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Engineering • Surveying • Planning

The View from Andy's Desk

June 24, 2014 - Andrew R. Cassano is a City/Regional Planner and Professional Land Surveyor with 45 years of experience in Northern California. He is CEO of Nevada City Engineering, Inc., a firm offering regional planning and permitting, land surveying, and civil engineering consulting to the private and public sector since 1978.

Developing Open Space

All of my life, I've supported property rights. Back before zoning and building codes hit the rural Sierra Nevada, that pretty much meant you could do whatever you wanted. Just buy a wide spot in the road where a logging truck could pull off and build a little roadside bar and grill. No problem.

Nowadays, property rights means do whatever you want, as long as it's allowed by the general plan, zoning, all building codes, CEQA, and the rules of half a dozen State agencies.

One fundamental property right that I support, is your right to build nothing on your land, ever. That's why my favorite non-profit is the Bear Yuba Land Trust.

A vital service of the Bear Yuba Land Trust is to hold and monitor conservation easements, the legal mechanism to maintain permanent open space. A conservation easement is kind of a permanent CC&R-like deed restriction that prohibits most development.

At the same time, a conservation easement strives to retain certain property rights to allow economic viability. Agricultural conservation easements allow agriculture, forestry

conservation easements allow timber harvesting, and so on.

Open space is an important asset to any community, especially in the Sierra Nevada, where the natural landscapes are so incredibly beautiful and the biology so diverse. Natural open space attracts tourists, businesses, retirees, institutions, and young families. Open space is major part of our region's economic strategy and a priceless essential for our quality of life.

The Land Trust is completely respectful of property rights and does only voluntary transactions with land owners. Sometimes the Land Trust has money to buy permanent open space through grants and donations. Sometimes owners donate conservation easements and even provide funding for a permanent monitoring endowment. Some land owners are motivated by the sale proceeds or the tax advantages of a donation, but many just want their vision of permanent open space to be their legacy and their perpetual gift to their community.

Bear Yuba Land Trust is a 501(c)(3) tax deductible non-profit serving the north Bear River and all of the Yuba River water sheds. It relies heavily on households and businesses that remain "members" with annual donations starting at \$35-50/year. And it's also grateful for the major donors that are in a financial position to help more. Visit www.bylt.org for more info.