# RESOLUTION NO. 2012-390

Adopted by the Sacramento City Council

November 13, 2012

## APPROVING AMERICAN AND SACRAMENTO RIVER PARKWAY PLANS 2012 IMPLEMENTATION PROGRAM AND APPROVING A CAPITAL IMPROVEMENT PROGRAM (CIP) FOR RIVER PARKWAYS IMPLEMENTATION PROGRAM (L19016500)

## BACKGROUND

A. The City approved the 2008 American River Parkway Plan on November 6, 2008, the Sacramento River Parkway Plan on October 21, 1997, and the 2010 Sacramento City/County Bikeway Master Plan Amendments on March 8, 2011. All are the basis for implementation of the City's goal to provide continuous public access along both of Sacramento's signature Rivers.

B. City Council Resolution No. 2012-185, Section 10.2, requires City Council approval to establish Capital Improvement Program (CIP) projects. Resolution No. 2004-549 established a new Regional Parks and Parkways Capital Improvement Project. Adequate funds are available in this CIP to allocate for implementation of the proposed River Parkway Plans 2012 Implementation Program.

## BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The *American and Sacramento River Parkway Plans 2012 Implementation Program*, attached as Exhibit A, and its recommendations are approved.

Section 2. A new Capital Improvement Program (CIP) project for River Parkway Plans Implementation is established as L19016500.

Section 3. That $100,000 from the Regional Park/Parkway Acquisition/Development (L19003500) is transferred to L19016500.

Section 4. The City Manager, or City Manager's designee, is authorized to negotiate with public agencies and private parties for public access trail easements.

Section 5. The City Manager, or City Manager's designee, is authorized to coordinate with local, state, and federal agencies regarding associated flood protection permit and easement compliance and removal of unpermitted encroachments.

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Exhibit A--American and Sacramento River Parkway Plans 2012 Implementation Program dated November 13, 2012

Adopted by the City of Sacramento City Council on November 13, 2012 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None

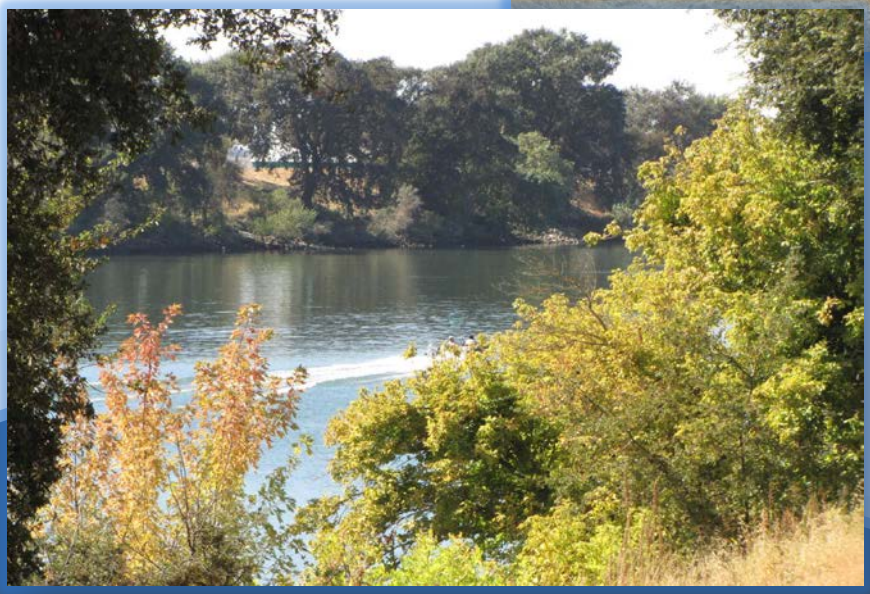
Angelique Ashby, Vice-Mayor

Attest:

Shirley Concolino, City Clerk

# AMERICAN & SACRAMENTO RIVER PARKWAY PLANS

*American River*



*Sacramento River*

## 2012 IMPLEMENTATION PROGRAM

Report to City of Sacramento City Council

Approved November 13, 2012

CITY OF SACRAMENTO
DEPARTMENT OF PARKS AND RECREATION

**CITY OF SACRAMENTO**
Kevin Johnson, Mayor

**CITY COUNCIL**
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Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, District 8

John F. Shirey, City Manager

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Jonathan Rewers, Chair, District 2
Jeff Harris, District 3
Dave O'Toole, District 4
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Jay Hansen, At Large
Brandon Beaver, Mayoral

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Sue Brown, District 3, Director
Maria Alvarez, District 6 Director
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- Nell Hessel, Program Analyst
- Karen Armstrong, Web Master
- John Herrera, GIS Specialist

Community Development Department
- Scot Mende, Principal Planner

Public Works Department
- Ed Cox, Bike & Pedestrian Coordinator

City Attorney's Office
- Sheryl Patterson, Senior Deputy City Attorney

General Services Department
- Richard Sanders, Real Property Agent

Utilities Department
- William Roberts, Utilities Field Services Superintendent

Convention, Culture & Leisure Department
- Liz Brenner, Old Sacramento Operations Manager

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# INTRODUCTION

## VISION STATEMENT

To achieve its vision to be the most livable City in America, Sacramento will:

- Be linked to the rest of the region by an extensive, efficient, and safe network of roadways, bridges, mass transit, bikeways, pedestrian trails, and sidewalks.
- Protect its historic and cultural resources and its natural environment and will increase access to its riverfront and open spaces for the enjoyment of its growing population. (*2030 General Plan*)

Implementation of previously approved or accepted Plans for the American and Sacramento River Parkways contribute directly to realization of this vision. The American River Parkway totals approximately 1,500 acres in the City, and the Sacramento River Parkway approximately 125 acres.

In 2012, Sacramento placed 2nd nationally in the Trust for Public Land ParkScore™ Rating of the 40 largest U.S. cities; one of the factors in achieving this rating are the number of park acres in the City. In 2011, Sacramento achieved Silver status with the League of American Bicyclists' Award as a Bicycle Friendly Community; implementing an additional approximately 14 miles of "on-Rivers" trails could help achieve Gold or Platinum status with nineteen other U.S. cities.

## BENEFITS OF RIVER PARKWAYS

It should be expected that completion of a continuous off-street multiuse trail along both Rivers will contribute significant direct and indirect economic benefits to the City and the region. The American River Parkway with its existing trails and nature opportunities already makes such a contribution. In 2006, the estimated annual direct spending for all Parkway related goods and services in the greater Sacramento area was approximately $376 million, which includes annual Parkway visitor spending for recreational related activities. Sacramento County estimates annual visitation to the American River Parkway at 8 million people per year. Construction of the remaining trail segments will also generate construction-related jobs. Significant public health (physical and psychological), environmental, and social benefits will also be realized.

**PROJECT DESCRIPTION** *(see Map below, page 3)*

Completion of a continuous multiuse public trail "on-Rivers" for approximately 25 miles:

- Along the south side of the **American River** from its confluence with the Sacramento River east to Watt Avenue (approx. 9 miles); and,
- Along the east side of the **Sacramento River** at I-80 and Garden Highway south to Freeport (approx. 16 miles).

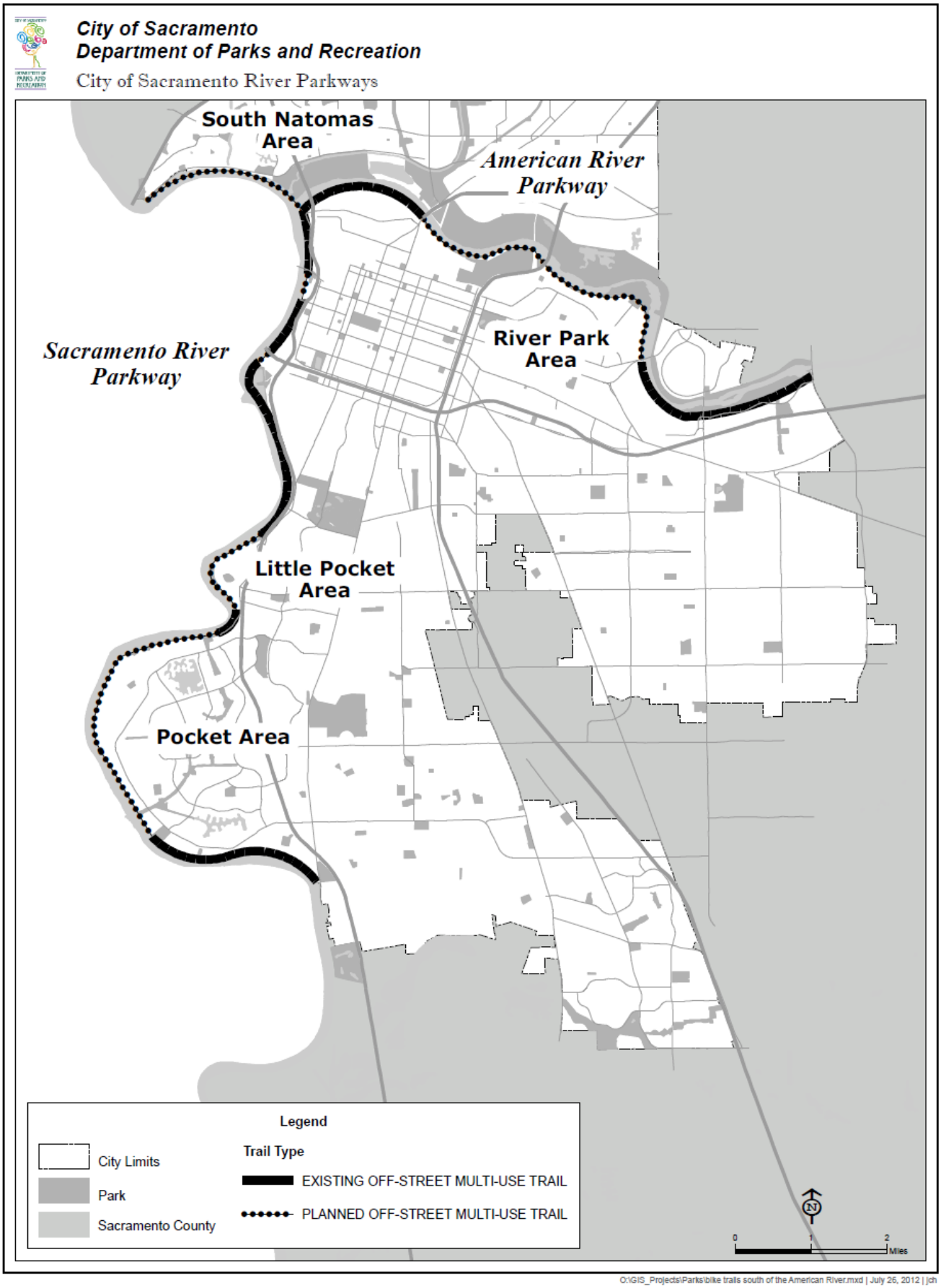
Currently, slightly more than half of these total miles are developed. On the Sacramento River, an estimated 9 miles are developed and 8 miles are not. On the American River, an estimated 5 miles are developed and 4 miles are not.

**American River Parkway Gap.** On the American River, a gap extends approximately 5 miles from State Route 160 to H Street. Flood control levees on the American River are mostly within public ownership (primarily City, State, County or Flood Control District). Where the levee is publicly owned and a paved trail is not already present, the City may need to acquire public access rights in order to design and build the trail.

- River Park: In the River Park neighborhood, private residential lots back up to the County owned levee. Rear fences to the homes are set back ten feet from the landside levee toe to allow for levee maintenance. The levee itself is already under public ownership; the City may need to acquire public access rights in order to design and build the trail.
- UPRR: The acquisition of multi-use trail rights crossing beneath two separate Union Pacific Railroad bridges will likely prove to be the most challenging aspect of this gap. Seeking a grant to fund design and construction would be the logical next step.
- SR 160: Crossing State Route 160 will occur when the changes are made to the street system in the River District. The exact configuration of this crossing has not yet been determined, but among the possibilities would be an overcrossing structure.

**Sacramento River Parkway Gaps.** There are five distinct gaps in the Sacramento River Parkway.

- South Natomas: Starting from north to south, the Sacramento River Parkway in South Natomas extends from Interstate 80 at Sand Cove Park easterly to Discovery Park. The Garden Highway is currently located on the levee top. Two small sections of multiuse trail currently exist alongside Garden Highway; however, these segments will likely be impacted by the U.S. Army Corps of Engineers (USACE) Natomas Levee Improvement Project. Federal funding is currently being sought for this massive flood protection project. Trail construction will likely follow the USACE project. The City provided comments during the Natomas Levee Improvement Project environmental review public review period to alert the USACE that City parklands and multiuse trails currently found along the Garden Highway would be impacted by the project. Once the levee improvement project is funded and construction documents are being prepared, the City will work with the USACE to ensure that a multiuse trail can be constructed in conjunction with the levee repair project or thereafter.


City of Sacramento
Department of Parks and Recreation
City of Sacramento River Parkways
South Natomas Area
American River Parkway
River Park Area
Sacramento River Parkway
Little Pocket Area
Pocket Area
Legend
City Limits
Park
Sacramento County
Trail Type
EXISTING OFF-STREET MULTI-USE TRAIL
PLANNED OFF-STREET MULTI-USE TRAIL
N
0
1
2
Miles
O:\GIS_Projects\Parks\bike trails south of the American River.mxd | July 26, 2012 | jch

- Old Sacramento: There is a path along the waterfront in Old Sacramento between the Tower Bridge and the I Street Bridge. It is made up of wood boardwalks and some areas of rough pavement. Most of these segments are not suitable for all multi-use trail users, and should be upgraded. The City or State owns or has rights to the land over which the Parkway will be located.
- Miller Park: The Miller Park gap (between Broadway and Miller Park) is due to the presence of a small tank farm, railroad right-of-way and rail lines. Closing the gap through this area may involve acquisition of a trail easement or fee title and construction of a Class I trail through this area and part of Miller Park.
- Little Pocket: The area south of Captain's Table Road and the Le Rivage Hotel / Scott's Seafood Restaurant is known as the Little Pocket. Multiuse trail rights between the hotel / restaurant and river currently terminate at a locked levee gate. The area south of the hotel and extending to the 35th Avenue entrance to the Parkway off Riverside Boulevard is primarily comprised of single family homes. Chicory Bend Park is at the center of the Little Pocket Area. It was acquired by the State Lands Commission and is leased to the City as a community park. In the Little Pocket and the gap area of the Pocket, the underlying fee ownership of the levees belongs to the property owner. The State holds a flood control easement over the levee and extending ten feet from the landside toe of the levee. In the gap areas of the Little Pocket and Pocket, the levee and maintenance area at the toe of the levee is located in the rear yards of the adjoining homes. Some of the Little Pocket homeowners have private boat docks on the river. Acquisition of a public access easement on the levee would be necessary before a trail could be constructed in this gap. Loss of privacy and security are big concerns to the homeowners in these areas.
- Greenhaven: The Greenhaven / Middle Pocket gap begins west of Zacharias Park, generally extending to Garcia Bend Park in the southern part of the Pocket. Like the Little Pocket segment, the underlying fee ownership of the levees belongs to the property owner and the State holds a flood control easement over the levee and extending ten feet from the landside toe of the levee. Acquisition of a public access easement on the levee would be necessary before a trail could be constructed in this segment.
- Freeport: The last gap is at the southern tip of the City. Starting at the current end of the trail south of the new Freeport Regional Water Authority facility, a new pathway will cross Freeport Boulevard and connect to the Bill Conlin Regional Youth Sports Complex. The City Department of Public Works has secured all the needed real estate from the State of California and is finishing the design plans. Construction is expected to start within a year.

Once completed, the project will afford off-street transportation, recreation and education opportunities for approximately 45 miles "on-River" in the City limits (both River Parkways combined, including the American River Parkway facilities of Sacramento County). Beyond the City limits, American River Parkway off-street trails continue another 20 miles east to Folsom Dam. These off-street trails in the City are also part of the larger system in parks and throughout the City of approximately 88 miles (as of Spring 2009) and are part of a much larger connected system defined in

the six county Sacramento Area Council of Governments' *Regional Bicycle, Pedestrian and Trails Master Plan*.

Multiuse trails accommodate pedestrians, bicyclists, skaters, maintenance and emergency vehicles. These trails are classified as Class I Bikeways or Bike Paths by CalTrans, providing completely separated right of way for the exclusive use of bicycles and pedestrians with crossflow by motorists minimized. The Parkway trails can be expected to be used for commuting, recreation and education including walking, running, skating, biking, dog walking, wildlife watching and nature study within or immediately adjacent to the Rivers' riparian habitat corridor.

## BACKGROUND

The City of Sacramento is situated at the confluence of two of California's great rivers: the American and the Sacramento. Both river corridors have been recognized for their potential as unique and valuable recreational and non-motorized transportation opportunities, but the River Parkways differ in their completeness of implementation in the City.

### AMERICAN RIVER PARKWAY

The American River Parkway is an existing open space corridor which crosses the jurisdictional boundaries of the County of Sacramento, the Cities of Sacramento and Rancho Cordova, and the Lake Natoma portion of the Folsom Lake State Recreational Area. The Sacramento County Regional Parks Department has primary responsibility for the administration and management of the American River Parkway between Hazel Avenue and the confluence with the Sacramento River, including the portion of the Parkway located within the City of Sacramento.

The Jedediah Smith Memorial Bicycle Trail on the north side of the river extends the full length of the Parkway to Folsom Dam, a distance of nearly 29 miles. The Two Rivers Trail, on the south side of the American River, exists from Tiscornia Park at the confluence of the Sacramento / American Rivers to North 12th Street in the River District. Planned segments will eventually link North 12th Street to the H Street Bridge near CSU, Sacramento, at which point a trail on the river's south side extends eastward to the Watt Avenue Bridge.

The *American River Parkway Plan 2008* (2008 Plan) is the governing land use and policy document for the Parkway. Final adoption of the Plan is the responsibility of the California State Legislature, acting under the Urban American River Parkway Preservation Act. The 2008 Plan was adopted by the State Legislature in 2009. The Sacramento City Council recommended adoption of the 2008 Plan via approval of Resolution 2008-731 on November 6, 2008. The 2008 Plan was an update to the 1986 Plan, which was an update to the original Plan adopted in 1975.

### SACRAMENTO RIVER PARKWAY

The Sacramento River Parkway extends from Interstate 80 in South Natomas to the southern tip of the City on the east side of the Sacramento River. A continuous paved off-street trail currently has gaps in various segments: South Natomas (south of the Garden Highway), Old Sacramento (I Street to Capitol Mall), Broadway to Miller Park, the Little Pocket, Greenhaven / Middle Pocket, and a connection from the City's southern tip to Freeport Boulevard.

In 1975, the Sacramento City Council took the first formal action to recognize recreational use along the Sacramento Riverfront by adopting a *Feasibility Study and Sacramento River Parkway Master Plan* (1975 Plan). The 1975 Plan introduced the concept of developing public access recreation along the Sacramento River, coupled with natural resource protection and enhancement.

In 1997, an update to the *Sacramento River Parkway Plan* was adopted by passage of Resolutions 1997-590 through -594, which included actions to update the *City/County Bikeway Master Plan* Map to include the proposed off-street multiuse trail along the Sacramento River. The 1997 Plan retained the core values of the 1975 Plan, adding guiding policies that addressed security, privacy and design issues. This Plan includes a map showing proposed off-street segments where they do not currently exist "on-River" along the entire Sacramento River in the City.

In 2000, the City Council adopted Resolution 2000-464 to accept the *Sacramento River Greenway Plan* (Greenway Plan) as an advisory document. The Greenway Plan was prepared by the State Lands Commission, with the assistance of the cities of Sacramento and West Sacramento, and the counties of Yolo and Sacramento. The Greenway Plan complements the 1997 Plan; it is intended as a regional planning tool to coordinate resource management and public recreation access to both sides of the Sacramento River.

The Delta Protection Commission is a State entity formed to plan for and guide the conservation and enhancement of the natural resources of the Sacramento-San Joaquin Delta, while sustaining agriculture and meeting increased recreational demand. In 2006, the Delta Protection Commission's charge was extended to establish a continuous recreation corridor, including a bicycle and hiking trail, around the Delta. On March 22, 2012, the Delta Protection Commission adopted the Sacramento River Parkway as a segment of the Great Delta Trail. The Sacramento City Council designated the existing segments of the Sacramento River Parkway as the Great Delta Trail at its June 5, 2012 meeting. In late September, the Delta Protection Commission placed signage identifying the entry points to the existing Sacramento River Parkway trailheads with Great Delta Trail signs. The signs complement the Sacramento River Parkway signage that was installed by the City in 2011 to identify the existing segments and trailheads to the Sacramento River Parkway.

## 2010 SACRAMENTO CITY/COUNTY BIKEWAY MASTER PLAN

The *Bikeway Master Plan* is the basis for implementing bikeways throughout the City. It documents existing and proposed off-street and on-street bikeways. The plan calls for a total of 198 miles of off-street bikeways, of which 82 miles are already in place. It also calls for 455 miles of on-street bikeways, of which 290 miles are already in place.

The earliest version of the *Bikeway Master Plan* was created in 1975, and has had many amendments and updates throughout the years. The most current amendments occurred in 2011 through Resolutions R2011-131 and R2011-497. A comprehensive update and amendment is planned for 2013. With regard to the Sacramento River Parkway, the *Bikeway Master Plan* was updated in 1997 via Resolution R97-592 to incorporate the portions of the Pocket and Little Pocket. Along the American River, its Parkway Plan has identified the south bank of the American River to be an off-street bikeway between Business 80 and H Street.

## 2005-2010 SACRAMENTO PARKS AND RECREATION MASTER PLAN

The City's *Parks and Recreation Master Plan* (Master Plan) was last updated in April 2009. The Master Plan is the City's guiding policy document for the provision of park and recreation services. The Master Plan charts the growth, direction, and agenda for the Parks & Recreation Department. It also includes an analysis of the City's existing parks and recreation services and an outline of departmental needs.

Completion of the Sacramento River Parkway and Two Rivers Trail in the American River Parkway is consistent with the Master Plan. The Master Plan contains numerous policies related to the provision of passive open space and recreational trails, including both the American and Sacramento River Parkways (see also Master Plan Map 4, Appendix A).

## 2030 GENERAL PLAN

The *General Plan* was adopted on March 3, 2009 as the City's guiding policy document and a 'blueprint for growth' for the next twenty years. The guiding vision of the *General Plan* is that *Sacramento will be the most livable city in America.* Contained within Guiding Principle ERC 2.1.2 is the desire to "link Sacramento to the rest of the region by a network of bikeways and pedestrian trails."

The *Sacramento City/County Bikeways Master Plan* and the *Sacramento Parks and Recreation Master Plan* are incorporated by reference into the *General Plan*.

## 2003 SACRAMENTO RIVERFRONT MASTER PLAN

The Cities of Sacramento and West Sacramento, together with the Counties of Sacramento and Yolo, created and accepted the *Sacramento Riverfront Master Plan* in July 2003. The goal of the Plan is to create high quality, riverfront public spaces surrounded by vibrant, urban neighborhoods, where cultural and recreational opportunities can be easily accessed and which provide a rich social experience. Implementation of the *Sacramento River Parkway Plan* would be consistent with this Plan.

### 2012-2025 SACRAMENTO REGION CIVIC AMENITIES STRATEGIC PLAN (Draft)

Both the American River and Sacramento River Parkways are identified as major regional assets in this document developed by the Sacramento Metropolitan Chamber of Commerce.

### IMPLEMENTATION UPDATE, 1998-PRESENT

**Table 1** below provides a summary of implementation actions in both the American and Sacramento River Parkways, taken by the City in cooperation with others, to further the City's vision of "on-Rivers" paved public trails. The reporting timeframe is 1998-present, and includes projects both completed and in progress. All of these actions are required to be and are consistent with the City's previously adopted plans and policies described above.

## Table 1: AMERICAN AND SACRAMENTO RIVER PARKWAY PLANS IMPLEMENTATION UPDATE, 1998-Present

| | | | Location(s) | Completion Timeframe |
|---|---|---|---|---|
| **American River Parkway (south side of River)** | | | | |
| A1. | | Two Rivers Trail Ph. 1 Construction ($2.6M from grants and City funds) | Tiscornia Park east to SR-160 | 2006 |
| A2. | | 6.6 acre Riverfront Land Dedication from Blue Diamond | East of Sacramento Northern Pkwy. | 2007 |
| A3. | | American River Parkway Plan update adopted | Confluence with Sac. River east to Watt Ave. | 2008 |
| A4. | | $500K SACOG grant for CEQA Review/Planning/Right of Way Acquisition | SR-160 east to H St. | 2015 |
| A5. | | Sutter's Landing Park | | |
| | a. | $tbd invested in various Park/Recreation Amenity Improvements including paved off-street trail | UPRR Line at 28th St. north to River levee | 2011 |
| | b. | $1.5M State grant awarded for habitat restoration, paving levee top for bike-ped. trail; improved gateway to River Parkway from the Park | 28th St. east to UPRR Line | by 2018 |
| **Sacramento River Parkway** | | | | |
| S1. | | Sand Cove Park Acquisition | South Natomas at I-80 | 1993 |
| S2. | | Settlement Agreement between State and private owners; State lease to City | Chicory Bend area | 1998 |
| S3. | | Riverfront Master Plan accepted | Miller Park north to I-5 Bridge over American River | 2003 |
| S4. | | Land Acquisition for trail | Riverside Blvd. between 25th Ave. & Captain's Table Rd. | 2004 |
| S5. | | Railyards Specific Plan adopted; includes improved connections to Old Sacto. & thru project area north to Tiscornia Park | Downtown Railyards (Old Sac. north to Tiscornia Park) | 2007 |
| S6. | | Acquired 0.6 acres at 35th Ave. access thru County tax default sale | Chicory Bend | 2010 |
| S7. | | Planning for levee Improvements to include paved off-street trail | South Natomas | 2010 |
| S8. | | Improvements including parking & trail access, trail easement thru site & to Riverside Blvd., restroom & seating | Riverside Blvd. between 25th Ave. & Captain's Table Rd. | 2010 |
| S9. | | R.T. Matsui Park Property Lease for Powerhouse Science Center; design complementary to Parkway plans | River District (Jibboom St. north of I St. bridge) | 2011 |
| S10. | | Freeport Regional Water Authority Intake Structure trail constructed | Immediately north of Freeport | 2011 |
| S11. | | Parkway trail access point signs installed; mile markers posted or painted on existing paved trail | Existing segments, Tiscornia Park south | 2011 |
| S12. | | Docks Promenade section completed including paved off-street trail | O to R Streets | 2011 |
| S13. | | Acquired 1.3 acres at 35th Ave. access with State grant funds | Chicory Bend | 2012 |
| S14. | | Great California Delta Trail designation; trail signs installed | Existing segments, Tiscornia Park south | 2012 |

# RIVER PARKWAY PLANS IMPLEMENTATION

**APPROACH** (consistent with Plans previously approved or accepted by City Council)

1. Implement City approved plans and policies for public access trails which allow for pedestrian and non-motorized transportation uses, such as bicycling and skating. More specifically: Provide a continuous off-street multiuse paved trail, requiring minimum public right of way width of 20 feet.
2. Support public safety for Parkway users and adjacent property owners via sensitive trail design, patrolling the parkway and enforcement of use restrictions.
3. Work with willing property owners first to acquire the right of way. Purchase additional properties where feasible along the Rivers beyond the minimum required for the trails.
4. Design and development process that:
   a. Addresses private property values, security and privacy;
   b. Provides limited public access;
   c. Restores/protects/enhances natural resource habitat for educational and cultural values; and,
   d. Is consistent with flood protection needs and requirements.
5. Coordinated and collaborative effort among public agencies (federal, state, local) and community interest groups.

## ACQUISITION OF RIGHT OF WAY FOR MULTIUSE OFF-STREET TRAILS

Because the acquisition of public access rights are central to the ability to construct paved off-street trails, up-to-date information on the nature of the rights to be acquired, methods of acquisition and acquisition criteria are provided below. A total of approximately 200 property parcels are affected by the plan to construct the remaining segments of off-street trails "on-Rivers" where they do not yet exist, about 65% of which are privately owned and 35% are publicly owned.

### Trail Easement

The City would purchase an easement along the top of the levee over only the specific width needed for the trail, which is approximately 20 feet. The easement would give the City the right to allow non-vehicular public access only along the paved trail. The easement would also give the City the right for vehicular access by City park rangers to facilitate their trail surveillance patrols, and for City maintenance workers and emergency personnel.

The property owner would retain privileges for use of its property encumbered by the easement which do not conflict with the easement rights. The land owner retains access and use rights along the top of the levee, such as to cross the easement to gain access to the river. Easements pass with ownership transfer and are binding on future owners.

The value of the easement to be purchased by the City is determined by an independent appraiser who establishes its fair market value based on land values in the area and any levee development

restrictions already in place, such as existing flood control levee maintenance easements. If there are permitted improvements along the top of the levee where the trail would be constructed which would need to be removed or relocated, those costs are also considered as part of the City's costs to acquire the easement and construct the trail.

### Acquisition Methods

As identified in the Sacramento River Parkway Plan, Chapter 5, the following are options for acquiring the trail easement:

- **Donation.** Private landowners may choose to donate full or partial interests in land (fee or easement) to the City or a non-profit organization (land trust). An appraisal would determine the value of the donated property interest.
- **Purchase from Willing Sellers**. The City would purchase the easement interest from willing sellers. The City would offer to pay the fair market value for the easement interest based on an appraisal. The City would pay the cost for the appraisal report and provide the property owner a copy. The property owner could obtain their own appraisal if they disagreed with the fair market value offered by the City. The City would negotiate with the property owner over the appraised value, as well as the costs to relocate any existing permitted improvements.
- **Eminent Domain**. If the landowner refuses to voluntarily sell an easement to the City, and that right of way is necessary to provide for a continuous trail along the parkway, then the City Council could invoke its eminent domain authority. This authority under California law gives the government the right to acquire private property for public use upon payment of just compensation. The City deposits with the court the amount of its estimated fair market value based on an independent appraisal. Should property owners request their own appraisal, they are allowed by law to be reimbursed by the City for reasonable appraisal costs up to $5,000. A jury determines the amount the City must pay for the easement after hearing testimony from the City's and the property owner's appraisers. The court then orders the transfer of the easement interest to the City and payment to the property owner as determined by this court process.

### Acquisition Criteria

In order to prioritize which properties should be acquired first if there is insufficient funding to complete the entire Parkway trail, the following acquisition criteria were developed as part of the Sacramento River Parkway Plan (Chapter 5):

1. The potential acquisition is an "island" parcel (a private parcel bordered by public parcels). The purchase of the parcel connects existing recreation facilities or trail systems.
2. The potential acquisition contains riparian habitat, so that open space could be protected from development and the trail would be designed to minimize impacts to the existing biological resources.
3. The potential acquisition is in an area where there is minimal opposition from adjacent land owners.
4. The potential acquisition provides recreation opportunities that are unique along the Parkway.

### Acquisition Costs

Because each parcel of land will have to be considered on an individual basis, it is not possible at this time to reach an accurate estimation of all the costs of acquiring the right of way. Part of the next steps in the Implementation Plan will be to determine both the acquisition costs and the trail development costs for budgeting purposes and to seek funding.

## FLOOD PROTECTION PERMIT COMPLIANCE

The City of Sacramento does not have the same permitting authority for public or private improvements on flood protection levees as federal and state agencies. To fulfill the City's vision for the River Parkways, it will be necessary to work with these agencies to remove unpermitted levee encroachments, which include gates, fences and other improvements which impede continuous public access along the River Parkways. In addition, any unauthorized improvements which violate the City's Zoning and Building Codes may be subject to removal through the City's code enforcement process.

- **American River Flood Control District:** Maintains American River levees and Sacramento River levee from confluence with American River to Robert T. Matsui Waterfront Park off Jibboom Street.
- **California Central Valley Flood Protection Board:** Oversees levee maintenance to control flooding along the Sacramento and San Joaquin Rivers and their tributaries, in cooperation with the U.S. Army Corps of Engineers, to maintain the integrity of the existing flood control system and designated floodways through its regulatory authority, which requires a permit for all improvements on the levees and restricts improvements which abut the levees.
- **California Department of Water Resources**: Maintains Sacramento River levee between Sutterville Road and City's southern boundary (Maintenance Area 9).
- **City of Sacramento Department of Utilities:** Maintains Sacramento River levee between Matsui Park and Sutterville Road.
- **Sacramento Area Flood Control Agency:** Reduces flood risk by undertaking levee improvements, thereby minimizing the impacts of floods on human safety, health, and welfare. Consistent with these flood risk reduction goals, SAFCA's actions also preserve and enhance the environmental and aesthetic values that the floodways and floodplains contribute to the quality of life in the Sacramento region.

## IMPLEMENTATION PROGRAM

**Table 2** below defines the key actions required to implement the City's vision of a continuous "on-Rivers" multiuse public trail along the American and Sacramento Rivers, listed in relative chronological order.

## Table 2: AMERICAN & SACRAMENTO RIVER PARKWAY PLANS 2012 IMPLEMENTATION PROGRAM

Implementation Timeframes: Beyond completion of preliminary real estate activities on Sacramento River Parkway for which funding is to be allocated in Nov. 2012 by the City, timeframes for completion of remaining actions are contingent on securing of funding.

| | Actions *(in relative chronological order)* | Rivers | |
|---|---|---|---|
| | | American | Sacramento |
| **1.0** | **Preliminary Real Estate Activities** | | |
| 1.1 | Complete planning, environ. assessment, ROW acquisition for Parkway trail:SR-160 to H St. (SACOG funded) | X | |
| 1.2 | Title research on riverfront parcels (City funding approval requested Nov. 2012; approx. 150 riverfront parcels) | X | X |
| 1.3 | Develop GIS maps of current public jurisdiction (flood protection, maintenance, other easements) and ROW acquisition needs for Parkway trail segments | X | X |
| 1.4 | Survey trail locations/easements; develop legal descriptions | X | X |
| 1.5 | Establish implementation priorities by segments/areas | X | X |
| **2.0** | **Funding** | | |
| 2.1 | Trail construction: SR-160 to Sutter's Landing Park; Bus. 80 to H St. (levee trail State grant funded within Sutter's Landing Park) | X | |
| 2.2 | Trail prelim. engr., environ. assessment, acquisition, design, construction: I-80 to Discovery Park; Old Sacramento; Broadway thru Miller Park; Little Pocket; Greenhaven; Middle Pocket segments | | X |
| 2.3 | Parkway patrolling and ongoing maintenance ("operations") | X | X |
| **3.0** | **Partnerships** | | |
| 3.1 | With other government agencies | X | X |
| 3.2 | With community groups | X | X |
| 3.3 | With nonprofit land trust as option for private donors | | X |
| **4.0** | **Flood Protection Permit Compliance** | | |
| 4.1 | Communicate roles/authority/policies of City and other public agencies in flood protection as related to Parkway trail implementation | X | X |
| 4.2 | Work with flood protection agencies for implementation of "on-River" off-street paved trails | X | X |
| 4.3 | Work with flood protection agencies on encroachment permit and levee maint. easements compliance associated with levee improvements that impede development of continuous public access trail | X | X |
| **5.0** | **Preliminary Engineering/Environmental Assessment** *(proceed in phases, by prioritized segments to be determined)* | | |
| 5.1 | Preliminary engineering for trail design including signage, seating, access points, security and privacy elements | X | X |
| 5.2 | Biological assessments of existing habitat; traffic and noise studies | X | X |
| 5.3 | Project environmental assessment (CEQA and possibly NEPA) | X | X |

*Table 2 (continued)*

| | | | |
|---|---|---|---|
| **6.0** | **Public Right of Way Acquisition** *(proceed in phases, by prioritized segments to be determined)* | | |
| 6.1 | Appraisals and negotiations with property owners for trail easements; prepare acquisition budget estimate | | |
| 6.1.1 | CalTrans (under SR-160) | X | |
| 6.1.2 | SMUD (immediately west of Sacramento Northern Parkway) | X | |
| 6.1.3 | Dellar Family Trust (immediately west of Sutter's Landing Park) | X | |
| 6.1.4 | Harbor Sand & Gravel (immediately west of Sutter's Landing Park) | X | |
| 6.1.5 | Under (2) UPRR overcrossings (Sacramento Northern Parkway; immediately west of Bus. 80) | X | |
| 6.1.6 | Sacramento County Regional Parks (Bus. 80 to H St.) | X | |
| 6.1.7 | American River Flood Control District (Bus. 80 to H St.) | X | |
| 6.1.8 | State of CA (Bus. 80 to H St.) | X | |
| 6.1.9 | I-80 to Discovery Park through South Natomas along Garden Highway | | X |
| 6.1.10 | Old Sacramento (J St. to Capitol Mall) | | X |
| 6.1.11 | Broadway south thru Miller Park | | X |
| 6.1.12 | Riverside properties in Little Pocket, Greenhaven, Middle Pocket Segments | | X |
| 6.1.13 | If opportunity arises to locate trail along river in area of current petroleum tanks to avoid travel on-street to get around tanks, work with landowners to determine if trail can be located thru their property | | X |
| **7.0** | **Construction** *(proceed in phases, by prioritized segments to be determined)* | | |
| 7.1 | Permits from regulatory agencies (CA DWR/CVFPB, ARFCD) | X | X |
| 7.2 | Areas between existing paved trails in Discovery Park, Woodlake, Paradise Beach Areas | X | |
| 7.3 | Areas between existing paved trails in So. Natomas, Downtown, Little Pocket, Greenhaven, Middle Pocket Segments | | X |
| **8.0** | **Public Safety** | | |
| 8.1 | Design to protect property values and address security and privacy for adjacent land uses | X | X |
| 8.2 | Return to City Council with Public Safety Plan(s) for approval(s) associated with implementation of Parkway trail segments | X | X |
| 8.3 | Routine patrolling by law enforcement personnel | X | X |
| **9.0** | **Ongoing Maintenance** | | |
| 9.1 | Routine maintenance of all capital improvements (asphalt, signage, fencing, etc.) | X | X |
| 9.2 | Periodic capital investments (repairs, replacements) | X | X |
| **10.0** | **Public Outreach/Communications** | | |
| 10.1 | Maintain City project web site | X | X |
| 10.2 | Periodic community meetings to provide updates on implementation activities | X | X |
| 10.3 | City Public Hearings for required approvals to proceed | X | X |

**11-1-12 Additions Recommended by Parks & Recreation Commission**

1. Identify Park Rangers staffing levels associated with additions of new River Parkways trail segments
2. Research and provide information on other jurisdictions with similar situations (homes located next to levees where trails are planned/built)
3. Develop program implementation schedule (best to worst case timeframes); post on project web site
4. Develop program implementation funding options to show what kinds of funds can be sought to cover different types of costs; post on project web site

## Partnerships

Implementation of the City's vision of a continuous off-street trail "on-Rivers" in both the American and Sacramento River Parkways requires partnerships with many entities:

- **Other Public Agencies.** State Lands Commission (SLC), Sacramento County, U.S. Army Corps of Engineers (USACOE), Central Valley Flood Protection Board (CVFPB), Sacramento Area Flood Control Agency (SAFCA), American River Flood Control District (ARFCD), California Delta Protection Commission
- **Nongovernmental Organizations (NGOs).** Sacramento Valley Conservancy (nonprofit land trust), Friends of the Sacramento River Parkway, Friends of the River Banks (FORB), Save the American River Association (SARA), Friends of Sutter's Landing Park (FOSL), various neighborhood and business associations, WalkSacramento, Sacramento Area Bicycle Advocates (SABA), Sacramento Metropolitan Chamber of Commerce, Trust for Public Land, Environmental Council of Sacramento (ECOS), Sacramento Bike Hikers, Sacramento Walking Sticks, Sacramento Wheelmen, American River Parkway Foundation
- **City Departments.** Parks & Recreation, Public Works (Transportation), Utilities (Flood Protection), Community Development (Land Use Planning & Development; Environmental Review), General Services (Real Estate), Convention, Culture & Leisure (Old Sacramento), Police (Enforcement)

## Funding

The City Department of Public Works is currently using grant funding ($500,000) from the Sacramento Area Council of Governments (SACOG) to complete planning, environmental assessment and right of way acquisition on the American River between SR160 and H St. In addition, a $1.48 million of State Resources Agency grant funding application has been submitted by the City Department of Parks & Recreation for capital improvements, including paving a multiuse trail segment (est. 0.7 miles) on the top of the levee within Sutter's Landing Park on the south side of the American River.

Sacramento City Council approval of this 2012 Implementation Program includes allocation of $100,000 one-time funds to proceed with preliminary real estate activities for implementation of the Parkway trail on the Sacramento River. Funds for planning, design and construction of capital improvements cannot always also be used for operations which includes ongoing maintenance and public safety services.

As identified in the Implementation Program, an important next step for the City is to secure funding to proceed with Parkways trail implementation beyond the funds described above.

# REFERENCES

## PREVIOUSLY APPROVED/ACCEPTED PLANS

1997 Sacramento River Parkway Plan: www.cityofsacramento.org/parksandrecreation/ppdd/pdf/sac-river-parkway-plan.pdf

2000 Sacramento River Greenway Plan: www.cityofsacramento.org/parksandrecreation/ppdd/pdf/sac-river-greenway-plan_aug-00.pdf

2003 Sacramento Riverfront Master Plan: www.cityofsacramento.org/econdev/opportunity-areas/redevelopment-areas/documents/Sac_RFMP_FINAL_11-2003.pdf

2005-2010 Parks & Recreation Master Plan: www.cityofsacramento.org/parksandrecreation/masterplan/index.htm

2008 American River Parkway Plan: www.msa2.saccounty.net/parks/Documents/ARPP06-021909_sm.pdf

2010 Sacramento City/County Bikeway Master Plan: www.cityofsacramento.org/transportation/dot_media/engineer_media/pdf/BMP.pdf

2011 SACOG Regional Bicycle, Pedestrian and Trails Master Plan: www.sacog.org/bikeinfo/pdf/masterplan/Regional%20BPT%20Master%20Plan%20FINAL%202011

2030 General Plan: www.sacgp.org

## FLOOD PROTECTION AGENCIES

American River Flood Control District: www.afrcd.org

California Central Valley Flood Protection Board: www.cvfpb.ca.gov/

Sacramento Area Flood Control Agency: www.safca.org

U.S. Army Corps of Engineers (Sacramento District): www.spk.usace.army.mil/Missions/CivilWorks/SacramentoAreaLevees.aspx

## COMMUNITY INTEREST GROUPS

American River Parkway Foundation: www.arpf.org

Environmental Council of Sacramento: ecosacramento.net

Friends of the River Banks: www.friendsoftheriverbanks.org

Friends of the Sacramento River Parkway: www.sacramentoriverparkway.org

Neighborhood Assns./Business Districts: www.cityofsacramento.org/ns/nadb/

Sacramento Area Bicycle Advocates: www.sacbike.org

Sacramento Bike Hikers: www.bikehikers.com/

Sacramento Walking Sticks: www.sacramentowalkingsticks.org/

Sacramento Wheelmen: www.sacwheelmen.org/

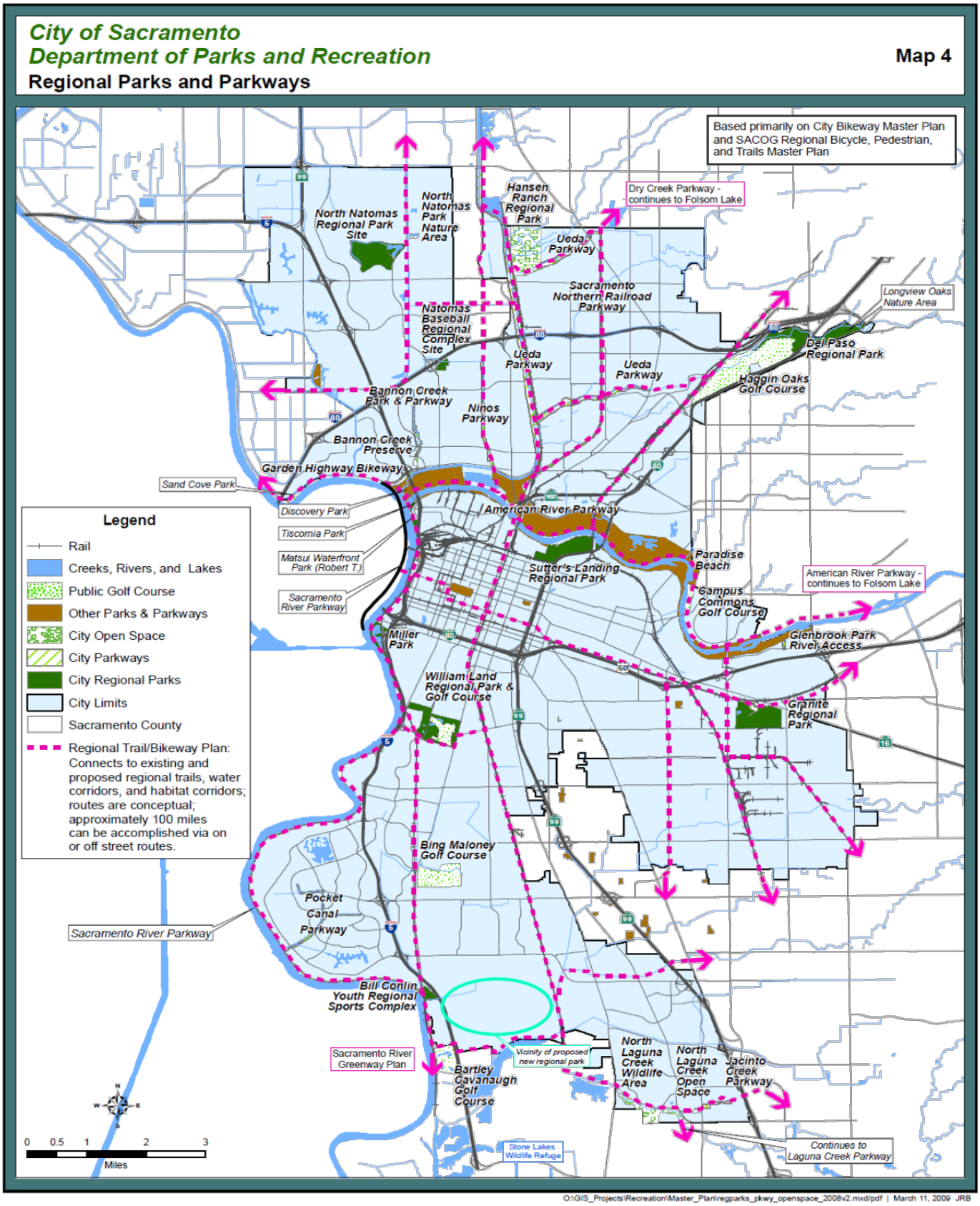
Save the American River Association: www.sarariverwatch.org

WalkSacramento: www.walksacramento.org

## OTHER

2006 American River Parkway Financial Needs Study:
www.msa2.saccounty.net/parks/Documents/ARP-Financial-Needs-Study-Update-2006.pdf

Trust For Public Land ParkScore™: www.parkscore.tpl.org/

# APPENDICES

## A: REGIONAL PARKS AND PARKWAYS MAP, *SACRAMENTO PARKS & RECREATION MASTER PLAN*