

RESOLUTION NUMBER L-2007-23

**Update to the Rescue Fire Protection District
Sphere of Influence**

LAFCO Project No. 2007-04-L

AMENDED

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 56425 et seq. provides that the local agency formation commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and

WHEREAS, Section 56430 requires that local agency formation commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a *Countywide Fire Suppression and Emergency Services Municipal Services Review* and adopted a written statement of determinations on August 23, 2006; and

WHEREAS, the agencies reviewed were County Service Area 7, City of South Lake Tahoe, Cameron Park Community Services District, Diamond Springs/El Dorado Fire Protection District, El Dorado County Fire Protection District, El Dorado Hills County Water District, Fallen Leaf Lake Community Services District, Garden Valley Fire Protection District, Georgetown Fire Protection District, Lake Valley Fire Protection District, Latrobe Fire Protection District, Meeks Bay Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and Rescue Fire Protection District, among others; and

WHEREAS, the Executive Officer reviewed the sphere of influence update pursuant to the California Environmental Quality Act (CEQA), and recommended that the project is exempt from CEQA under Section 15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is

no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, and, based thereon, the Executive Officer prepared a Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for June 27, 2007 for consideration of the environmental review and the draft sphere of influence update for Rescue Fire Protection District and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, on June 27, 2007 the draft sphere of influence update came on regularly for hearing before LAFCO, at the time and place specified in the Notice; and

WHEREAS, at said hearing, LAFCO reviewed and considered the draft sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 56425 et seq.; LAFCO's Policies and Guidelines related to spheres of influence, starting with Policy 4.0; and all other matters presented as prescribed by law; and

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and

WHEREAS, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determinations and the service reviews; and

WHEREAS, pursuant to Government Code Section **56425(i)(2)**, the Commission does hereby establish the functions and classes of services provided by Rescue Fire Protection District as follows: fire suppression and emergency services; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal pursuant to Government Code Section 56425(e):

1. *The present and planned land uses in the area, including agricultural and open space lands.*

The majority of present land use in the RES area includes rural and low density residential and agricultural uses, although there are a few places with high density residential and commercial uses. The highest concentration of residents is in the town of Rescue; however a substantial portion of the district's population is diffused throughout RES' service area. Future land uses are expected to remain relatively unchanged, with population growth likely lower than the projections for other unincorporated portions of the Western Slope. The 2004 General Plan encourages future development to remain within the community region of Rescue and the area

west of Cameron Park. The area west of Cameron Park, especially south of Green Valley Road, is experiencing significant growth.

The current RES sphere includes lands to its west and east; neither of these areas are within the boundaries of a fire agency. As noted above, some landowners of the parcels to the west of the district are actively seeking to develop the Kanaka Valley area. This development has the potential to straddle two fire agencies: a portion of the project is within the RES sphere of influence. The remainder is in the El Dorado Hills County Water District (EDH) service area. The development of the Kanaka Valley region will introduce growth-inducing pressures, taxing the agency's ability to serve the area while maintaining current service levels. Further compounding the challenge of providing service to the area are the twin factors of limited road access in and out of Kanaka Valley and the location of the district's sole fire station in Rescue. There are no plans to develop the parcels to the east beyond the current General Plan designation. These areas are between RES and El Dorado County FPD (ECF). The RES, EDH and ECF chiefs recognize that these parcels are not within their respective fire protection agency. Since further discussions and analyses are necessary, they have requested that their spheres remain as they are currently drawn. All three chiefs have agreed to a collaborative effort to evaluate and reorganize the spheres and service areas, if necessary.

2. *The present and probable need for public facilities and services in the area.*

Parcels currently within the RES district receive sufficient fire suppression and emergency response services as needed. If annexed, the areas described above would increase demand for these services, potentially taxing existing personnel and equipment to maintain current levels of service to existing and new residents. Increased property taxes, development impact fees and assessments from any newly-annexed areas may offset this increase in costs.

3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The RES appears to provide adequate fire suppression and emergency response services within and, in cases of mutual aid responses, outside its boundaries. The district is compensated for these services primarily through property taxes, County Supplement Funds and district assessments.

4. *The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

RES serves the community of Rescue as well as the areas west of Cameron Park. The proposed project of Kanaka Valley, at full build-out, may be large enough to be considered a future "community of interest;" however its inclusion would not require further Commission consideration of this issue at this time.

NOW, THEREFORE BE IT HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND:

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The Notice of Exemption prepared by the Executive Officer is approved as the appropriate environmental document for this project.

Section 3. The update to the Rescue Fire Protection District's Sphere of Influence to affirm the current sphere is orderly, logical and justifiable.

Section 4. The Executive Officer is directed to file a Notice of Exemption under Section 15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 5. The Rescue Fire Protection District's sphere of influence is updated to affirm its current sphere as shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 27, 2007 by the following vote of said Commission.

AYES: LONG, LOFTIS, BRIGGS, HAGEN,
HUMPHREYS, NORRIS, SWEENEY

NOES: NONE

ABSTENTIONS: NONE

ABSENT: NONE

ATTEST:

Alexandra Moroso
Clerk to the Commission

[Signature]
Chairperson

APPROVED

EXHIBIT A

