

May 29, 2002

To: Sutter County Planning Commission

Re: Agenda Item #18: Public hearing on Development Agreement #02-01 between Sutter County and the Natomas Basin Conservancy; applicant - Sutter County (Location: District 5 - Commissioner Shannon)

Current Proposal

A. Project Description:

This is a request to allow Sutter County to enter into a development agreement with the Natomas Basin Conservancy (NBC) for the purpose of allowing the NBC to modify existing agricultural lands and restore, enhance, use and maintain the lands as environmental conservation areas. The agreement (Exhibit A) requires the County to review and approve all restoration and enhancement activities that will result in the conversion of agricultural land to managed marsh habitat.

Environmental Consideration:

In accordance with the California Environmental Quality Act and the CEQA Guidelines, this project is categorically exempt under Sections 15304, 15307, and 15308, Class 3, 7, and 8 exemptions respectively, which relate to grading of lands with a slope of less than 10%, and actions taken to protect natural resources and the environment.

Background

The NBC is a non-profit public entity with the purpose of purchasing, managing and improving land. The principal purpose of the NBC is to implement the Natomas Basin Habitat Conservation Plan, a plan that is used to mitigate the impacts of development on several wildlife species. The NBC has purchased land in Sutter and Sacramento Counties and is now ready to begin some conversion of agricultural land to habitat.

Since 1997, the Board of Supervisors required anyone wishing to convert agriculturally designated land to permanent habitat to have an open space land use designation and parks and recreation zoning. A development agreement provides another option to review these conversions.

Staff Comments

The development agreement provides the vehicle to allow the County to review a land management plan and ensure the plan is compatible with neighboring agricultural uses. The agreement requires the NBC to submit a land management plan that shows how the agricultural land will be converted. Once a plan is submitted, the County will review the plan's grading and landscaping plan.

The development agreement is consistent with General Plan policies 1.F-1, 1.F-2, and 1.F-4 which relate to protecting agricultural land from development.

Recommended Findings

Based upon information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. The project is categorically exempt from the California Environmental Quality Act under CEQA Guidelines sections 15304, 15307, and 15308, Class 3, 7, and 8 exemptions respectively, which relate to grading of lands with a slope of less than 10%, and actions taken to protect natural resources and the environment.
- B. The proposed use is consistent with the Sutter County General Plan.

Recommended Action

- A. Adopt the findings as recommended by staff.
- B. Recommend the Board of Supervisors approve the Development Agreement with the Natomas Basin Conservancy.

Sincerely,

Thomas A. Last
Planning Division Chief

Attachment: Exhibit A - Draft Development Agreement

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