

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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***AGENDA OF MAY 23, 2012***

## ***REGULAR MEETING***

**TO:** Ron Briggs, Chairman, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**PREPARED BY:** Erica Sanchez, Policy Analyst

**AGENDA ITEM #3D:** Alto Reorganization to the El Dorado Irrigation District and  
El Dorado Hills County Water District – Request for a  
Second Extension of the One Year Deadline for Meeting  
Conditions of Approval

**LAFCO Project No.** 2009-10

**PROPONENT(S):** Gary Sparks, Alto, LLC

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### **RECOMMENDATION**

Staff recommends that the Commission consider a second one-year extension request for the Alto Reorganization to the El Dorado Irrigation District (EID) and El Dorado Hills County Water District (EDH Fire), so that the project proponent may have additional time to comply with the Commission's conditions of approval (refer to Attachment A).

### **REASON FOR RECOMMENDED ACTION**

Pursuant to Government Code §57001, a petition shall be deemed terminated if a certificate of completion has not been recorded within one year of the Commission's approval of the project, unless the Commission grants an extension. Staff cannot record the certificate of completion for this project until after all conditions of approval have been met, including attainment of an inclusion letter from the United States Bureau of Reclamation (USBR).

Government Code §57001 also gives the Commission discretion to grant an extension for, "*any period deemed reasonable to the commission for completion of necessary prerequisite actions by any party.*"

**BACKGROUND**

The Commission conditionally approved the Alto Reorganization to EID and EDH Fire on May 26, 2010, with a one-year deadline to complete all required conditions. At the request of the applicant, the Commission granted a one-year extension to the project in March 2011 to allow additional time to comply with the conditions of approval. This current extension is scheduled to expire on May 26, 2012.

**Outstanding Conditions of Approval**

The final two outstanding conditions on this proposal are 1) authorization from USBR to approve the inclusion request for the reorganization area, and 2) payment of State Board of Equalization fees.

- 1) *Authorization from the United States Bureau of Reclamation (USBR) to approve the inclusion request for the project area* – Because the project is within EID's El Dorado Hills Service Area, USBR is required to verify that water resources are available from Folsom Lake for this project. According to USBR staff, the inclusion process is in progress and is expected to be completed soon.
- 2) *Payment of State Board of Equalization (SBE) fees* – The SBE fees for this project are \$1,500; however, because SBE will not accept checks issued more than 30 days prior, LAFCO staff has instructed the applicant not to submit payment for these fees until after the USBR inclusion request has been received. In terms of delaying the project and requiring additional time, this is the lesser of the two outstanding conditions and staff presumes that payment of these fees will not be an impediment to finalizing the project.

If the Commission were to deny the extension request and LAFCO did not receive USBR's inclusion letter by May 26, 2012, the reorganization would be deemed terminated. The applicant would be eligible to apply for reorganization again one year after this date; however, the process would start from the beginning.

**Attachments:**

Attachment A: Second Extension Request from Applicant (4/19/12)