

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458

August 2, 2006

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **City of Sacramento Request for Concurrent Sphere of Influence Amendments for both the City of Sacramento SOI and the Sacramento Regional County Sanitation District SOI; and Reorganization (annexation to the City of Sacramento, Sacramento Regional County Sanitation District, and detachment from Natomas Fire Protection District) for the Proposed Greenbriar Farms Development (L AFC 10-05)**
(CEQA: DRAFT ENVIRONMENTAL IMPACT REPORT)
State Clearinghouse Number 2005062144

CONTACT: Donald J. Lockhart, AICP, Assistant Executive Officer (916) 874-2937

RECOMMENDATION

Staff recommends that your Commission open a hearing and receive public comments on the Draft Environmental Impact Report. The **Public Review Period is from: July 19, 2006 to September 5, 2006.**

BACKGROUND

On August 3, 2005, your Commission authorized staff to enter into a MOU with the City of Sacramento to establish the roles and responsibilities as CEQA co-lead agencies for preparation of the environmental review for the Greenbriar Project. The MOU was executed on November 1, 2005, (Attached.)

Basic Principles of the Memorandum of Understanding

- LAFCo is the lead agency for the Environmental Impact Report for the Sphere of Influence Amendments.
- The City of Sacramento is the lead agency for the Environmental Impact Report for the related land use entitlements, including rezoning, and reorganization.
- The City of Sacramento, and its contractor, will prepare the Draft EIR, pursuant to LAFCo requirements for a Sphere of Influence Amendment and reorganizations.

- LAFCo staff will have oversight review and direct the City EIR and MSR team during the preparation of the Draft EIR for the Sphere of Influence Amendments prior to publication.
- It is the intent of the City of Sacramento to also use the EIR to consider the various related land use entitlements.
- The City of Sacramento will fund the cost of the Environmental Impact Report and will reimburse LAFCo for its oversight role.
- LAFCo, as permitted under CEQA Guidelines, will allow the City to select consultants and sub-consultants to prepare the EIR. However, the EIR shall be prepared under the direction and supervision of LAFCo and its EIR Consultant (Robert Klousner, Planning Partners).

DRAFT ENVIRONMENTAL IMPACT REPORT

A Notice of Availability was issued July 18, 2006 to over 100 interested parties, including agencies and members of the public (Attachment 2.) Sacramento LAFCo and the City of Sacramento, as co-lead agencies, have prepared a full-scope, project level Draft EIR that addresses the following resource areas:

- Transportation and Circulation
- Air Quality
- Noise
- Population and Housing
- Utilities
- Public Services
- Parks
- Aesthetics
- Land Use
- Geology and Soils
- Hydrology, Drainage, and Water Quality
- Agricultural Resources
- Biological Resources
- Cumulative Impacts
- Alternatives

Mitigation is included in the EIR to reduce many impacts to less-than-significant levels. Significant and unavoidable impacts have been identified in the following areas: air quality, transportation and circulation, agricultural resources, land use compatibility, farmland resources, cumulative loss of open space resources, visual resources, and consistency with the Sacramento International Airport Comprehensive Land Use Plan.

Your Commission should note that the project area is within the Natomas Basin, and is located within the Natomas Basin Habitat Conservation Plan (NBHCP) plan area. The Greenbriar project area, however, is located outside of the City of Sacramento Permit Area that was covered by the incidental take permits issued by the U.S. Fish & Wildlife Service and California Department of Fish & Game. Annexation of additional lands into the City that are outside of the City's Permit Area requires reevaluation of the NBHCP, a new effects analysis, potential amendments and/or revisions to the NBHCP and the incidental take permits, a separate conservation strategy and the need to obtain a new incidental take permit by the permittee for that additional development. There are two types of changes which may be made to the NBHCP and/or the NBHCP Permit and/or its associated documents with respect to the addition of the Greenbriar project area to the City's Permit Area:

*Revisions
Amendments*

Any revisions or amendments shall be in accordance with the NBHCP, and all applicable legal requirements, including but not limited to the National Environmental Policy Act (NEPA,) the California Endangered Species Act (CESA,) California Environmental Quality Act (CEQA,) and any applicable state and federal laws and regulations.

LAFCO ISSUES OF INTEREST

As a co-lead agency under CEQA, LAFCo must ensure that the environmental document prepared for the project adequately addresses LAFCo matters in addition to addressing City of Sacramento matters. As such, the following discussion briefly describes issues that are of primary importance to LAFCo and where detailed discussions of these issues can be found within this DEIR.

- *Utilities (Section 6.5):* Issues related to the project's impacts to local and regional water and wastewater treatment and conveyance, storm drainage, and electrical and natural gas facilities are discussed in this section.
- *Public Services (Section 6.6):* Issues related to the project's impacts to police, fire, emergency, solid waste, school, and library services within the City are discussed in this section. Appendix K presents the City's Water Supply Assessment for the Greenbriar project.
- *Parks and Open Space (Section 6.7):* Issues related to the project's provision and preservation of park and open space areas including the project's impacts to existing City and County park and open space resources are discussed in this section.
- *Hydrology, Drainage and Water Quality (Section 6.10):* Issues related to the project's impacts relating to water quality, hydrology of the Natomas Basin and levee protection.
- *Agriculture (Section 6.12):* Issues related to the project's impacts to existing agricultural resources, Williamson Act contracts, and adjacent agricultural operations are discussed in this section.

- *Alternatives (Chapter 8)*: Issues related to the SOI amendment to accommodate projected residential development are evaluated in this section.

The Draft EIR is being circulated for a **45-day public review period from Wednesday, July 19, 2006 through Tuesday, September 5, 2006.**

Written comments regarding the Draft EIR should be received by the City of Sacramento Environmental Planning Services **NO LATER THAN 5:00 P.M., September 5, 2006.** Written comments should be submitted to:

Tom Buford, Senior Planner
 City of Sacramento,
 Environmental Planning Services
 North Permit Center
 2101 Arena Boulevard, Second Floor
 Sacramento, CA 95834
 FAX#: (916) 808-5328
 tbuford@cityofsacramento.org

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 1112 I Street,
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 Sacramento, CA 95814-2836
 FAX# (916)874-2937
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The Draft EIR may be reviewed on-line @ www.saclafco.org, or @ www.cityofsacramento.org, and it has been forwarded to the City Central Library, 828 I Street, Sacramento, CA 95814 and North Natomas Library, 2500 New Market Drive, Sacramento CA 95835

PROPOSED PROJECT

The City of Sacramento has received an application to process entitlements for a 577 acre site known as Greenbriar. The project site is located at the northwest intersection of State Route 99 (SR 99) and Interstate 5 (I-5). The site is located in the unincorporated territory of Sacramento County in the area generally described as the Natomas Joint Vision area. It is located outside the Sacramento County General Plan Urban Services Boundary as well as the Urban Policy Area.

The project would result in the development of a total 3,473 residential units: 671 low-density, 2,215 medium density; and 587 high-density residential units, approximately 27.5 (net) acres of commercial land uses, an approximate 39-acre (net) lake/detention basin, a 10-acre (net) elementary school, approximately 49 (net) acres of parks and open space, and a 250-foot linear open space/buffer along the property’s western boundary that would be managed as habitat for the giant garter snake.

Entitlement actions sought by the project applicant include:

- Sacramento County Airport Land Use Commission (ALUC) determination of the project’s consistency with the Sacramento International Airport Comprehensive Land Use Plan (CLUP).
- Sacramento LAFCo approval of:

- Certification of the EIR as to the Sphere of Influence Amendments and adoption of Mitigation Monitoring Plan
- Municipal Services Review
- Amendment of the City's SOI
- Amendment of the SRCSD's SOI
- Reorganization/annexation to City and SRCSD and detachment from Natomas Fire Protection District after City Planning Commission and City Council approvals below.
- Planning Commission approval of:
 - Certification of the EIR and adoption of Mitigation Monitoring Plan
 - Tentative master subdivision map
- City Council approval of:
 - Certification of the EIR for the Pre-Zoning and actions stated below and adoption of Mitigation Monitoring Plan
 - Pre-zoning for the project site
 - General Plan Map Amendment
 - Amendment of NNCP Boundary
 - Planned Unit Development: Schematic Plan and Development Guidelines
 - Finance Plan
 - Inclusionary Housing Plan
 - Development Agreement
 - Statement of override of ALUC consistency determination

In response to the application, the City Council adopted Resolutions initiating these LAFCo proceedings.

EXECUTIVE OFFICER COMMENTS

Your Commission and the City of Sacramento have adopted an MOU to act as co-lead agencies for the CEQA review process. The procedures of the City do not provide for a Public Workshop during the DEIR public review period. The City Manager has requested that your Commission hold this Public Workshop on the Draft EIR, (attached.)

Public hearings are encouraged, but not required for the Draft EIR. Historically, LAFCo holds a hearing to receive public testimony on Draft Environmental Impact Reports. This hearing tends to be thirty or more days after issuance of the DEIR. However, the timing of the hearing can be flexible.

James Pachl, on behalf of ECOS, Friends of Swainson's Hawk, and the Sierra Club; and Barbara Graichen, of the Natomas Community Association have requested a continuance of the Commission's scheduled hearing on the DEIR this evening. Your next scheduled meeting is October 4, 2006.

The regularly scheduled meeting of September 6, 2006 is cancelled due to the CALAFCo Annual Conference which staff and three Commissioners will attend. Mr. Pachl has

requested that the Commission continue the matter, and either schedule a special hearing in late August or early September; or continue this item to October 4, 2006 to provide the public more time to review the DEIR and related studies.

The Notice of Availability was issued July 18, 2006 and the Draft EIR for the proposed SOI/Annexation of Greenbriar was issued on July 19, 2006. The Draft EIR has a minimum 45-day comment period because it has been submitted to the State Clearinghouse for State agency review. The review period currently ends on September 5, 2006. It may be extended to sixty days, or more in the event of unusual circumstances.

The purpose of the tonight's hearing is to present the Draft EIR and receive public comment on the project. **Affected agencies and the public will have the complete 45-day period during which to provide written comment to both LAFCo and the City of Sacramento on the project.**

Your Commission has several options you may consider this evening:

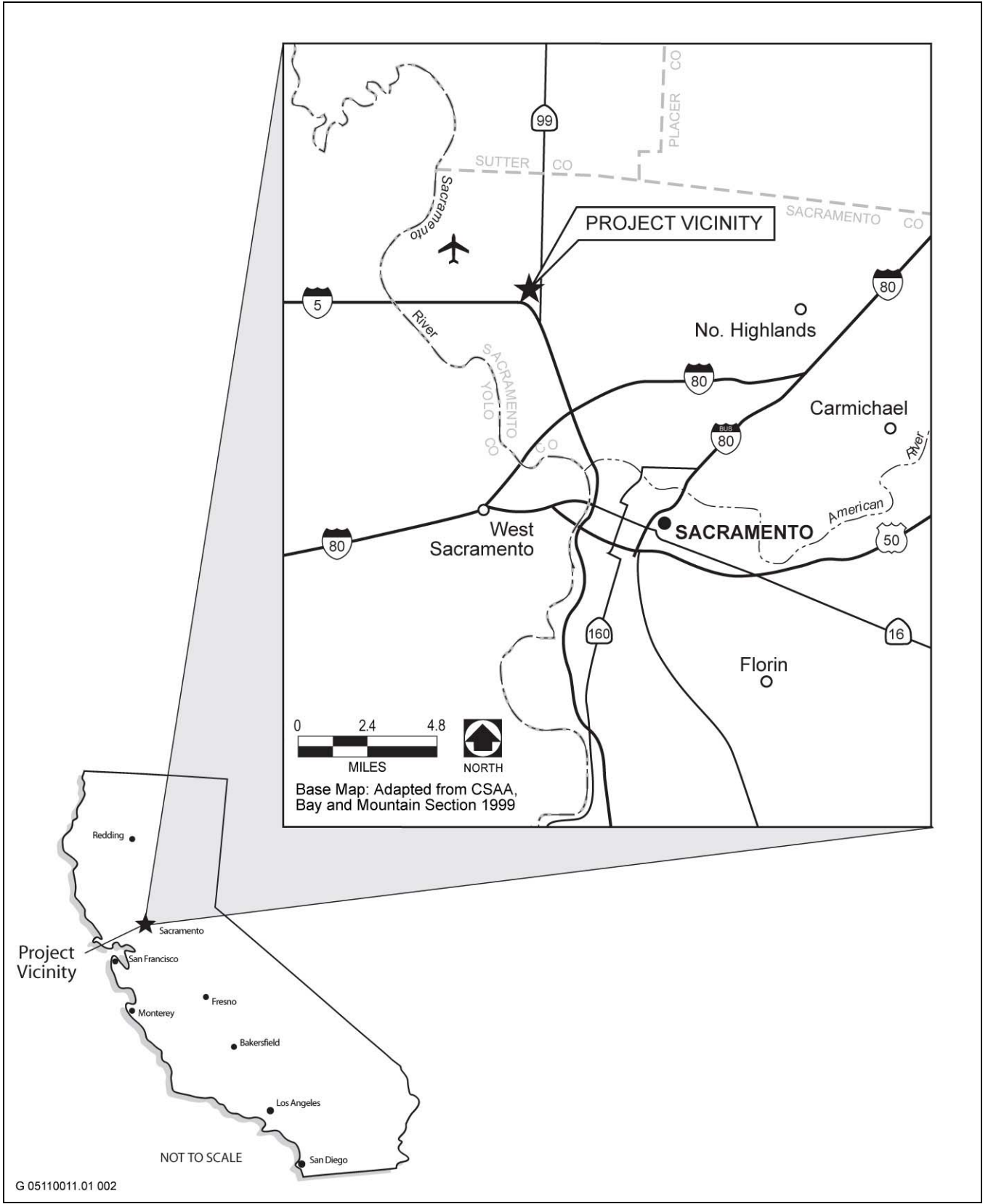
1. Reschedule the presentation of the Draft EIR on the City of Sacramento's proposed Annexation of Greenbriar to a special meeting or continue the matter to the scheduled hearing of October 4, 2006.
2. Receive public comment on the Draft EIR and continue the matter to a date certain.
3. Receive public comment on August 2, 2006, without additional public meetings.
4. Hear the item and direct staff to hold another public outreach meeting in the community.

I recommend Option 3, in light of the full 45 day Public Review period, which runs through September 5, 2006.

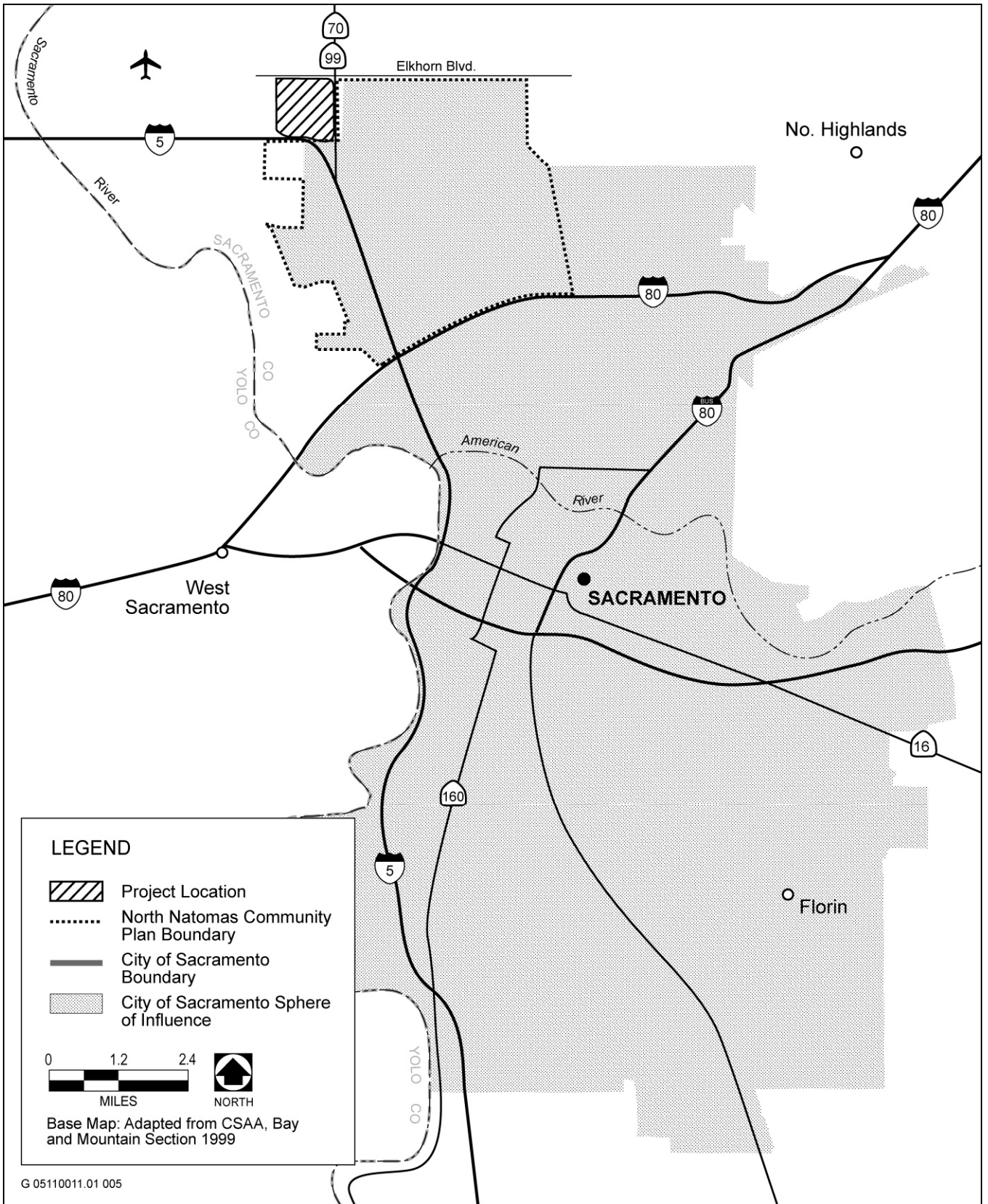
Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

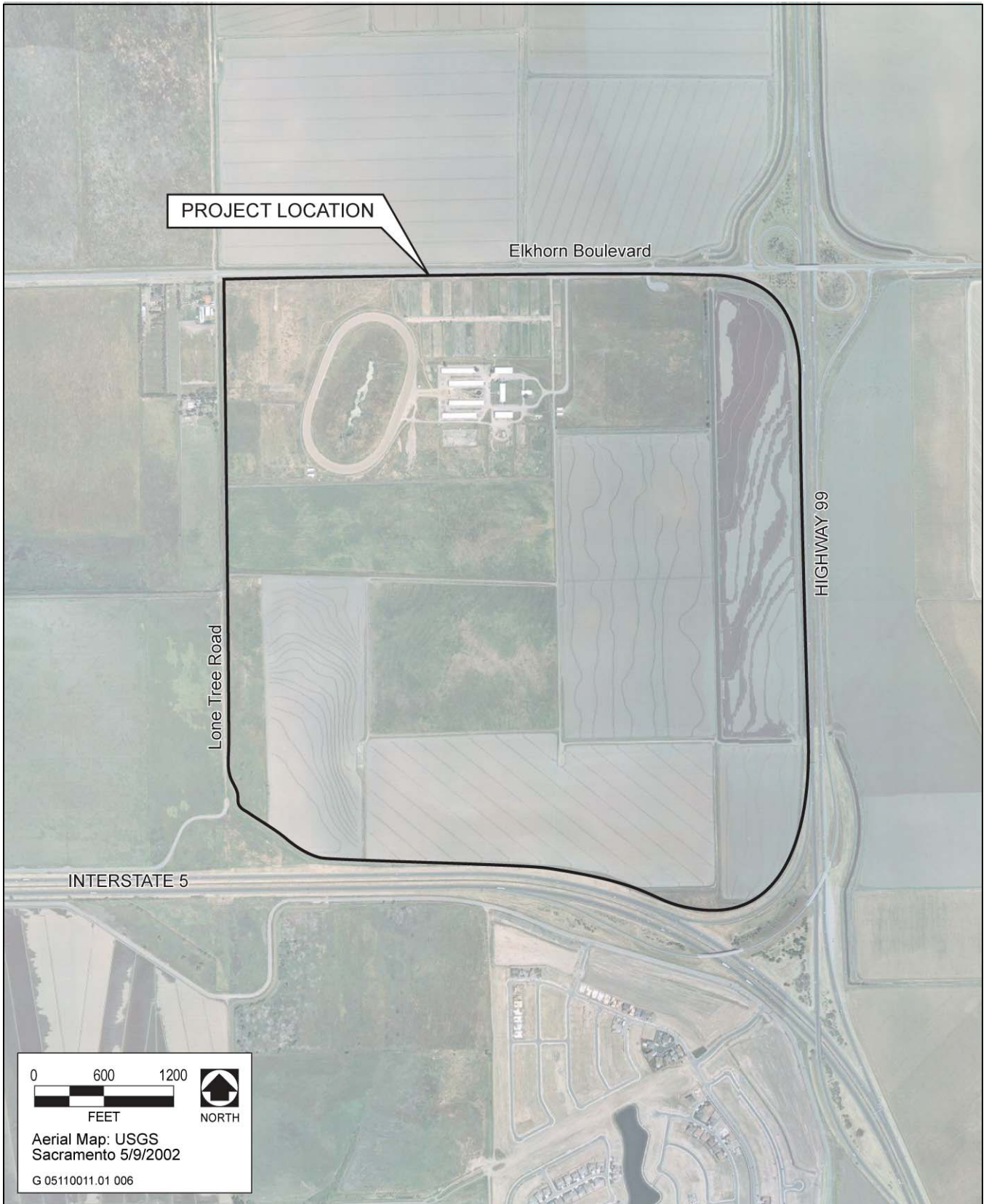
Peter Brundage
Executive Officer
PB/DL:Maf
Attachments



Source: EDAW 2005 Exhibit 3-1
Project Vicinity Map



Source: EDAW 2005 **Project Location Map** Exhibit 3-2



Source: EDAW 2005 Aerial Photo of Site