

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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May 23, 2012

Honorable Henry Perea
California State Assembly
California State Capitol, Room 4112
P.O. Box 942849
Sacramento, CA 994249-0031

Subject: Opposition for Assembly Bill 2238 (Perea): LAFCO MSR Studies and Public Water Systems

Dear Assembly Member Perea,

On behalf of the El Dorado Local Agency Formation Commission (LAFCO), I am writing to respectfully express our opposition to your bill, Assembly Bill 2238 (Perea), which would add significant and unfunded research responsibilities to local agency formation commissions (LAFCO). While we support efforts to improve service delivery to disadvantaged unincorporated communities, the LAFCO-related elements of this bill will result in the expenditure of significant unfunded resources and is not likely to improve any services for disadvantaged communities under existing law.

The legislation is particularly difficult for small agencies such as El Dorado LAFCO, which has fewer than three staff members. Like many other LAFCOs in the state, in recent years El Dorado LAFCO has experienced significant budget and staffing cuts due to the poor economy. Our agency does not have the resources or expertise to study alternative delivery options in all of these cases and would require the retention of consultants. With no funding for these studies, the costs would be passed on to our local funding agencies (the County, cities and special districts). More importantly, there is little likelihood of implementation because LAFCO cannot initiate its own proposals. Therefore, it is powerless to implement any recommendations and it is unlikely the affected agencies would implement recommendations on their own without financial inducement by the State or a substantial infusion of revenues from an outside source.

S:\LAFCO Commission Meetings\2012\5 May 23\Item 11A Attachment B (AB 2238 Opposition).doc

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Speaking specifically about our jurisdiction, El Dorado County has no large underground aquifers. Surface water is the primary delivery source, especially on the Western Slope of the Sierras. Water is provided by three large public districts, a city, a medium-sized district and several small mutual water companies. All of the large, heavily populated areas in the County are served by one of these entities. There are little or no alternatives to this arrangement, since underground wells can be unreliable depending on the location and trucking water produces other undesirable externalities. Studying alternative service delivery strategies because of a State mandate would be an inefficient use of time and limited resources.

LAFCO works best when it is able to collaboratively interact with affected agencies to find effective solutions for efficient delivery of services. Current law allows LAFCO to include such a review and recommendations when it is appropriate, depending on local circumstances, or likely such recommendations would be implemented. Current law is sufficient to meet the desired goals of this bill and we, therefore, respectfully request the bill be amended to eliminate Section 2 regarding LAFCO.

Because AB 2238 creates an unfunded and unproductive requirement for studies, El Dorado LAFCO opposes AB 2238 unless amended. Thank you for your consideration of our comments. Please feel free to contact me or our LAFCO staff at (530) 295-2707 if I can provide additional information.

Regards,

Ron Briggs
Chair

cc: Minnie Santillan, Chief of Staff
William Chiat, Executive Director, California Association of LAFCOs