

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2012-06

Update to the Georgetown Divide Public Utility District Sphere of Influence

LAFCO Project No. 2011-07

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 the sphere of influence, the Commission conducted a municipal service review of the Georgetown Divide Public Utility District and adopted a written statement of determinations in conjunction with this sphere of influence update on May 23, 2012; 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 May 23, 2012 for consideration of the environmental review and the sphere of influence update for the Georgetown Divide Public Utility 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 May 23, 2012 the 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 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 review; and

WHEREAS, on March 26, 2008, at the time of its last review, the Commission established the functions and classes of services provided by the Georgetown Divide Public Utility District as follows: water, wastewater and hydroelectric power.

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

Present land use in the GDPUD service area includes primarily rural and low- to medium-density residential from a minimum of one-quarter-acre on up to 40-acre parcels, commercial, industrial, and agricultural related activities such as orchards, vineyards and livestock. Primary residential areas within the District tend to follow along the major road arteries, with the heaviest concentration clustering in the communities of Georgetown, Garden Valley and Cool. Areas between the rural centers are primarily agricultural and rural residential.

GDPUD's service area encompasses the entire Garden Valley Agricultural District and a portion of the Coloma Agricultural District. Agricultural land use generally includes smaller-acreage properties with crops that are suitable for sloped hillsides, including vineyards, Christmas trees, olive and citrus groves, berries, deciduous orchards, and pasture. The SOI area to the east includes a significant amount of U.S. Forest Service Land designated as natural resource, along with some rural and low density residential parcels. GDPUD's SOI to the south consists primarily of rural and low density residential parcels and agricultural lands

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

Although the majority of service accounts are for treated water, untreated agricultural water use comprises almost three quarters of total water demand. In 2010, GDPUD had 3,423 residential accounts with an actual usage of 1,396 acre-feet and 141 commercial accounts using 237 acre-feet; there were 393 irrigation water accounts with an actual usage of 4,280 acre-feet. According to El Dorado County Water Agency's 2007 *Water Resources Development and Management Plan*, there were 1,195 irrigated agricultural acres within the District's boundaries in 2010; by 2025 the acreage is expected to increase to 3,527 acres. Potential irrigable lands were determined by the presence of parcel sizes of 10 acres or more, soils suitable for agricultural production, slopes of less than 50 percent, and located at an elevation of 3,000 feet or less outside the community regions.

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

GDPUD is currently in the process of retrofitting the Auburn Lake Trails Water Treatment Plant to design and install a new filtration system to bring the plant in compliance with state and federal surface water treatment regulations. Funding for the retrofit will come primarily from a \$5 million 40-year loan from the U.S. Department of Agriculture. The loan was contingent upon the District implementing a \$7 surcharge on water bills, which recently passed the Proposition 218 process after failing to garner sufficient protest votes. The Walton Lake Water Treatment Plant was retrofitted between 2005 and 2009.

In an effort to plan for future growth and an increased demand for treated and irrigation water, the District has explored various water supply alternatives, including storage reservoir projects, pumping from the American River and diversion from the Rubicon River Project. GDPUD is currently coordinating with the El Dorado County Water Agency, Placer County Water Agency, and the U.S. Bureau of Reclamation for 15,000 acre-feet of water per year from the Central Valley Project via the North Fork American River Pumping Plant.

A supplemental water supply would also reduce the magnitude and the frequency of projected water supply deficiencies during a critical drought period. GDPUD has a Water Shortage Contingency Plan to reduce water use in multiple dry years and policies to restrict agricultural water deliveries prior to domestic water deliveries.

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.*

GDPUD serves multiple communities within the Georgetown Divide, including Georgetown, Garden Valley, Cool, Greenwood, Pilot Hill and Kelsey. Georgetown, Garden Valley and Cool represent the primary concentrated, social or economic communities of interest within the District. GDPUD has not indicated any specific

areas planned for annexation in the near future, nor the need for sphere of influence or boundary adjustments.

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

Section 4. Pursuant to Government Code Section 56425(i)(2), the Commission does hereby establish the functions and classes of services provided by the Georgetown Divide Public Utility District as follows: water, wastewater and hydroelectric power.

Section 5. The update to the Georgetown Divide Public Utility District sphere of influence to affirm the current sphere is orderly, logical and justifiable.

Section 6. 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 7. The Georgetown Divide Public Utility District 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 May 23, 2012 by the following vote of said Commission.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ATTEST:

Interim Clerk to the Commission

Chair