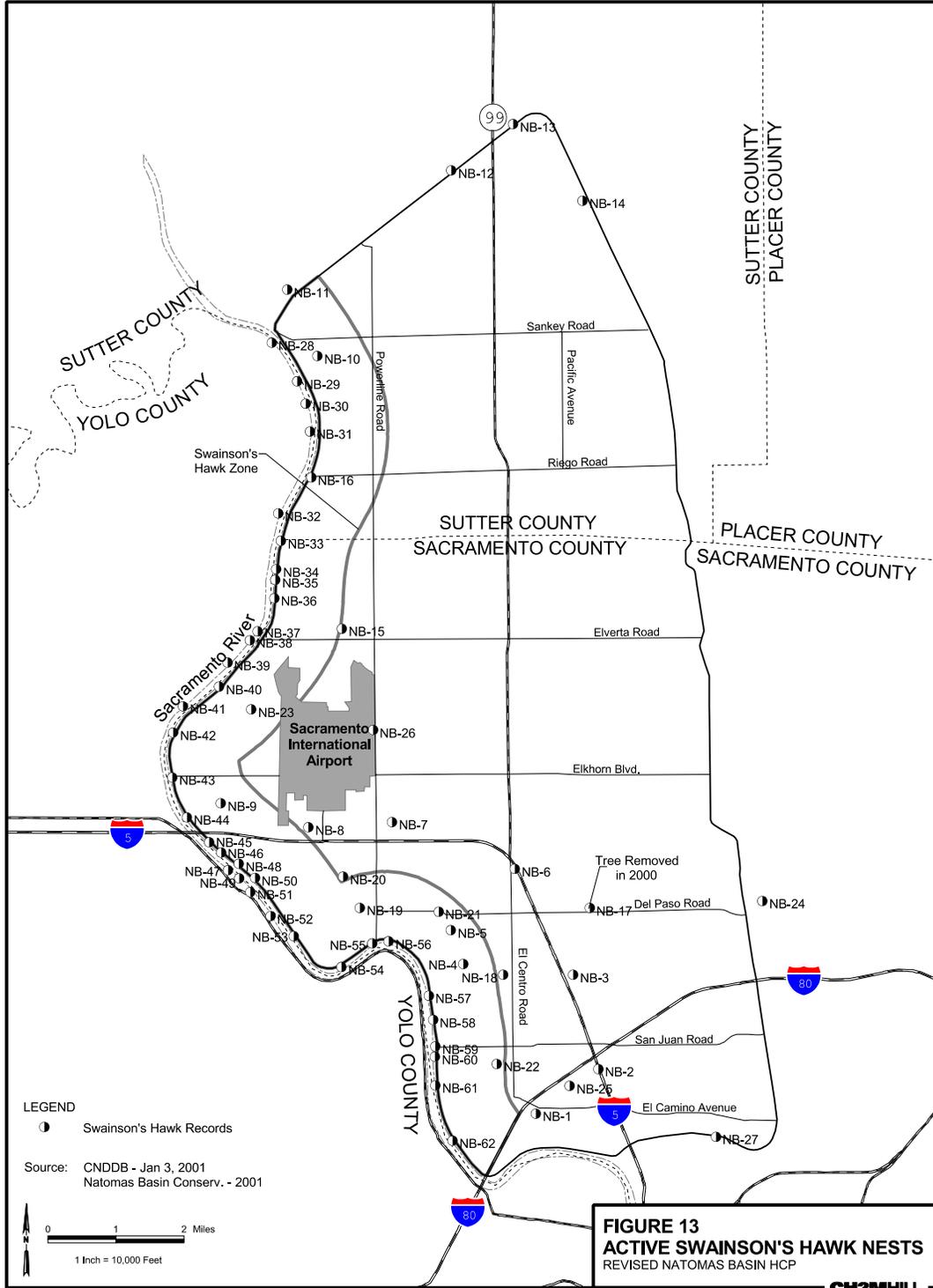
Dylan Wood, Jeff Drogensen, CDFW

Kellie Berry, USFWS Sacramento Regional Office

John Roberts, Natomas Basin Conservancy

CM Angelique Ashby

Attachment: Figure 13, Natomas Basin Habitat Conservation Plan





February 25, 2019

Sacramento County Board of Supervisors
County Executive Nav Gill
700 H Street, Suite 1450
Sacramento, CA 95814

via email

RE: Upper Westside Specific Plan (aka Natomas Boot)

Dear Chairman Kennedy, Members of the Board, and Mr. Gill:

The Sacramento Audubon Society, representing 2400 members, opposes the proposal to begin a planning process for the urban development of over 2083 acres of prime farmland outside the County Urban Service Boundary (uSB) and Urban Policy Area. This proposal disrupts habitat protections now in place and cannot be justified by any argument that there is insufficient land approved for development in the Natomas Basin.

This area is outside the USB, which prohibits urbanizing development outside of the Boundary. Thus, the plan violates current County policies that are intended to preserve open space and agricultural lands. We do not believe the case for unneeded urbanization can meet the exceptions in the General Plan to expand the USB.

As for specific impacts, development in this area will significantly degrade habitat for the Swainson's Hawk, a species that is under great stress from habitat degradation.

The California Department of Fish and Wildlife has found that:

"The most recognized threat to Swainson's Hawks is the loss of their native foraging and breeding grounds. As important foraging areas are converted to urban landscapes or other unsuitable habitat, the aptitude for the landscape to support breeding pairs decreases."

But there is no need to pit development against protecting birds and other wildlife and plants, preserving open space, and farm operations. There are thousands of acres that are already approved for development in the County's Urban Services Boundary, plus even more acreage approved for the City of Sacramento and Sutter County in the Natomas Basin.

For these reasons the Sacramento Audubon Society respectfully requests that the Board of Supervisors reject any change to the USB or take any other action that would lead to development in the Natomas Boot.

Sincerely,

Bill Bianco
President, Sacramento Audubon Society

Cc:

Patrick Kennedy, Chairman, Sacramento County Board of Supervisors

Phil Serna, Supervisor, Sacramento County

Susan Peters, Supervisor Sacramento County

Don Nottoli, Supervisor, Sacramento County

Sue Frost, Supervisor, Sacramento County

Leighann Moffitt, Director, Planning Department

Florence Evans, Clerk of the Board of Supervisors

ITEM 1 CPAC PUBLIC COMMENT 003

From: [Smith, Todd](#)
To: [davb49@att.net](#); [FOSH \(swainsonshawk@sbcglobal.net\)](#); [Jamie Cutlip](#); [Supervisor Serna](#); [Nava, Lisa](#); [erickaharden@gmail.com](#); [h-fargo@comcast.net](#); [jpachl@sbcglobal.net](#); [office@ecosacramento.net](#); [aashby@cityofsacramento.org](#); [kevoo7@yahoo.com](#); [melindabradbury@sbcglobal.net](#); [rmburness@comcast.net](#); [wirthsoscrares@yahoo.com](#); [rpropper47@icloud.com](#)
Cc: [Taylor, Todd](#); [Lundgren, John](#); [Clerk of the Board Public Email](#); [Townsend, Stephanie](#)
Subject: RE: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Tuesday, June 9, 2020 6:52:17 AM
Attachments: [image001.png](#)

Mr. Brady, Ms. Lamare, and Mr. Pachl,

Your request for postponement has been relayed to the Natomas CPAC and will be addressed at their meeting June 11, 2020.

In response to concerns raised regarding the reimbursement agreement for the Upper Westside Specific Plan in your email requesting postponement, staff wishes to provide clarification. Government Code Section 65456 authorizes municipalities to impose a specific plan fee upon persons seeking governmental approvals which are required to be consistent with a specific plan. The fees are to defray but not exceed the cost of preparation, adoption, and administration of the specific plan, including costs incurred for environmental review pursuant to CEQA. As nearly as can be estimated, the fee charged shall be a prorated amount in accordance with the applicant's relative benefit derived from the specific plan. Reimbursement agreements establish the terms and conditions as well as the formula used for reimbursing applicants for specific plan preparation costs in excess of the applicant's pro-rata share. Such reimbursements are not issued from County funds and do not adversely affect the County's budget. Further, any documentation submitted to the County for purposes of establishing the reimbursement fee is public record. If approved by the Board of Supervisors, the reimbursement fee would be collected from future development applications within the Upper Westside Specific Plan area.

The draft reimbursement agreement for the Upper Westside project requires that the Board of Supervisors initiate proceedings to establish a reimbursement fee following completion of the Specific Plan process, if the proposed project is approved. This is a common practice throughout California, and Sacramento County has adopted reimbursement agreements in other Specific Plan and Community Plan areas such as the Florin Vineyard Community Plan: <https://planning.saccounty.net/LandUseRegulationDocuments/Pages/FlorinVineyardCommunityPlan.aspx>.

Finally, it is important to note that the CPAC's consideration of this item on June 11 is not for approval of the project itself. The County's master plan process requires public notifications and hearings at each important project milestone. This current milestone is the initiation of environmental review, which starts a more in-depth review of various technical topics and environmental issues. We encourage interested parties to review the latest project materials and FAQ here: <https://planning.saccounty.net/PlansandProjectsIn-Progress/Pages/UpperWestsideSpecificPlan.aspx>

Todd Smith, Principal Planner

Office of Planning and Environmental Review
827 7th Street, Room 225, Sacramento, CA 95814 | (916) 874-6918 (direct)
www.per.saccounty.net



The Office of Planning & Environmental Review (PER) continues to provide essential services although our physical offices are closed until further notice during the COVID-19 state of emergency. Many staff are working remotely and we are modifying our business practices during this period. Please see our website at www.planning.saccounty.net for the most current information on how to obtain services. Please note our practices are pursuant to Federal, State, and County emergency declarations including County Resolution 2020-0159 and 2020-0160.

From: Friends of the Swainsons Hawk <swainsonshawk@sbcglobal.net>
Sent: Thursday, June 4, 2020 2:16 PM
To: David Brady <davb49@att.net>; Jamie.Cutlip@smud.org; [Lundgren. John <lundgrenj@saccounty.net>](mailto:Lundgren.John@saccounty.net); [Taylor. Todd <taylorlo@saccounty.net>](mailto:Taylor.Todd@saccounty.net); [Townsend. Stephanie <townsends@saccounty.net>](mailto:Townsend.Stephanie@saccounty.net); Supervisor Serna

<SupervisorSerna@saccounty.net>; Nava, Lisa <Naval@saccounty.net>

Cc: Ericka Harden <erickaharden@gmail.com>; Heather Fargo <h-fargo@comcast.net>; Jim Pachl <jpachl@sbcglobal.net>; ECOS Office <office@ecosacramento.net>; Sacramento Sierra Club <sacramentosierraclub@gmail.com>; Angelique Ashby <aashby@cityofsacramento.org>; Kevin Mcrae <kevo7@yahoo.com>; M Bradburys <melindabradbury@sbcglobal.net>; rmburness@comcast.net; Sean Wirth <wirthsoscrales@yahoo.com>; Ralph Propper <rpropper47@icloud.com>

Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

We support the request below from David Brady to postpone CPAC consideration of Upper Westside agenda item on 6/11/20 agenda for CPAC
Jude Lamare and Jim Pachl
Friends of the Swainsons Hawk
916-769-2857

On Jun 4, 2020, at 1:14 PM, David Brady <davb49@att.net> wrote:

Good afternoon Ericka,

I received notice that the Natomas Community Planning Advisory Council (CPAC) will be meeting VIA VIDEO CONFERENCE next Thursday, 6/11/20 at 6 PM.

I urge NCA to request an immediate postponement of Item #1, Upper Westside Specific Plan, until such time it can be presented in a venue that allows for full in-person public participation.

The developers of this project would put thousands of new homes on agricultural land wedged between existing homes and the Garden Highway.

According to the agenda, the CPAC will consider an agreement, under which Sacramento County will pay the Applicant for Specific Plan and General Plan Amendment costs via imposition of a fee on future development. This is potentially a large financial commitment by the County and future property owners, the amount of which is still to be determined. Because of the weight of these decisions, and the fact the Applicant is the former County Executive of Sacramento County, and his attorney is the former Chair of CPAC, it would behoove this body to ensure the public has the utmost transparency into these financial decisions.

There is no way a project of this scope, which would fundamentally change the character of our community, should be taken up by the CPAC during a pandemic, when in-person participation by the full Natomas Community is prohibited.

Thanks for your consideration.

Here are the contacts for CPAC:

CPAC

Jamie Cutlip, Chair
Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner
taylor@accounty.net

Erik Dallosta, Meeting Clerk
townsends@accounty.net

CC:

Phil Serna, County Supervisor, District 1
SupervisorSerna@saccounty.net

Lisa Nava, Chief of Staff
Naval@saccounty.net

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>

To: "davb49@att.net" <davb49@att.net>

Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT

Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

The Upper Westside Specific Plan project is on the agenda for the Natomas Community Planning Advisory Council (CPAC) meeting on **June 11, 2020 at 6:00 pm**.

Please review the [Natomas CPAC Agenda](#), which includes information on:

- How to make a public comment,
- How to view or listen to the meeting, and
- How to access meeting materials.

(Please note that project materials can be found online on the County's [Planning Projects Viewer](#). After following the link, you may need to click on the "Documents" tab.)

Requested Action

The CPAC is being asked to make a recommendation to the Board of Supervisors on whether to:

- Direct staff to initiate the environmental review process, and
- Adopt the reimbursement agreement for the Upper Westside project.

The County's adopted Master Plan Procedures and Preparation Guide requires the Board of Supervisors review the project prior to initiating the environmental review process.

This is not a request for approval of the Upper Westside Specific Plan project.

What's Next

Following the CPAC meeting, the project will go to the Planning Commission for their recommendation and then to the Board of Supervisors to initiate the environmental review process.

If initiated, the environmental review process will begin and will include the preparation of technical studies and drafting of an Environmental Impact Report (EIR) in order to analyze the impacts of the Upper Westside project.

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ITEM 1 CPAC PUBLIC COMMENT 004

From: [Friends of the Swainsons Hawk](#)
To: [David Brady](#); Jamie.Cutlip@smud.org; [Lundgren, John](#); [Taylor, Todd](#); [Townsend, Stephanie](#); [Supervisor Serna](#); [Nava, Lisa](#)
Cc: [Ericka Harden](#); [Heather Fargo](#); [Jim Pacht](#); [ECOS Office](#); [Sacramento Sierra Club](#); [Angelique Ashby](#); [Kevin Mcrae](#); [M Bradburys](#); mburness@comcast.net; [Sean Wirth](#); [Ralph Propper](#)
Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Thursday, June 4, 2020 2:16:16 PM

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

We support the request below from David Brady to postpone CPAC consideration of Upper Westside agenda item on 6/11/20 agenda for CPAC

Jude Lamare and Jim Pacht
Friends of the Swainsons Hawk
916-769-2857

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Thanks for your consideration.

Here are the contacts for CPAC:

CPAC

Jamie Cutlip, Chair
Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner
taylor@smud.net

Erik Dallosta, Meeting Clerk
townsend@smud.net

CC:

Phil Serna, County Supervisor, District 1
SupervisorSerna@smud.net

Lisa Nava, Chief of Staff
NavaL@smud.net

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>

To: "davb49@att.net" <davb49@att.net>

Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT

Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

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ITEM 1 CPAC PUBLIC COMMENT 005

From: davb49
To: Jamie.Cutlip@smud.org; [Lundgren, John](mailto:Lundgren.John); [Taylor, Todd](mailto:Taylor.Todd); [Townsend, Stephanie](mailto:Townsend.Stephanie); [Supervisor Serna](mailto:Supervisor.Serna); [Nava, Lisa](mailto:Nava.Lisa)
Cc: tbizjak@sacbee.com; [Brandy Tuzon Boyd](mailto:Brandy.Tuzon.Boyd); [Dennis Spear](mailto:Dennis.Spear)
Subject: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Friday, June 5, 2020 8:11:58 AM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Dear Chairperson Cutlip,

I received notice that the Natomas Community Planning Advisory Council (CPAC) will be meeting VIA VIDEO CONFERENCE next Thursday, 6/11/20 at [6 PM](#).

I am writing to request an immediate postponement of Item #1, Upper Westside Specific Plan, until such time it can be presented in a venue that allows for full in-person public participation.

The developers of this project would put thousands of new homes on agricultural land wedged between existing homes and the Garden Highway.

According to the agenda, the CPAC will consider an agreement, under which Sacramento County will pay the Applicant for Specific Plan and General Plan Amendment costs via imposition of a fee on future development. This is potentially a large financial commitment by the County and future property owners, the amount of which is still to be determined. Because of the weight of these decisions, and the fact the Applicant is the former County Executive of Sacramento County, and his attorney is the former Chair of CPAC, it would behoove this body to ensure the public has the utmost transparency into these financial decisions.

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Thanks for your consideration.

----- Original message -----

From: Friends of the Swainsons Hawk <swainsonshawk@sbcglobal.net>
Date: 6/4/20 2:16 PM (GMT-08:00)
To: David Brady <davb49@att.net>, Jamie.Cutlip@smud.org, "Lundgren, John" <LundgrenJ@saccounty.net>, "Taylor, Todd" <[taylor@smud.org](mailto:taylor@taylor@smud.org)>, townsends@saccounty.net, [Phil Serna](mailto:Phil.Serna) <SupervisorSerna@saccounty.net>, naval@saccounty.net
Cc: [Ericka Harden](mailto:Ericka.Harden) <erickaharden@gmail.com>, [Heather Fargo](mailto:Heather.Fargo) <h-fargo@comcast.net>, [Jim Pachl](mailto:Jim.Pachl) <jpachl@sbcglobal.net>, [ECOS Office](mailto:ECOS.Office) <office@ecosacramento.net>, [Sacramento Sierra Club](mailto:Sierra.Club) <sacramentosierraclub@gmail.com>, [Angelique Ashby](mailto:Angelique.Ashby) <aashby@cityofsacramento.org>, [Kevin Mcrae](mailto:Kevin.Mcrae) <kevo07@yahoo.com>, [M Bradburys](mailto:M.Bradburys) <melindabradbury@sbcglobal.net>, rmburness@comcast.net, [Sean Wirth](mailto:Sean.Wirth) <wirthsoscraes@yahoo.com>, [Ralph Propper](mailto:Ralph.Propper) <rpropper47@icloud.com>
Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan

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Friends of the Swainsons Hawk
916-769-2857

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Thanks for your consideration.

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CPAC

Jamie Cutlip, Chair
Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner
taylorto@saccounty.net

Erik Dallosta, Meeting Clerk
townsends@saccounty.net

CC:

Phil Serna, County Supervisor, District 1
SupervisorSerna@saccounty.net

Lisa Nava, Chief of Staff
NavaL@saccounty.net

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>
To: "davb49@att.net" <davb49@att.net>
Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT
Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

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What's Next

Following the CPAC meeting, the project will go to the Planning Commission for their recommendation and then to the Board of Supervisors to initiate the environmental review process.

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ITEM 1 CPAC PUBLIC COMMENT 006

From: [Michael McKenna](#)
To: [Clerk of the Board Public Email](#)
Subject: Sacramento County Upper Westside Specific Plan
Date: Wednesday, June 3, 2020 11:11:36 AM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

I am emailing to protest agenda item # 1 The Upper Westside Specific Plan

This is a horrible plan, especially in light of the terrible traffic back ups we experience every day.

This hug bloated project is just an attempt by greedy developers to make a buck at the expense of the people living in Natomas.

And i even more strenuously oppose the sneaky, backhanded way these greedy developers are trying to sneak this through without community input by taking advantage of the pandemic to effectively trying to do this behind closed doors without giving the citizens the opportunity to confront the developer in person.

This is a very serious proposition that must wait until the public can attend and express their feelings.

Please put this off until we can all attend a hearing in person and let our voices be heard.

This is too important to try to sneak through without hearing from the people living here.

Thank you,

Michael McKenna- Sundance Lake

ITEM 1 CPAC PUBLIC COMMENT 007

From: [Taylor, Todd](#)
To: [Clerk of the Board Public Email](#)
Subject: FW: Yes, SMF is still of concern...
Date: Wednesday, June 10, 2020 2:38:35 PM

Comment received for Natomas CPAC, June 11, 2020, Item No. 1, PLNP2018-00284 – Upper Westside Specific Plan

Todd Taylor | Associate Planner
Office of Planning and Environmental Review

The Office of Planning & Environmental Review (PER) continues to provide essential services although our physical offices are closed until further notice during the COVID-19 state of emergency.

From: Ellery Kuhn <ellelesl@comcast.net>
Sent: Wednesday, June 10, 2020 2:07 PM
To: Supervisor Serna <SupervisorSerna@saccounty.net>
Cc: Nava, Lisa <NavaL@saccounty.net>; Nichol, Cindy <NicholC@saccounty.net>; Taylor, Todd <taylorcto@saccounty.net>
Subject: Yes, SMF is still of concern...

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Dear Supervisor Serna:

Many of your Natomas constituents continue to be troubled by SMF departure practices which subject them to greater risk, environmental hazards and noise pollution. Experience gained over the past three years has identified the problem as associated with NextGen, a change implemented by federal aviation authorities.

- For Natomas this meant a concentration of flights over a narrower path commencing very early in takeoff and passing at low altitude over neighborhoods south-east, east and occasionally north of existing runways. Of the 37 individuals commenting recently during the airport's alarmingly brief period for receiving feedback on the revision of the Airport's General Plan, 34 explicitly expressed safety and noise concerns, frequently with multiple observations, points and requests.
- In general, community preference is for restoration of the pre-2015 south-flow flight departure pattern, whereby a significant number of flights passed over non-residential areas (or at greater altitude than presently), including the agricultural, conservation and similar preserves which make up so much of the Natomas Basin land under country control. These open areas additionally function as a safety zone should a departure become incapacitated before attaining sufficient altitude for a safe return to the airport.
- For these reasons, prospects for residential development in the Natomas Basin, such as that under consideration for the Upper Westside area or Northlake are worrisome. They pose the possibility that less open space will be available to re-route departures away from existing neighborhoods for purposes of abating existing problems. Likewise, the open space which currently functions as a safety zone in the event of an aircraft catastrophe appears threatened by the construction of more neighborhoods in areas near or beneath flight paths.

With respect to the recent Airport General Plan revision, it is dismaying that safety and noise

concerns have been walled off as “aspects of the airport beyond the basic scope of the master plan.” Compartmentalizing noise and safety in this way almost certainly guarantees that at no single point of decision-making will such concerns be taken into account with respect to overall airport operations. From past experience Natomas residents know that activities within the scope of the general plan, especially changes in departure practices absent efforts to mitigate effects of same, can actually impact residents enormously. Moreover, how revision input was executed and concerns brushed off is not the kind of good-government practice both of us have advocated in our past careers as lecturers of California government.

While this issue appears jurisdictionally complicated and certainly can be seen by some as inconvenient to contemplate, residents of Natomas should be able to rely on the strongest possible preventative and corrective efforts from all levels of government. Your advocacy in writing Federal aviation officials in the past to undo NextGen have been positive past gestures. Please continue helping. Do not take upcoming actions relevant to Natomas Basin development and Airport Planning made in your official Board capacity which would worsen the situation in the manner this communication suggests likely.

Respectfully,
Ellery Kuhn
20 Riposto Place
Sacramento, CA 95834
(916) 891-2119

ITEM 1 CPAC PUBLIC COMMENT 008

From: [Don Rosa](#)
To: [Clerk of the Board Public Email](#)
Cc: [Taylor, Todd](#)
Subject: Upper Westside Plan
Date: Wednesday, June 10, 2020 4:41:29 PM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Board Clerk
Sacramento Board of Supervisors

RE: Upper Westside Specific Plan (Natomas), PLNP2018-00284

We are not opposed to development in Natomas. However, we do oppose the placement of a 20-acre drainage basin on our property.

In the initial proposed plan (Sept 25, 2018), there was a water (canal, pond) to the south of our property. We were told at a meeting on Feb. 18, 2020, held at Wood Rodgers office, that a change was made according to the wishes of planning staff for more water features. We were presented a tentative concept plan at that time. However, after several requests, we just received the revised Upper Westside proposed plan dated May 5, 2020. This is where the 20 acre drainage basin is shown.

We have farmed this property growing irrigated crops for over 70 years. The irrigation drainage runs east to south. We have never been able to run water uphill. In our opinion, this is not the low point for the "east shed." The low point, which should be the drainage basin, is to the south of us. The San Juan pump station shown on the map is a sub-pumping station. It is there for convenience and not practical drainage concepts. I know because we went through an eminent domain action for it several years ago. At that time, we lost over 14 acres to the project. That also included widening the canal to the main pumping station

If you look at the proposed East shed drainage area, the most practical and economical location is to the south of the proposed location. It would also reduce environmental concerns of illegal dumping, vector control and other safety concerns.

We are not land developers. This property has been in our family for over 70 years. We have seen proposed developments come and go. We have been through eminent domains, zoning restrictions, moratoriums and extremely high taxes for flood control, etc. It is inevitable that we will have to sell the property to a developer. The property is 84 acres. Twenty acres is 25%. We will be penalized by a potential buyer, one way or another, because of this loss of developable acreage.

Thank you for your consideration of this matter.

Don and Sue Rosa

Joyce Pappa

Parcels: 225-0220-079, 077, and 014

Contact: Don Rosa (530)644-4330

ITEM 1 CPAC PUBLIC COMMENT 009

From: [Melinda Bradbury](#)
To: [davb49@att.net](#); [FOSH \(swainsonshawk@sbcglobal.net\)](#); [Jamie Cutlip](#); [Supervisor Serna](#); [Nava, Lisa](#); [erickaharden@gmail.com](#); [h-fargo@comcast.net](#); [jpachl@sbcglobal.net](#); [office@ecosacramento.net](#); [aashby@cityofsacramento.org](#); [kevo07@yahoo.com](#); [mburness@comcast.net](#); [wirthsoscrales@yahoo.com](#); [rpropper47@icloud.com](#); [Smith, Todd](#)
Cc: [Taylor, Todd](#); [Lundgren, John](#); [Clerk of the Board Public Email](#); [Townsend, Stephanie](#)
Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Wednesday, June 10, 2020 8:18:33 PM
Attachments: [image001.png](#)

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Dear Mr. Smith,

I also support postponement of the CPAC's consideration of the Upper West Side at it's meeting on June 11, 2020. Many of us in the community went to the open houses that the applicants and Sacramento County held to preview the project and collect initial public input. Many of us went to more than one, and people showed up en masse. So many people wanted to hear, have input, and provide feedback that the applicant and the County separated out the future meetings and had at least 3 more. The entire premise of CEQA is public disclosure. There is a large public who is interested in this project and would continue to share their comments, in person, given the enormity of this planning area. Starting the environmental review of a project at this scale, at an online meeting, does not provide an interface that allows the CPAC, or the County staff and Supervisors to understand how many people are interested in the outcome of this project, want to give feedback, or are against it moving forward.

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Melinda Dorin Bradbury
Resident of River Oaks Community Association

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Todd Smith, Principal Planner
Office of Planning and Environmental Review
827 7th Street, Room 225, Sacramento, CA 95814 | (916) 874-6918 (direct)
www.per.saccounty.net



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From: Friends of the Swainsons Hawk <swainsonshawk@sbcglobal.net>
Sent: Thursday, June 4, 2020 2:16 PM
To: David Brady <davb49@att.net>; Jamie.Cutlip@smud.org; Lundgren. John <lundgrenj@saccounty.net>; Taylor. Todd <taylorotto@saccounty.net>; Townsend. Stephanie <townsends@saccounty.net>; Supervisor Serna <SupervisorSerna@saccounty.net>; Nava. Lisa <Naval.@saccounty.net>
Cc: Ericka Harden <erickaharden@gmail.com>; Heather Fargo <h-fargo@comcast.net>; Jim Pachl <jpachl@sbcglobal.net>; ECOS Office <office@ecosacramento.net>; Sacramento Sierra Club <sacramentosierraclub@gmail.com>; Angelique Ashby <aashby@cityofsacramento.org>; Kevin Mcrae <kevo07@yahoo.com>; M Bradburys <melindabradbury@sbcglobal.net>; rmburness@comcast.net; Sean Wirth <wirthsoscranes@yahoo.com>; Ralph Propper <rpropper47@icloud.com>
Subject: Re: Request for postponement of CPAC item on Upper Westside Specific Plan

EXTERNAL EMAIL: If unknown sender, do not click links/attachments.

We support the request below from David Brady to postpone CPAC consideration of Upper Westside agenda item on 6/11/20 agenda for CPAC

Jude Lamare and Jim Pachl

Friends of the Swainsons Hawk

916-769-2857

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There is no way a project of this scope, which would fundamentally change the character of our community, should be taken up by the CPAC during a pandemic, when in-person participation by the full Natomas Community is prohibited.

Thanks for your consideration.

Here are the contacts for CPAC:

CPAC

Jamie Cutlip, Chair

Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner

taylor@smud.org

Erik Dallosta, Meeting Clerk

townsends@smud.org

CC:

Phil Serna, County Supervisor, District 1

SupervisorSerna@smud.org

Lisa Nava, Chief of Staff

Naval@smud.org

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>

To: "davb49@att.net" <davb49@att.net>

Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT

Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

The Upper Westside Specific Plan project is on the agenda for the Natomas Community Planning Advisory Council (CPAC) meeting on **June 11, 2020** at **6:00 pm**.

Please review the [Natomas CPAC Agenda](#), which includes information on:

- How to make a public comment,
- How to view or listen to the meeting, and
- How to access meeting materials.

(Please note that project materials can be found online on the County's [Planning Projects Viewer](#). After following the link, you may need to click on the "Documents" tab.)

Requested Action

The CPAC is being asked to make a recommendation to the Board of Supervisors on whether to:

- Direct staff to initiate the environmental review process, and
- Adopt the reimbursement agreement for the Upper Westside project.

The County's adopted Master Plan Procedures and Preparation Guide requires the Board of Supervisors review the project prior to initiating the environmental review process.

This is not a request for approval of the Upper Westside Specific Plan project.

What's Next

Following the CPAC meeting, the project will go to the Planning Commission for their recommendation and then to the Board of Supervisors to initiate the environmental review process.

If initiated, the environmental review process will begin and will include the preparation of technical studies and drafting of an Environmental Impact Report (EIR) in order to analyze the impacts of the Upper Westside project.

Stay Informed

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ITEM 1 CPAC PUBLIC COMMENT 010

From: debcondon@aol.com
To: [Clerk of the Board Public Email: Taylor. Todd](#)
Cc: aashby@cityofsacramento.org; judelam@sbcglobal.net; h-fargo@comcast.net; whitney.r.leeman@gmail.com; rsewell222@gmail.com
Subject: Comment on: June 11 Agenda item, Natomas CPAC, PLNP2018-00284. Upper Westside Specific Plan
Date: Thursday, June 11, 2020 2:41:31 PM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

June 11, 2020

Natomas Community Planning Advisory Council

Re: Upper Westside Specific Plan (UWSP)

Please delay this meeting item until the public can actively attend and participate. The primary purpose of the CPAC is to encourage direct citizen participation early in the planning process. It allows the project proponents and decision-makers to respond to public concerns. We are in the middle of a COVID-19 pandemic which effectively cuts off direct participation of the public in the discussion.

Do not initiate the EIR process for this specific plan without first carefully reviewing the economic basis – including forgone mitigation opportunities in the entire basin, clash with existing County General Plan policies and economic folly for the County in new infrastructure commitments.

We are deeply troubled by this plan as it violates many agreements, policies and planning laws.

- <!--[if !supportLists]-->1. <!--[endif]-->The UWSP proposes development of 2,066 acres outside of the County Urban Service Boundary and Urban Policy areas.
- <!--[if !supportLists]-->2. <!--[endif]-->The UWSP would undermine the 2003 Natomas Basin Habitat Conservation Plan (NBHCP) and void agreements that allowed critical projects to proceed at the time.
 - <!--[if !supportLists]-->a. <!--[endif]-->Construction would occur in the Swainson's Hawk zone and habitat to Giant Gartersnake areas as well as migratory waterfowl resting areas. The protection of these species and their habitats are a significant piece of federal and state agreements (and significant to species survival) that allowed initial construction in the Natomas Basin.
 - <!--[if !supportLists]-->b. <!--[endif]-->The UWSP would remove high value mitigation lands needed for impacts to wildlife from the further development on thousands of other plan's acres already approved to use the NBHCP. UWSP construction would trigger the need for substantial new mitigation to replace the on-site loss of this

biologically- rich wildlife corridor. This is not an economically sustainable trade off as it removes high value mitigation lands from consideration that will result in a greater mitigation acreage multiplying factor and higher costs for mitigation of both the project and other projects in the Natomas Basin. This is neither smart accounting nor good planning.

3. Construction would remove prime farmland valued as an urban buffer and for air quality benefits. Farmland is the current General Plan designation of the UWSP area. Farmland as a greenbelt for urban development enriches the experience of living in Natomas.

It is very disturbing that this project asks to overturn the County's General Plan County Urban Service boundary without sufficiently meeting any of the County's 6 criteria which include flood, water, environmental benefits, protection of agricultural lands, and most importantly – housing needs. There are already 1,000s of acres within the Urban Service boundary still available for housing development.

Finally, we are concerned about the appearance of impropriety of having the recent Chair of your advisory council – the NCPAC, act as the Project's attorney, or to have the former county administrator and former City manager - Mr. Thomas, as the applicant. I have already spoken with neighbors living directly north of the development and when I mention Mr. Thomas, they are disheartened, saying if Thomas is proposing it, "it is a done deal." Be extra cautious with these project proponents to avoid public scrutiny of undue influence.

Please halt the Environmental Review and further planning processes of this development proposal until the public can participate actively and serious planning and legal agreement (NBHCP) inconsistencies can be addressed or the project halted.

Sincerely,

Deborah Condon – member of ECOS, and retired State Environmental Program Manager

Steven Cvitanov – Natomas Resident – 3837 Po River Way, Sacramento, CA 95834

ITEM 1 CPAC PUBLIC COMMENT 011

From: [Smith, Todd](#)
To: [Melinda Bradbury](#); [davb49@att.net](#); [FOSH \(swainsonshawk@sbcglobal.net\)](#); [Jamie Cutlip](#); [Supervisor Serna](#); [Nava, Lisa](#); [erickaharden@gmail.com](#); [h-fargo@comcast.net](#); [jpachl@sbcglobal.net](#); [office@ecosacramento.net](#); [aashby@cityofsacramento.org](#); [kevoo7@yahoo.com](#); [rmburness@comcast.net](#); [wirthsoscranes@yahoo.com](#); [rpropper47@icloud.com](#)
Cc: [Taylor, Todd](#); [Lundgren, John](#); [Clerk of the Board Public Email](#); [Townsend, Stephanie](#)
Subject: RE: Request for postponement of CPAC item on Upper Westside Specific Plan
Date: Thursday, June 11, 2020 9:52:15 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.emz](#)
[image006.png](#)

Good morning Ms. Bradbury,

Planning and Environmental Review staff understands your comments and the community concerns, and has forwarded them to the Natomas CPAC for their consideration this evening. The authority to postpone this agenda item lies with the CPAC as the hearing body as this is the next step in the master plan process. We encourage all interested parties to participate by submitting written comments outlining the areas of concern.

If you would like to discuss this further, please feel free to give me a call at 916-874-6918 or send me an email with a phone number where I can reach you. I know that Todd Taylor and John Lundgren have had phone conversations with interested parties over the last several days, and I'm available to do the same. Most of our staff are working remotely right now but are able to retrieve voice messages and return calls.

Thanks,

Todd Smith, Principal Planner

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From: Melinda Bradbury <melindabradbury@sbcglobal.net>
Sent: Wednesday, June 10, 2020 8:18 PM
To: [davb49@att.net](#); [FOSH \(swainsonshawk@sbcglobal.net\)](#) <swainsonshawk@sbcglobal.net>; [Jamie Cutlip](#) <jamie.cutlip@smud.org>; [Supervisor Serna](#) <SupervisorSerna@saccounty.net>; [Nava, Lisa](#) <Naval@saccounty.net>; [erickaharden@gmail.com](#); [h-fargo@comcast.net](#); [jpachl@sbcglobal.net](#); [office@ecosacramento.net](#); [aashby@cityofsacramento.org](#); [kevoo7@yahoo.com](#); [rmburness@comcast.net](#); [wirthsoscranes@yahoo.com](#); [rpropper47@icloud.com](#); [Smith, Todd](#) <smithtodd@saccounty.net>
Cc: [Taylor, Todd](#) <taylorotto@saccounty.net>; [Lundgren, John](#) <lundgrenj@saccounty.net>; [Clerk of the Board Public Email](#) <BoardClerk@saccounty.net>; [Townsend, Stephanie](#) <townsends@saccounty.net>
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Upper Westside Specific Plan

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CPAC

Jamie Cutlip, Chair

Jamie.Cutlip@smud.org

Staff

Todd Taylor, Associate Planner

taylor@SacCounty.net

Erik Dallosta, Meeting Clerk

townsend@SacCounty.net

CC:

Phil Serna, County Supervisor, District 1

SupervisorSerna@SacCounty.net

Lisa Nava, Chief of Staff

Naval@SacCounty.net

----- Forwarded Message -----

From: Sacramento County, CA <casacram@service.govdelivery.com>

To: "davb49@att.net" <davb49@att.net>

Sent: Wednesday, June 3, 2020, 10:52:35 AM PDT

Subject: Sacramento County Upper Westside Project: Natomas CPAC Meeting

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|



ITEM 1 CPAC PUBLIC COMMENT 012

From: [Townsend, Stephanie](#)
To: [Clerk of the Board Public Email](#)
Cc: [Evans, Florence](#); [Munoz, Alma](#)
Subject: FW: Regarding farming in Natomas
Date: Thursday, June 11, 2020 8:53:17 AM
Attachments: [image001.png](#)

For the record

Stephanie Townsend

Deputy Clerk
Board of Supervisors | Clerk of the Board
700 H Street, Suite 2450, Sacramento, CA 95814
916-874-8022



From: John Perry <john@yolocpas.com>
Sent: Thursday, June 11, 2020 8:50 AM
To: CPAC-Natomas <cpac-natomas@sacounty.net>
Subject: Regarding farming in Natomas

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

To whom it may concern:

The goal of preserving agriculture in the joint vision area, where the area has been surrounded by development, is not realistic. My family has farmed in the Natomas area for over eighty years. We currently farm South and West of I-5. This area is surrounded by development. The reasons farming is not viable in the area are numerous, but I will just mention a few. No aerial application of pesticides or herbicides is allowed because of the proximity to residential development. Because of the traffic in the area, movement of farm equipment is very dangerous and difficult. In the recent past, a farmer in the area was killed while moving his tractor on El Centro road. The limitations of the crops that can be planted in the area because of the proximity of development, makes farming not economically viable. Contact me with questions or if you would like a more extensive discussion of the viability of farming in Natomas.

Very truly yours;

Perry Farms by; John Perry

=

-- IMPORTANT: MY OLD EMAIL ADDRESS IS NO LONGER BEING FORWARDED, SO PLEASE UPDATE YOUR ADDRESS BOOK TO John@yolocpas.com.

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

Thanks!

John Perry, CPA

Perry, Bunch and Johnston Inc., CPAs
350 Court Street
Woodland, CA 95695

Phone: (530) 662-3251

Fax: (530) 662-4600

Email: john@yolocpas.com

ITEM 1 CPAC PUBLIC COMMENT 013

From: [Townsend, Stephanie](#)
To: [Clerk of the Board Public Email](#)
Cc: [Evans, Florence](#); [Munoz, Alma](#)
Subject: FW: Upper Westside Project
Date: Thursday, June 11, 2020 8:52:59 AM
Attachments: [image001.png](#)

For the Record

Stephanie Townsend

Deputy Clerk

Board of Supervisors | Clerk of the Board

700 H Street, Suite 2450, Sacramento, CA 95814

916-874-8022



From: JOSEPH BRAZIL <goodnewsjoe@comcast.net>
Sent: Thursday, June 11, 2020 8:36 AM
To: CPAC-Natomas <cpac-natomas@saccounty.net>
Subject: Upper Westside Project

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Hello:

My name is Joseph Brazil. I truly appreciate the opportunity to provide my comment for consideration at the CPAC meeting on 6/11/20 regarding my land and the Upper Westside project – thank you for considering what I have to say.

My family has owned land in the Natomas Boot for nearly 80 years and we are one of the oldest original farming families in the area. We've owned over 120 acres that we have been farming for multiple generations. Our land is located off the West El Camino exit of I-80 (west of El Centro Road in the Natomas Boot).

Farming this land was at one time productive and profitable – But that was a very long time ago. We rarely make any profit with our farming venture as we have lost a considerable amount of money practically every year for many years now for the reasons I will give below. Our losses have got so bad that it forced us to sell one of our 40 acre parcels in order for us to maintain our farming efforts on our other two parcels. So we now own 80 acres in the Natomas Boot instead of the 120 acres my family originally had for nearly 80 years.

From a practical viewpoint, maintaining an agricultural designation for my land no longer makes sense. Farming this land is no longer economically viable for many reasons, a few of which I'll identify here:

(1) Urbanization: Development and homes now surround this area. Across the street from us on the East side, we have fast food; gas stations; hotels; restaurants; storage facilities and other retail. On my West side, we have homes all along Garden

Highway. On the North side of me, we have a large tract of homes (at the corner of El Centro Road and San Juan Road). And to the North of me is the I-80 freeway along with more homes. This urbanization has precluded us from conducting the things we need to do for successful farming and has inhibited our farming practices and abilities considerably.

(2) Traffic: The increased traffic due to the urbanization has created issues for our slow moving tractors and large equipment (and crop hauls) to be transported in and out of the area. Add to the fact that we need to move the equipment and tractors in and out daily due to theft and vandalism, the traffic issue then becomes even more costly for the farmer. My land is only 5 minutes from downtown Sacramento and there are lots of housing developments and people who live in the Natomas area who work downtown. Since many of these residents work downtown, this creates even more traffic and activity for farmers which interferes with our farming practices.

(3) Theft: Due to all the traffic, housing and activity in the area, theft for farmers in the Natomas Boot is at an all time high. They steal parts off tractors, even if the tractors are left in the fields for only a short period of time. They steal irrigation piping, boxing and supplies. And when crops are ripe, they come by at night and steal the produce right out of the field, oftentimes doing damage to the crops. There is already no profit for us in farming, so to hire security would only add to the existing losses.

(4) Vandalism: We can no longer leave tractors or trailers parked for any length of time as there is always theft and vandalism. By no means can we leave equipment or tractors parked overnight. This creates a substantial additional cost for us by needing to move the equipment and tractors in and out of the area frequently and on a daily basis.

(5) Pesticides and Procedures: We are prevented from freely utilizing various farming techniques and applications due to the proximity of urbanization in the area.

(6) Trespassing: Due to all the nearby people, we get lots of trespassers who damage crops and create issues and create potentially dangerous situations for the farmers.

(7) Hunters: People come on the property without permission to hunt game. This creates problems with the shell casings and shot and is also very dangerous to all the nearby people, cars, buildings and homes.

(8) Crops & Water Table: Due to the nearby proximity of the river and decades of erosion/seepage, the water table for our land is very high and thus, limits us to only certain types of crops that can grow there – oftentimes, they are the ones that are least desirable and least profitable for a particular season. Likewise, we are unable to grow trees and plant an orchard of any type as they will be incapable of surviving and thriving due to the soil, seepage and high water levels.

(9) Soil & Crop Yields: Over the decades, the soil continues to lose its integrity due to mineral deficiencies and the consistent high water table levels. We've seen the

crop yields drop considerably over time due to the land quality. What was once a robust, high quality and high yield crop production has now dropped off to a shadow of its former self.

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My family has supported Sacramento and the local economy, restaurants and 'farm to fork' providers for nearly 80 years. We value what we have done and believe we have provided more than our share to help contribute to our community and local economy. But the reality is that when the land no longer works as viable agricultural and farming land, that fact needs to be plainly stated and things need to change. So for anyone to assert that our land is still 'prime farm land' or simply viable for farming is just plain wrong – for someone to make that statement simply means that they don't fully understand the farming industry and they haven't yet talked to a family that has been farming the same spot for nearly 80 years.

In conclusion and in all honesty, we would probably lose less money by simply not farming our land at all rather than planting crops and farming it each year. So by maintaining agricultural status for this land, it would only hurt the local Sacramento community and economy more and more. I firmly believe and convey that this land is definitely not prime farm land and is certainly no longer ideally suited for farming as it had once been in decades past.

So once again, I say this with all due respect, our land is simply no longer suitable for farming and for agricultural classification.

Thank you for allowing me to provide my comment and for your time in reviewing and considering my viewpoint. Please feel free to contact me at any time.

Very truly yours,

Joseph Brazil

Trustee of J&D Natomas Property Trust and JDL&M Natomas Property Trust

(916) 489-1950

GoodNewsJoe@comcast.net

ITEM 1 CPAC PUBLIC COMMENT 014

From: [Rosalyn Bryant](#)
To: [Clerk of the Board Public Email](#)
Subject: Fwd: Upper Westside Project
Date: Thursday, June 11, 2020 8:43:13 AM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Begin forwarded message:

From: JOSEPH BRAZIL <goodnewsjoe@comcast.net>
Subject: Upper Westside Project
Date: June 11, 2020 at 8:36:18 AM PDT
To: CPAC-Natomas@saccounty.net
Resent-From: <cpac-natomas@saccounty.net>
Reply-To: JOSEPH BRAZIL <goodnewsjoe@comcast.net>

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(916) 489-1950
GoodNewsJoe@comcast.net

ITEM 1 CPAC PUBLIC COMMENT 015

From: [Lalanya Rothenberger](#)
To: [Clerk of the Board Public Email](#)
Cc: [Javetta Cleveland](#); [Doug Orr](#)
Subject: Public Comment- 1. PLNP2018-00284 Upper Westside Specific Plan
Date: Thursday, June 11, 2020 4:05:18 PM

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Good Afternoon,

NUSD wishes to make the following public comment regarding the first agenda item, **PLNP2018-00284 Upper Westside Specific Plan.**

"Natomas Unified School District has met with the Upper Westside Development team to address future housing for students. While we are not asking to slow the process, or delay starting the EIR, we hope to continue working with the Developer's team to address the remaining unhoused 260 K-8 students estimated to be generated by this project."

Thank you,

Lalanya Rothenberger

Lalanya Rothenberger | Executive Director

Facilities and Strategic Planning

Natomas Unified School District | 1901 Arena Blvd | Sacramento, CA 95834

Phone: 916-567-5467 | Mobile: 916-201-9947

lrothenberger@natomasunified.org

ITEM 1 CPAC PUBLIC COMMENT 016

From: [JOSEPH BRAZIL](#)
To: [Clerk of the Board Public Email](#)
Subject: Upper Westside Project
Date: Thursday, June 11, 2020 5:27:18 PM

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