

**EL DORADO LAFCO**

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LOCAL AGENCY FORMATION COMMISSION

**Tahoe Resource Conservation  
District  
Municipal Service Review and  
Sphere of Influence Update**

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**FINAL  
December 2020**

**El Dorado Local Agency Formation Commission**

# TAHOE RESOURCE CONSERVATION DISTRICT MUNICIPAL SERVICE REVIEW

DECEMBER 2020

Commissioners

*Shiva Frentzen, Chair*

*Mark Acuna*

*Cody Bass*

*John Hidahl*

*Holly Morrison*

*Tim Palmer*

*Michael Powell*

Alternates

*Diana Anderly*

*Michael Saunders*

*Kara Taylor*

*Brian Veerkamp*

Staff

*José C. Henríquez*

*Erica Sanchez*

*Malathy Subramanian*

# EL DORADO LAFCO

## LOCAL AGENCY FORMATION COMMISSION

### NOTICE OF EXEMPTION

TO: OFFICE OF PLANNING AND RESEARCH

P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

COUNTY CLERK

County of El Dorado  
330 Fair Lane  
Placerville, CA 95667

FROM:

EL DORADO COUNTY LAFCO

550 Main Street, Suite E

Placerville, CA 95667

José Henriquez

(530) 295-2707

lafco@edlafco.us

FILED

JAN 28 2021

JANELLE K. HORNE, Recorder-Clerk  
By *Melissa Whittard*

Project Title: Tahoe Resource Conservation District Sphere of Influence Study; LAFCO Project No. 2019-06

Project Applicant: El Dorado LAFCO

Project Location – Specific: The Tahoe Resource Conservation District covers the portions of El Dorado and Placer Counties located within the Tahoe Basin.

Project Location – City: N/A Project Location – County: El Dorado County

Description of Nature, Purpose and Beneficiaries of Project: Update the sphere of influence for the Tahoe Resource Conservation District to affirm the current sphere of influence, concurrent with District boundaries, which was last updated in December 2007.

Name of Public Agency Approving Project: El Dorado LAFCO

Name of Person or Agency Carrying Out Project: El Dorado LAFCO

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: 15061(b)(3)

Reasons why project is exempt: The activity 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. This sphere of influence update has no possibility for causing a significant effect on the environment.

Lead Agency

Contact Person: José C. Henriquez

Area Code/Telephone/Extension: (530) 295-2707

Contact Email: jhenriquez@edlafco.us

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: *José C. Henriquez*  
José C. Henriquez

Date: December 3, 2020 Title: Executive Officer

Signed by Lead Agency

Signed by Applicant



State of California - Department of Fish and Wildlife  
**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER: 09--01282021-010
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY EL DORADO LAFCO	LEAD AGENCY EMAIL lafco@edclafco.us	DATE 01/28/2021
COUNTY/STATE AGENCY OF FILING EL DORADO		DOCUMENT NUMBER FW2021-0010
PROJECT TITLE		

**TAHOE RESOURCE CONSERVATION DISTRICT SPHERE OF INFLUENCE STUDY LAFCO PROJECT**

PROJECT APPLICANT NAME EL DORADO LAFCO	PROJECT APPLICANT EMAIL jhenriquez@edlafco.us	PHONE NUMBER (530) 295-2707
PROJECT APPLICANT ADDRESS 550 MAIN STREET STE E	CITY PLACERVILLE	STATE CA
		ZIP CODE 95667

PROJECT APPLICANT (Check appropriate box)

Local Public Agency    
  School District    
  Other Special District    
  State Agency    
  Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$ _____

Exempt from fee  
      Notice of Exemption (attach)  
      CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ _____ \$50.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash   
  Credit   
  Check   
  Other   
 TOTAL RECEIVED   
 \$ \_\_\_\_\_ \$50.00

SIGNATURE <i>x Michelle Whitford</i>	AGENCY OF FILING PRINTED NAME AND TITLE Janelle K. Home Recorder-Clerk, by Michelle Whitford, Dpty
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## **RESOLUTION NUMBER L-2021-05**

### **Update to the Tahoe Resource Conservation District Sphere of Influence**

**LAFCO Project No. 2019-06**

**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 §56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

**WHEREAS**, §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 §56425 et seq.; and

**WHEREAS**, §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 §56076 and §56425; and

**WHEREAS**, pursuant to §56430, in order to prepare and update the sphere of influence, the Commission conducted a municipal service review of the Tahoe Resource Conservation District and adopted a written statement of determinations in conjunction with this sphere of influence update on January 27, 2021; 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 §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 January 27, 2021 for consideration of the environmental review and the sphere of influence update for the Tahoe Resource Conservation 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 January 27, 2021 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 §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 December 5, 2007, at the time of its last review, the Commission established the functions and classes of services provided by the Tahoe Resource Conservation District as follows: resource conservation services; and

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

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

Present land use in the Tahoe RCD area includes residential, recreational, commercial and tourist-related uses. Primary residential areas within Tahoe RCD tend to follow the major highways and roads that bisect the district. Growth and development potential are limited largely by the Tahoe Regional Planning Agency (TRPA) regulations. No substantial changes in the planned land use are expected as a direct result of affirming the current Tahoe RCD sphere of influence.

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

The number of permanent residents within the Tahoe RCD service area, has decreased almost 9% from 2010 (41,176) to 2018 (37,853); however, TRPA estimates that the California portion of the Tahoe Basin could be expected to potentially grow to 45,468 persons by 2035.

Due to the high percentage of vacation homes and year-round recreational activities in the Tahoe Basin, the number of permanent residents is noticeably less than the seasonal population and overnight and day visitors can more than triple the Region's population during peak periods. The seasonal population still contributes almost equally to the demand on Tahoe RCD services, because of the large percentage of recreational users and home ownership, each of which have unique resource conservation needs.



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

The Tahoe RCD appears to provide a high level of resource conservation services to its residents. Tahoe RCD receives sufficient revenue to fund its programs through various grants, contributions from both El Dorado and Placer Counties and a relatively small increment of local property taxes. Although the majority of the funding is only semi-stable due to the uncertain nature of grants, Tahoe RCD does not appear to have difficulties in financing its operations, in part, because it provides service to such a high-profile area that receives an abundance of attention and funding at the national and state level.

**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.***

Tahoe RCD serves multiple distinct communities in the Tahoe Basin, including the City of south lake Tahoe, Meeks Bay, Tahoe City, Fallen Leaf Lake, Meyers, North Shore, Phillips and Tahoma. The City of South Lake Tahoe is the only incorporated community within the Tahoe RCD boundaries, and is the primary concentrated, social or economic community of interest that is within the District. Due to stringent TRPA land use regulations, these communities' permanent populations are expected to remain relatively stable in the next few years.

**5. *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.***

While LAFCO has identified disadvantaged unincorporated communities within the Tahoe RCD service area boundaries, the District does not provide any of the municipal services as defined in Government Code 56425(e)(5).

***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. Pursuant to Government Code §56425(i)(2), the Commission does hereby establish the functions and classes of services provided by the Tahoe Resource Conservation District as follows: resource conservation services.

Section 4. The update to the Tahoe Resource Conservation District sphere of influence to affirm the current sphere is orderly, logical and justifiable.

Section 5. The Executive Officer is directed to file a Notice of Exemption under §15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 6. The Tahoe Resource Conservation 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 January 27, 2021 by the following vote of said Commission.

	AYE	NO	ABSTAIN	ABSENT	NOT VOTING
Commissioner Bass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Hidahl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Palmer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Powell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Neau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Thomas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Morrison	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alt. Commissioner Saunders	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Turnboo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

  
Executive Officer

  
Chairperson

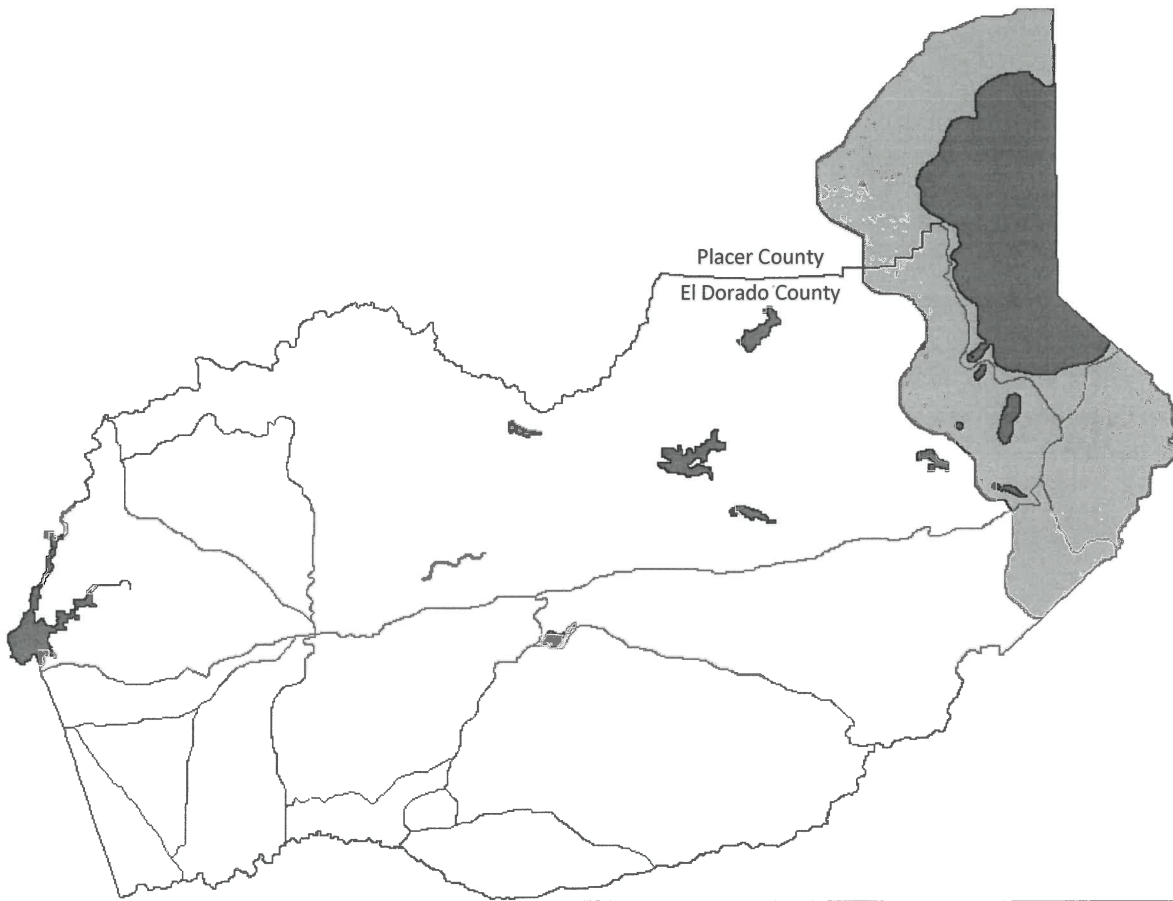


APPROVED

Tahoe Resource Conservation District  
Sphere of Influence Update  
LAFCO Project No. 2019-06  
Resolution L-2021-05

EXHIBIT A

Tahoe Resource Conservation District



■ Tahoe Resource Conservation District (TRCD)

□ TRCD Sphere of Influence

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## **I EXECUTIVE SUMMARY**

### **Background**

The Tahoe Resource Conservation District (Tahoe RCD) is a non-regulatory, grant-funded, local agency that provides resource conservation services within the Tahoe Basin. Tahoe RCD consists of those parts of the counties of El Dorado and Placer Counties lying within the Tahoe Basin adjacent to Lake Tahoe. The Tahoe RCD boundaries cover approximately 240,000 acres, including 141,400 acres within El Dorado County and 97,400 acres within Placer County.

The District was formed by the California State Legislature in 1974 under the provisions of Division 9 of the California Public Resources Code. A central component of Division 9 is its authorization for RCDs to be formed for the purpose of addressing local resource conservation needs. Particular emphasis is placed upon the conservation of soil and water resources, although, under the Code, an RCD may be formed for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, and improvement of land capabilities, wildlife habitat restoration, forest fuel management, conservation education and more. Tahoe RCD is one of nearly 3,000 Conservation Districts across the country helping people protect land, water, forests, wildlife, and related natural resources.

Tahoe RCD's mission is to promote the conservation, stewardship and knowledge of the Lake Tahoe Region's natural resources by providing leadership and innovative environmental services to all stakeholders.

Tahoe RCD strives to both respond to community needs and proactively develop programs and solutions by cultivating an approach to resource conservation that is grounded in innovation, creativity, responsiveness, and flexibility. The District's function is to make available technical, financial and educational resources, from a variety of sources, and coordinate them so they meet the needs of the local land managers, owners, organizations, and residents, with regards to the conservation of soil, water, and related natural resources.

### **Services Provided**

Each RCD within the state of California is an autonomous special district; as such, each district is able to define its own local goals and objectives based on the issues and needs within its service areas, defined by population and development.

Tahoe RCD plays a critical role in addressing the most important natural resource concerns and opportunities in the Tahoe Basin, from preventing and eradicating aquatic invasive species from the lake, to helping communities mitigate the risk of wildfire, to addressing stormwater monitoring needs, to restoration of public lands.

As part of its empowered service of resource conservation, resource conservation services through the following current programs and projects:

- Aquatic Invasive Species (AIS) Programs – Prevention and Control
- Fire Adapted Communities Program
- Landscape Conservation Program

- Stormwater Program
- Johnson Meadow Restoration Project
- Pomin Park and Polaris Creek Restoration Project

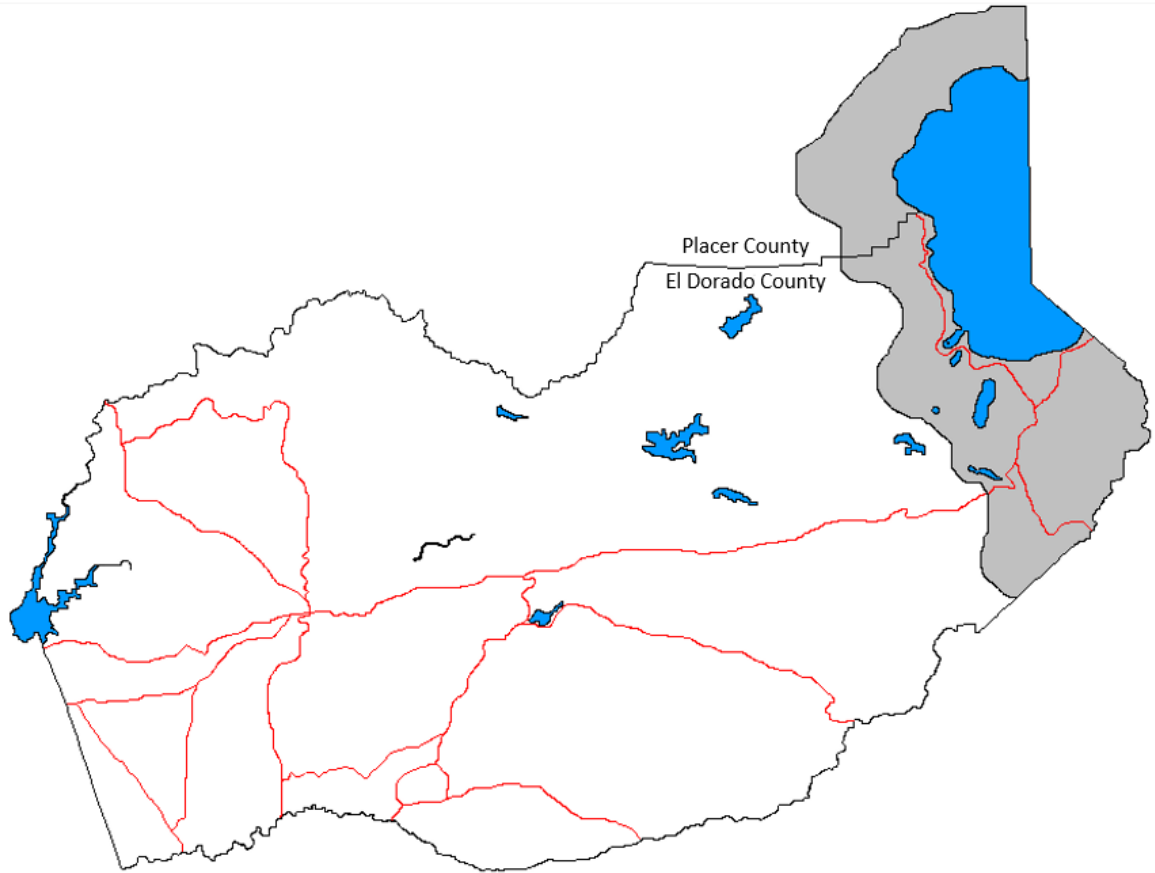
Tahoe RCD participates in a number of cooperative efforts with federal, state, local, non-profit, private partners and volunteer organizations to fulfill its commitment and responsibilities with respect to protecting and restoring natural resources in the Tahoe Basin.

### **Environmental Setting**

Known for its beauty, remarkable transparency and cobalt blue color, Lake Tahoe lies in the crest of the Sierra Nevada Mountains, straddling the state line between California and Nevada. It is the largest alpine lake in North America and is the second deepest in the United States, after Crater Lake in Oregon. The Tahoe Basin is a major year-round tourist attraction for winter sports, summer outdoor recreation, and scenery enjoyed throughout the year.

Numerous studies of Lake Tahoe's water quality over the past fifty years indicate a decrease in clarity at the rate of about one foot per year. Development and the resulting destruction of marshes, meadows, and stream environment zones, all of which act as filters for sediment before storm water runoff reaches the Lake, and increased urban runoff are thought to be some of the main causes of lake degradation. The rate of residential development in past decades has been a major contributor. As of 2018, there were nearly 38,000 full time residents in the El Dorado and Placer County portions of the Basin. These homes are served by a vast system of roadways which deliver eroded soil and sediments into the 67 streams, roadside ditches, and gullies that flow into Lake Tahoe.

**Tahoe Resource Conservation District**



■ Tahoe RCD Boundaries and Sphere of Influence (Coterminous)

## II **AGENCY DESCRIPTION**

### **Tahoe Resource Conservation District**

#### Contact Information

**Address:** 870 Emerald Bay Road, Suite 108  
South Lake Tahoe, CA 96150

**Phone:** (530) 543-1501  
**Website:** [www.tahoercd.org](http://www.tahoercd.org)  
**Email:** [info@tahoercd.org](mailto:info@tahoercd.org)

#### Management Information

<b>Board of Directors:</b>	Carl Ribaudo, President	Term expires 11/1/2022
	Shelly Thomsen, Vice President	Term expires 11/1/2021
	Jason Burke	Term expires 11/12/2021
	Martin Goldberg	Term expires 11/10/2023
	Harold Singer, Treasurer	Term expires 11/1/2022

**Board Meetings:** 2<sup>nd</sup> Tuesday of each month at 10:00 am  
870 Emerald Bay Road, South Lake Tahoe

**Staffing:** 20 full time employees, 50 seasonal employees

#### Service Information

**Principal Act:** California Public Resources Code, Division 9, Resource Conservation (Sections 9901-9972)

**Empowered Services:** Resource conservation  
(at the time of formation)

**Services Currently Provided:** Resource Conservation

**Latent Powers:** None  
(LAFCO approval required)

**Area Served:** Approximately 240,000 acres (141,500 acres in El Dorado County, 97,400 acres in Placer County)

**Population Served:** 37,853 (2018, US Census Bureau)

#### Fiscal Information

**2019-20 Budget:** \$6,705,563 adopted by Tahoe RCD

**Sources of Funding:** Grants, Property Taxes (El Dorado and Placer Counties)

### III **MSR DETERMINATIONS**

In preparing a municipal service review, Government Code §56430 requires the Commission to prepare a written statement of its determinations. Appendix A contains a summary of the current determinations.

In addition, the Commission's Policies and Guidelines Section 4.4 require that additional determinations be made in an MSR prior to establishing a sphere of influence. These additional determinations are included among the Government Code §56430 determinations below and in Appendix A.

To the extent that is feasible, both sets of determinations will be addressed in this section. In addition, the following sections will detail the meaning of each factor and explain how it applies to the services provided by this agency.

Please note that determination #7 below is not in the Government Code. This is because Government Code §56430(a)(7) allows for the Commission to review "any other matter related to effective or efficient service delivery as required by commission policy." El Dorado LAFCO chose to study the potential effects of service delivery and/or extension on agricultural land as its seventh determination.

#### **3. Growth and population projections for the affected area.**

*Purpose: To evaluate service needs based on existing and anticipated growth patterns and population projections.*

Information in this section addresses the following factors in LAFCO Policy 4.4:

- Topographic factors and areas of social and economic interdependencies.
- Existing and planned land uses, land use plans and policies, consistency with county and city general plans, and projected growth in the affected area.

#### **Growth and Population Projections for the Affected Area**

The permanent population in the Tahoe area is heavily concentrated in certain vicinities, such as the City of South Lake Tahoe and Tahoe City (unincorporated), and the areas immediately surrounding Lake Tahoe and Highway 50, such as Meeks Bay, Meyers, North Shore and Echo Lakes. Beyond these population centers, the District is much less inhabited.

The Tahoe Region's population of permanent residents has continued to decrease in recent years. According to U.S. Census population data, the California side of the Tahoe Basin has experienced a decline in year-round population from 2010 to 2018. The population estimate for the California side of the Tahoe Basin (including El Dorado and Placer Counties) decreased almost 9% from 41,176 persons in 2010 to 37,853 in 2018. (American Community Survey 2010 and 2018 5-Year Estimates) Despite the current downward trend, the Tahoe Regional Planning Agency's 2012 Lake Tahoe Regional Plan estimated that the California portion of the Tahoe Basin could be expected to grow to 45,468 persons by 2035.



Another measure of the permanent resident population is registered voters. The Tahoe RCD has a total of approximately 23,383 registered voters; 17,587 in El Dorado County and 5,796 in Placer County. (Registrar of Voters, El Dorado and Placer Counties, 2019)

Lake Tahoe's beauty, international fame, and close proximity to populated areas of California contribute to the high number of visitors to the Basin each year. Due to the high percentage of vacation homes in the Tahoe Basin, the number of residents year-round is noticeably less than the seasonal population. Overnight and day visitors can more than triple the Region's population during peak periods. However, the seasonal population still contributes almost equally to the demand on Tahoe RCD services, because of the large percentage of recreational users and home ownership, each of which have unique resource conservation needs. Tahoe RCD has indicated in the past that increased development and recreational tourism at RCD contributes to a negative impact on the surrounding natural environment.

**2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.**

*Purpose: To identify the communities within the agency's service area or sphere of influence that have been traditionally unserved or underserved.*

Pursuant to State law (Senate Bill 244, 2011), LAFCO is required to identify any adjacent disadvantaged unincorporated communities within or contiguous to a District's sphere of influence and determine if they should be included with any SOI amendment.

Disadvantaged unincorporated communities (DUCs) are defined by Section 79505.5 of the Water Code as inhabited territory (12 or more registered voters) that constitutes all or a portion of a community with an annual median household income that is less than 80 percent of the statewide annual median household income. According to the most recent 5-year estimate data from the U.S. Census American Community Survey (2014-2018), the California statewide annual median household income is \$71,228; eighty percent of the statewide median household income is \$56,982.

Tahoe RCD includes 57 defined census block group areas within El Dorado and Placer Counties, 47 of which have income data available for 2018. Based on this income criteria and block group level income data from the same time period, 43%, of the census block group areas within Tahoe RCD are considered disadvantaged unincorporated communities. Overall, households within Tahoe RCD have an average median household income of \$64,243 across the 47 census block groups. Reported median household incomes range widely from \$24,141 to \$147,841. For more information about DUCs and specific census block group income data, see Section VII Appendix II: Background on Disadvantaged Unincorporated Communities.

Pursuant to Government Code Section 56430, disadvantaged unincorporated communities may also lack water, waste water, and structural fire protection services. The Tahoe RCD does not provide any of these services, however, these services are provided within Tahoe RCD boundaries by various water, sewer and fire protection agencies. Water and sewer services are collectively provided to the Tahoe RCD service area by the McKinney Water District, North Tahoe Public Utility District, South Tahoe Public Utility District, Tahoe City Public Utility District, and Tahoe-Truckee Sanitary Agency. Fire protection are collectively provided to the Tahoe RCD service area by the City of South Lake Tahoe, Lake Valley Fire Protection District, Fallen Leaf Lake Community Services District, Meeks Bay Fire Protection District, North Tahoe Fire Protection District, and the United States Forest Service.

Though there are DUCs identified within and adjacent to the Tahoe RCD sphere of influence, for the reasons outlined above, no DUCs have been identified to be included in an SOI amendment for the Tahoe RCD.

**3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies, including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.**

*Purpose: To evaluate the infrastructure needs and deficiencies of a district in terms of capacity, condition of facilities, service quality, and levels of service and its relationship to existing and planned service users, especially those in areas that have been traditionally unserved or underserved.*

Information in this section addresses the following factors in LAFCO Policy 4.4:

- Service capacity, level and types of services currently provided by the agency, and areas where these services are provided.
- A description of the services that will be provided to any areas which may be added to the sphere and the timing and method for funding expansion of facilities or services.

Tahoe RCD's current programs and projects are categorized and expanded upon as follows:

***Aquatic Invasive Species Program***

Non-native, aquatic invasive species (AIS) pose a serious threat to the recreational and natural resources of the Lake Tahoe watershed. Once AIS are introduced and establish a local population, they are extremely costly to control and often impossible to eradicate. For these reasons, the prevention of new AIS infestations is more effective and more economical than the control or eradication of an existing infestation.

Tahoe RCD is the co-chair of the Lake Tahoe Aquatic Invasive Species Coordination Committee, designed to collaborate on prevention, control and early detection of AIS. The Committee shares resources and information, standardizes methods for treatment and data collection, performs coordinated education and outreach activities, obtains grants, prioritizes projects and organizes effective control efforts. The program is implemented by 40 public and private partner organizations, including Federal, State, and local jurisdictions, research partners, public utility districts, and private marinas. The Tahoe RCD leads the implementation of the prevention program and control programs for aquatic invasive weed removal.

#### *Tahoe Boat Inspection Program*

The primary methods used to combat the introduction of new AIS is through boat inspections, decontaminations, and continuous education efforts. Through these efforts, Tahoe RCD has effectively prevented any new species from entering Lake Tahoe since the introduction of this program in 2008. Watercraft are the largest source for spreading AIS into new waterways, and boat inspections are mandatory prior to launching on Lake Tahoe. The Tahoe RCD website contains educational materials regarding AIS and a four-step guide to this boat inspection process for lake visitors.

To improve efficiency at launch sites, AIS inspection services are only provided at off-site, drive-through inspection stations located around the Tahoe Region during summer season operations. During winter season operations, Tahoe RCD inspectors conduct aquatic invasive species inspections and decontaminations at area boat launch ramps.

#### *Tahoe AIS Control*

While the District and its partners have been effective in preventing any new invasive species from entering the Lake, species that were previously introduced still remain. Since 2005, Tahoe RCD has worked with its many public and private partners to assess, prioritize, and implement over 20 AIS control projects within Lake Tahoe. Tahoe RCD is currently involved in the following four AIS control projects, all designed to mitigate the damage of the existing invasive species found in Lake Tahoe and its surrounding waters: Lakewide Aquatic Weed Control Project, Truckee River Eurasian Watermilfoil Removal, Tahoe Keys Aquatic Invasive Plant Control, and Early Detection and Surveillance Monitoring.

#### ***Fire Adapted Communities Program***

Tahoe RCD is a member of the Tahoe Fire & Fuels Team (TFFT), a multi-jurisdictional collaboration to protect lives, property and the environment within the Lake Tahoe Basin from wildfire by implementing prioritized fuels reduction projects and engaging the public in becoming a Fire Adapted Community. The TFFT was formed in 2008 to implement the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy, which establishes a process for identifying and prioritizing projects that will have the greatest benefit for Lake Tahoe communities. The Strategy facilitates the strategic decisions that must be made by

land management, fire, and regulatory agencies to reduce the probability of a catastrophic wildfire in the Lake Tahoe Basin.

Partner agencies include the Tahoe Basin fire agencies, CAL FIRE, Nevada Division of Forestry and related state agencies, University of California and Nevada Cooperative Extensions, the Tahoe Regional Planning Agency, the U.S. Forest Service, the Tahoe and Nevada Resource Conservation Districts, the California Tahoe Conservancy and the Lahontan Regional Water Quality Control Board.

The TFFT is overseen by a Multi-Agency Coordinating Group composed of representatives from each partner agency. The Group provides general direction and political leadership for the Tahoe Fire and Fuels Team, approves yearly operations plans, and assists with identifying funding opportunities.

As part of its role in the TFFT, Tahoe RCD collaborates with local fire districts and the community to facilitate the Tahoe Network of Fire Adapted Communities (Tahoe Network). The Tahoe Network is a program designed to help residents take individual action to help collectively reduce their neighborhood's risk from wildfire. The Tahoe Network connects residents to local fire protection districts and public land management agencies to create defensible space and ember awareness, educates residents through the Tahoe Living With Fire website ([www.tahoelivingwithfire.com](http://www.tahoelivingwithfire.com)), publications, and workshops, and empowers neighborhoods to work together with neighborhood leaders to prepare for wildfire.

By actively working to engage and encourage the community on this issue, Tahoe RCD is able to expand its outreach to ensure that more people in the Tahoe Basin are prepared for the dangers that wildfires pose. The Tahoe Network relies strongly on members of the community to assist with wildfire prevention efforts and become "neighborhood leaders." Neighborhood leaders are supported by Fire Adapted Communities program staff and fire district personnel to help communities prepare for wildfire. Leaders can provide a broad range of actions to help make their communities more wildfire resilient, including coordinating neighborhood work days to create a defensible space in common areas or on high-risk roads, hosting block parties with invited speakers to talk to about landscaping and native, fire-resistant plants, providing educational materials at local community boards, working with local fire districts to prepare an evacuation plan; and writing letters to the local newspaper highlighting the importance of wildfire safety.

### ***Stormwater Program***

Pollution from stormwater is another factor that can negatively contribute to the Lake environment, which can greatly damage water clarity. While storm drains are necessary to prevent flooding in urban areas, they also can cause sediments, trash, and other pollutants to be carried from these areas into Lake Tahoe. Tahoe RCD's contribution in a stormwater program works to help fight against this threat to water clarity.

**Regional Stormwater Monitoring Program**

The Lake Tahoe Regional Stormwater Monitoring Program was formed in March 2007, with the goal of improving the clarity of Lake Tahoe. The program is a collaborative effort between regulatory agencies, municipal jurisdictions, and scientists to combat stormwater pollution by developing a Basin-wide program with consistent, coordinated, and scientifically-defensible reporting standards for water quality, and providing means by which jurisdictions can assess the effects of environmental improvement programs and track progress toward achieving lake clarity goals.

The Regional Stormwater Monitoring Program outlines protocols for consistent data collection, management, analysis and reporting of stormwater monitoring data. Tahoe RCD analyzes the data and publishes the results in an Annual Stormwater Monitoring Report, which informs future management and treatment decisions for both Tahoe RCD and other neighboring jurisdictions.

In order to best compete for funding for stormwater management projects in the State of California and the Lake Tahoe Basin, a comprehensive strategy that helps guide public investment has been developed in the Stormwater Resource Plan for the Tahoe-Sierra Region, prepared for Tahoe RCD in February 2018. A stormwater resource plan is a relatively new requirement to receive funds for stormwater and dry weather runoff capture projects from any bond approved by voters after January 2014 [Water Code §10563(c)(1)].

Tahoe RCD also combats stormwater pollution through public awareness, by both residents and visitors, aware of the issue. Tahoe RCD promotes action steps for the general public to take that can help minimize stormwater pollution, including maintaining your storm drain, washing your car at a car wash, ridesharing and driving less, and properly disposing of chemicals.

**Landscape Conservation Program**

Tahoe RCD's Landscape Conservation Program combines landscape management practices with actions that preserve and protect the region's natural resources. Tahoe RCD provides education and examples of management practices to enhance the look and functionality of property while not creating a burden on the environment. Landscapes that integrate these practices are typically more cost efficient and require less maintenance and long term external inputs.

**California Tahoe Conservancy**

Tahoe RCD has collaborated with the California Tahoe Conservancy since the 1990s in the Tahoe Conservation Partnership, a joint powers agreement (JPA) for the purpose of managing California Tahoe Conservancy lands. Under this JPA, the RCD hires and manages field crews and specialists to perform natural resource management activities on California Tahoe Conservancy managed lands. Tahoe RCD crews assist with protection, restoration, maintenance, and monitoring. Projects include forest thinning, erosion control, invasive species management, trail construction/maintenance, revegetation, and wildlife/vegetation monitoring. This relationship of restoration and land management allows Tahoe

RCD and the California Tahoe Conservancy to collaborate and manage approximately 4,700 parcels, totaling nearly 6,500 acres on the California side of the Lake Tahoe Basin.

***Johnson Meadow and Pomin Park + Polaris Creek Restoration Projects***

Another way the Tahoe RCD seeks to promote landscape conservation is through acquiring and restoring land that is vital to the Tahoe Basin environment.

***Johnson Meadow Project***

Johnson Meadow is a 206-acre plot of land surrounded by, but not within, the City of South Lake Tahoe, east of the “Y” intersection, directly south of Lake Tahoe Boulevard (Highway 50) and Emerald Bay Road (Highway 89). It is located within the Upper Truckee River (UTR) watershed, the largest watershed in the Lake Tahoe Basin. Johnson Meadow is situated in the floodplain of the UTR and was the largest privately-owned meadow in the Tahoe Basin, providing some of the most significant wet meadow floodplain habitat in the entire Sierra Nevada.

Tahoe RCD acquired title to the Johnson Meadow property in 2018 in order to provide continuous public ownership of the lower nine miles of the UTR before the river enters Lake Tahoe. Johnson Meadow provides connectivity to other public lands and access for compatible public uses that are consistent with wildlife habitat preservation and protection of sensitive biological resources.

The purchase of Johnson Meadow is a critical step in restoring the UTR watershed, and its significant wildlife habitat. Tahoe RCD purchased this plot of land to provide ecosystem and watershed protection benefits through preservation, management, and future restoration of meadow, riparian, aquatic and upland habitats in Johnson Meadow. Acquisition was made possible through grant funding from California Tahoe Conservancy, California Department of Fish and Wildlife and the Tahoe Fund.

Tahoe RCD is working with a variety of stakeholders in the restoration planning process to ensure that future plans address social and ecological topics such as community outreach and stewardship, riparian habitat restoration, wildlife conservation, water quality improvement, public access, and reducing environmental hazards. Restoration of the river and associated habitats will focus on restoring natural hydrologic processes throughout the meadow and coordinating these projects with the work being conducted on adjacent river reaches of the UTR.

***Pomin Park + Polaris Creek Restoration Project***

Polaris Creek is another important Lake Tahoe tributary located in North Tahoe. Pomin Park is a vital recreation resource for North Tahoe communities, built directly on Polaris Creek wetland. The construction of the ball field constrains Polaris Creek and causes seasonal flooding on the fields and campground, keeping them waterlogged, unsafe and unusable.

The goal of the Pomin Park + Polaris Creek Project is to investigate restoration options of Polaris Creek and relocation options of Pomin Park. Potential relocation of Pomin Parks’ ball field, park and campground would provide the opportunity for

full restoration of Polaris Creek and improve Lake clarity by restoring a natural wetland and improving wildlife and meadow habitat.

Tahoe RCD recently collaborated with the California Tahoe Conservancy, California State Parks, Placer County and Tahoe City Public Utility District to conduct a feasibility study for the restoration of Polaris Creek and its wetland and relocation of the Pomin Park amenities. The feasibility study was completed in May 2020.

Next steps in the process will include defining the roles for Advisory Group member agencies, conducting additional public workshops for feedback from the North Tahoe Community, further refining a comprehensive restoration and relocation plan for restoration and potential park relocation, and initiating the environmental review and regulatory process. A large portion of the funding for future project phases will be sought through grants, so the project schedule will be influenced by grant availability and timing of grant cycles.

### **Infrastructure and Facilities**

Aside from the newly acquired 206-acre Johnson Meadow which is planned for restoration, the Tahoe RCD does not own any major infrastructure or facilities. It does, however, maintain multiple stormwater monitoring stations, and four roadside watercraft inspection stations. Tahoe RCD also owns various equipment, tools and instruments used for in the field operations and basic office equipment for administrative and planning functions. Tahoe RCD used to share office space with the Natural Resource Conservation Service, but it now independently leases its office space at 870 Emerald Bay Road in South Lake Tahoe. The term of the lease runs through January 31, 2022, with a monthly payment of \$4,450 and annual increases not to exceed 3%.

#### **4. Financial ability of agencies to provide services.**

*Purpose: To evaluate factors that affect the financing of needed improvements.*

Information in this section addresses the following factors in LAFCO Policy 4.4:

- Financial capabilities and costs of service.

### **Funding and Budget**

This section analyzes the financial operations of the Tahoe RCD to assess its long-term financial viability. Annual financial statements, audits, and budget actuals and projections from fiscal years (FY) 2015-16 through FY 2019-20 were reviewed to determine the fiscal status of the District. Financial information was obtained from Tahoe RCD, the El Dorado and Placer County Auditor-Controller's Offices, and the State Controller's Office. Actual numbers included in the table below were taken directly from Tahoe RCD financial audits in order to reflect true expenditures, with the exception where actual data has not been compiled yet.



<b>Tahoe RCD Revenues, Expenditures and Net Assets – FY 2015-16 to 2019-20</b>					
	<b>2015-16 (Actual)</b>	<b>2016-17 (Actual)</b>	<b>2017-18 (Actual)</b>	<b>2018-19 (Actual)</b>	<b>2019-20 (Adopted by Tahoe RCD)</b>
<b>Beginning Fund Balance, July 1</b>	<b>\$1,069,748</b>	<b>\$1,204,227</b>	<b>\$922,611</b>	<b>\$1,431,467</b>	<b>\$1,556,032</b>
<b>Revenues</b>					
Property Taxes – El Dorado & Placer Counties	\$134,260 (5.3%)	\$140,921 (5.2%)	\$148,113 (1.2%)	\$162,504 (4.6%)	\$135,000 (2.0%)
Use of Money & Property (Interest + SHPTR)	\$4,275 (0.2%)	\$6,471 (0.2%)	\$12,930 (0.1%)	\$27,347 (0.8%)	\$10,000 (0.1%)
Government Revenue	\$2,396,308 (94.3%)	\$2,586,270 (94.5%)	\$11,877,687 (98.6%)	\$3,348,283 (94.5%)	\$6,560,563 (97.8%)
Charges for Services	\$3,324 (0.1%)	\$0 (0.0%)	\$0 (0.0%)	\$3,601 (0.1%)	\$0 (0.0%)
Miscellaneous	\$1,676 (0.1%)	\$2,190 (0.1%)	\$2,253 (0.0%)	\$287 (0.0%)	\$0 (0.0%)
<b>Total Revenues</b>	<b>\$2,539,843</b>	<b>\$2,735,852</b>	<b>\$12,040,983</b>	<b>\$3,542,022</b>	<b>\$6,705,563</b>
<b>Expenditures</b>					
Salaries and Benefits	\$1,583,757 (65.6%)	\$1,610,047 (55.7%)	\$1,572,859 (13.7%)	\$1,773,197 (51.8%)	\$2,378,648 (34.7%)
Services and Supplies	\$822,383 (34.1%)	\$1,268,378 (43.9%)	\$1,703,479 (14.8%)	\$1,616,941 (47.2%)	\$4,375,115 (63.9%)
Capital Outlay	\$6,540 (0.3%)	\$11,354 (0.4%)	\$8,204,364* (76.5%)	\$33,780 (1.0%)	\$96,100 (1.4%)
<b>Total Expenditures</b>	<b>\$2,412,680</b>	<b>\$2,889,779</b>	<b>\$11,480,702</b>	<b>\$3,423,918</b>	<b>\$6,849,863</b>
<b>Net Change in Fund Balance</b>	<b>\$127,163</b>	<b>-\$153,927</b>	<b>\$560,281</b>	<b>\$118,104</b>	<b>-\$144,300</b>
Gain on sale of assets	\$8,847	\$0	\$0	\$0	\$0
Prior Period Adjustments	-\$1,531	-\$127,689	-\$51,425	\$6,461	\$0
<b>Ending Fund Balance, June 30</b>	<b>\$1,204,227 (+12.6%)</b>	<b>\$922,61 (-23.4%)</b>	<b>\$1,431,467 (+55.2%)</b>	<b>\$1,556,032 (+8.7%)</b>	<b>\$1,411,732 (-9.3%) Estimated</b>

\* Johnson Meadow acquisition

**Revenue**

Resource conservation districts typically rely on grants, property taxes, and special assessments or special taxes to provide funding for various programs and projects. Tahoe RCD is overwhelmingly financed by government and private grants, followed to a much lesser extent by property taxes. Total revenues exceeding expenditures are carried over to the next fiscal year.

Grants

Tahoe RCD’s primary source of revenue overwhelmingly comes from grants, which are awarded based on the scope of work Tahoe RCD plans to complete. In recent years, Tahoe RCD has received 92-98% of its incoming revenue in grant funds. The RCD staff is very active in the annual pursuit of grants and the District has an approximate two-thirds success rate for grants applied for vs. obtained. Although

RCD is proficient in securing grants, this form of funding is not always a reliable form of income year after year.

In fiscal year 2019-20, Tahoe RCD adopted a budget of approximately \$6.7 million; however, the annual District budget can fluctuate greatly from year to year depending on grants received, which drive Tahoe RCD's special projects and scope of work. A good example of this is fiscal year 2017-18, when Tahoe RCD received a larger than usual amount of grant funding from the California Tahoe Conservancy, California Department of Fish and Wildlife, and the Tahoe Fund, which consisted of private donations from Barton Health and dollar donations collected at Heavenly Ski Resort, for acquisition of Johnson Meadow.

Grant funding strengthens the District's ability to leverage its resources and to provide meaningful programs that directly relate to resource conservation issues within a larger watershed context. Tahoe RCD has been awarded over \$30 million in single-year and multi-year grants since 2014 from federal, state and local sources, to be used for the following projects:

- Nearly \$9.2 million for Johnson Meadow (\$8.3 million for acquisition and \$850,000 for restoration);
- \$7.1 million for various Aquatic Invasive Species control and prevention programs;
- \$6.3 million for the Fire Adapted Communities Program and other wildfire-related efforts;
- Nearly \$5 million for the Stormwater Program and related water quality monitoring efforts; and
- More than \$2.4 million for general land management, conservation and capacity building efforts.

#### Property Taxes

Property taxes account for a much smaller percentage of the District's total incoming revenue, typically around 2-5% in a year with average revenue. Tahoe RCD receives a modest share of the property tax increment from parcels within the District's service area, within both El Dorado and Placer Counties, which amounts to approximately \$135,000-\$162,000 annually. Tahoe RCD receives an average of 0.1144% from the parcels within El Dorado County and 0.1130% from the parcels within Placer County. Property tax revenue can fluctuate slightly from year to year as the result of normal changes in property taxes. El Dorado and Placer Counties, through the Auditor-Controller's Office and the Treasurer-Tax Collector, are responsible for assessing, collecting and distributing property taxes in accordance with enabling legislation.

#### Other

Tahoe RCD does not have a typical rate or fee structure. Outside of grant-funded activities, Tahoe RCD provides most services and informational materials at no charge. This approach is common among resource conservation districts, as they

are resource agencies with a primary purpose of disseminating information to landowners and the general public.

Tahoe RCD typically receives less than 1% of its revenue from interest. Prior to 2020, the District maintained its cash and investments within the El Dorado County Treasury and the Auditor-Controller's Office served as the accounts payable for the District. In January 2020, Tahoe RCD switched to a commercial bank and will no longer rely on El Dorado County for claims payments, payroll processing, banking services for deposits and general ledger accounting services. Instead, these functions will be handled by the commercial bank, an outside payroll service and internally by the Tahoe RCD accounting staff with general treasury oversight by the Board of Directors. From an administrative standpoint it is easier for the District to handle the financial administration on its own and the switch has been positive. Tahoe RCD staff now has the ability to prepare checks directly from the District office, decreasing payment times, deposit checks from the District office with a check scanner, and onboard new employees on the District's own timeline.

### **Expenses**

In an average year, Tahoe RCD's expenses consist almost entirely of salaries and employee benefits and services and supplies. Employee benefits and salaries, which were over \$1.7 million in FY 2018-19, accounted for almost 52% of expenses; services and supplies, at \$1.6 million, accounted for another 47%. Tahoe RCD supports a staff of 20 full-time employees and upwards of 50 seasonal employees during the summer field season.

Payroll and operating costs are tracked internally to be split between District expenses and partner expenses. Federal, State or local contract or grant funds are earmarked for specific program or project costs and may not be used for general District expenses. Tahoe RCD does not currently have any outstanding debts.

### **Financing Constraints and Opportunities**

Tahoe RCD appears to receive sufficient revenue to fund its programs through various Federal, State and private grants, contributions from both El Dorado and Placer Counties, and a relatively small increment of the property tax collected. Although the majority of the funding is only semi-stable due to the uncertain nature of grants, the District appears to be able to adequately finance its operations, in part, because it provides service to such a high-profile area that receives an abundance of attention and funding at the national and state level.

Tahoe RCD staff has indicated that the District's unrestricted funds may not be sufficient in the long term to keep up with future demand for services and increasing operating costs. Tahoe RCD hopes to continue to be successful in securing grants for project implementation, but general operating costs are also increasing for basic operational and administrative functions such as office space rent, computer, office and field equipment, website maintenance, special district regulations and utilities.

Despite increasing operational costs, Tahoe RCD has been able to continue normal operations without significantly affecting its programs or services. This is in part due

to the District’s carry-over fund balance, which is used in some years to make up the difference in revenue and expenses, but has maintained an overall increasing rate since FY 2015-16. By practice, Tahoe RCD management strives to hold one year’s worth of operating expenses, excluding program costs, in unrestricted funds. Tahoe RCD may need to consider additional managerial efficiencies and the re-prioritization of programs and services in order to operate entirely within budget in any given year.

Tahoe RCD’s 2018-2021 Strategic Direction Plan outlines strategies for the District to achieve stable financial resources, including: negotiating sustainable payment structures with contract funders, pursuing high-value, multi-year grant opportunities, establishing a fee for service program, creating a revenue plan and funding structure for Johnson Meadow, and exploring additional revenue sources. If implemented, these measures would provide additional financial stability to the District’s largely grant-funded budget.

**Cost Avoidance Opportunities and Shared Facilities**

The Tahoe RCD appears to be very adept at cost avoidance measures and sharing of facilities. District policy requires that any single purchases in excess of \$500.00 requires a price quote from a minimum of three vendors to ensure a competitive price and safe guard the use of Tahoe RCD funds.

Tahoe RCD maintains a strong collaborative relationship with numerous local, state and federal agencies that are working toward a common goal of resource conservation in the Tahoe Basin. By collectively pooling the distinctive resources and staff expertise of each agency, Tahoe RCD is able to facilitate a broader level of programs and offer a greater variety of services than it would working solely as an autonomous entity.

**Opportunities for Rate Restructuring**

This section is not applicable to the Tahoe RCD, as it does not have an established fee schedule and provides the majority of services and informational materials to the public at no charge.

**5. Status of, and opportunities for, shared facilities.**  
*Purpose: To evaluate the opportunities for a jurisdiction to share facilities and resources to develop more efficient service delivery systems.*

**Cooperative Efforts**

Tahoe RCD participates in numerous cooperative efforts and partnerships with public, private, and volunteer organizations with respect to protecting and restoring natural resources in the El Dorado and Placer County portions of the Tahoe Basin. By the very nature of resource conservation services and the multi-jurisdictional region where the RCD operates, many, if not most, of the District’s programs outlined in Section 3 are cooperative efforts. Partners of Tahoe include:

- Alpine County
- CalFIRE
- California Department of Transportation
- California State Parks
- California Tahoe Conservancy
- Desert Research Institute
- El Dorado County
- Homewood Mountain Resort
- Lahontan Regional Water Quality Control Board
- Lake Tahoe Aquatic Invasive Species Coordination Committee
- Lake Tahoe Basin Weed Coordinating Group
- Lake Tahoe Master Gardeners
- Lake Valley Fire Protection District
- League to Save Lake Tahoe
- Natural Resource Conservation Service (NRCS)
- Nevada Department of Environmental Protection
- Nevada Tahoe Conservation District
- North Lake Tahoe Fire Protection District
- Placer County
- Private Marina Managers
- Sierra Ecosystems Associates/EN2 Resources, Tahoe.
- Sierra Watershed Education Partnership
- South Tahoe Environmental Education Coalition
- South Tahoe Public Utility District
- Lake Tahoe Unified School District
- Tahoe Environmental Research Center
- Tahoe Fire and Fuels Team
- Tahoe Fund
- Tahoe Institute for Natural Sciences
- Tahoe Regional Planning Agency
- Tahoe Truckee Unified School District
- Town of Truckee
- Truckee River Watershed Council
- Truckee-Donner Parks and Recreation
- U.S. Bureau of Reclamation
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- University Cooperative Extension (California and Nevada)
- University of California at Davis
- University of Nevada-Reno

Tahoe RCD also contracts with other public agencies within the Tahoe Basin to provide resource conservation services outside its boundaries. Such contracts include:

- Watercraft Inspection Program – Tahoe RCD contracts with the Tahoe Regional Planning Agency (TRPA) to implement the Watercraft Inspection Program Basin-wide on Tahoe’s behalf. The program covers both the California and Nevada side of the Tahoe Basin.
- Regional Stormwater Monitoring Program – Tahoe RCD manages and implements the Regional Stormwater Monitoring Program on behalf of seven Tahoe Basin jurisdictions. The program receives funding from the Counties of El Dorado and Placer, the City of South Lake Tahoe, and the California Department of Transportation (California side); along with the Counties of Douglas and Washoe, and the Nevada Department of Transportation

(Nevada side). Tahoe subcontracts with the Nevada Tahoe Conservation District to assist with some of the implementation in Nevada.

- Aquatic Invasive Species Control – Tahoe received grants to conduct control work on the Nevada side of the Tahoe Basin on both public and private lands in coordination with other agencies.

Although LAFCO approval is typically required for an agency to provide services outside of its jurisdictional boundaries, Government Code §56133(e)(1) allows for such agreements, “between two or more public agencies where the service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.” The above agreements are for Tahoe RCD to provide services that those other agencies would have otherwise provided except that Tahoe RCD can provide them at a higher level, at a lower cost or in a more efficient manner.

Tahoe RCD is one of three resource conservation districts in El Dorado County; the El Dorado County and Georgetown Divide RCDs cover the Western Slope of El Dorado County and the Nevada Tahoe Conservation District works with properties on the Nevada side of the Basin. Tahoe RCD partners with these resource conservation districts to the extent possible to provide desired services within its expertise to surrounding areas. However, the area that the Tahoe RCD serves within the Tahoe Basin is relatively isolated from the Western Slope and from other parts of Placer County, and given Tahoe RCD’s specific focus on the unique Tahoe Basin environment and specific resource conservation needs, joint contracting with the other RCDs is not always feasible or advantageous to Tahoe RCD.

**6. Accountability for community service needs, including governmental structure and operational efficiencies.**

*Purpose: To consider Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers; an evaluation of management efficiencies; and local accountability and governance.*

Information in this section addresses the following factors in LAFCO Policy 4.4:

- An analysis of the effects of a proposed sphere of influence on other agencies and their service capabilities.

**Administration and Management**

**Board of Directors**

Tahoe RCD is an independent special district, governed by a Board of Directors that acts as the authoritative and legislative body of the entity. The Board of Directors is composed of five members, appointed by the El Dorado County Board of Supervisors to serve four-year terms. As allowed by Public Resources Code §9314, Tahoe RCD adopted Resolution 90-2 in 1990 to request that its members be appointed by the El Dorado County Board of Supervisors as an alternative to the

election of directors. Director terms are staggered so that no more than two terms expire in the same two-year period.

As an organization, the Tahoe RCD strives to create and maintain a Board of Directors that actively works to leverage the strengths of individual directors to support the RCD.

District Board meetings are on the second Tuesday of each month at 10:00 am at the District Office at 870 Emerald Bay Road in South Lake Tahoe. Additional and special meetings are held as necessary. Meeting notices and agendas are posted at the Tahoe RCD Office and on the Tahoe RCD website ([www.tahoercd.org](http://www.tahoercd.org)) at least 72 hours prior to the board meeting. Board meetings and notices appear to be consistent with Brown Act requirements, which govern open meetings for local government bodies, allowing adequate opportunities for public involvement and input at meetings.

**Personnel and Staffing**

Tahoe RCD currently has 20 full-time employees, including the following positions:

Executive Director	Director of Programs
Director of Finance and Administration	Human Resources & Grant Manager
Stormwater Program Manager	Stormwater Program Specialist
Landscape Conservation Program Manager	Restoration Program Manager
Aquatic Invasive Species Program Manager	Aquatic Invasive Species Prevention Project Coordinator
Aquatic Invasive Species Control Program Coordinator	Fire Adapted Communities Coordinator
Tahoe Conservancy Partnership Program Coordinator	Tahoe Conservancy Partnership Program Assistant/Supervisor
Bookkeeper/Office Coordinator	Outreach Specialist/AmeriCorps
Work In Progress (WIP) Site Supervisors, 4 Positions	

Tahoe RCD also employs upwards of 50 additional of seasonal staff members during the summer field season to work on its Tahoe Conservation Partnership Crew and Watercraft Inspector Crew.

Tahoe RCD’s AIS inspection team staffs and trains a Watercraft Inspector Crew of 40-45 Certified Watercraft Inspectors at the beginning of each season to work at one of the District’s roadside or boat launch watercraft inspection stations.

Through a Joint Powers Agreement with the California Tahoe Conservancy, Tahoe RCD also hires and manages approximately 12 field crew members and specialists to perform land management activities, such as forest enhancement, wildlife monitoring and urban lands restoration projects, on Conservancy property through the Tahoe Conservation Partnership.



All qualified permanent employees are eligible to receive healthcare benefits but the District does not offer retiree healthcare benefits. All qualified permanent employees are eligible to participate in the District’s employee pension plan administered by the California Public Employees’ Retirement System (CalPERS). Benefit provisions under the plan are established by State statute and District resolution. District employees do not receive retiree healthcare benefits.

The plan's provisions and benefits in effect at June 30, 2019, are summarized as follows:

Hire date	Miscellaneous	
	<u>Prior to January 1, 2013</u>	<u>On or after January 1, 2013</u>
Benefit formula	2.0% @ 60	2.0% @ 62
Benefit vesting schedule	5 years service	5 years service
Benefit payments	Monthly, for life	Monthly, for life
Retirement age	55-60	52-67
Monthly benefits, as a % of compensation	1.5% to 2.0%	1.0% to 2.0%
Required employee contribution rates	7.00%	6.50%
Required employer contribution rates	8.35%	7.27%

CalPERS’ 2018 Actuarial Valuation Report for Tahoe RCD reported that as of June 30, 2018, the District had \$376,630 in unfunded accrued liability with a 75.8% funded ratio.

**Governmental Structure**

Tahoe RCD appears to operate sufficiently under its existing structure; the governmental structure is appropriate to provide adequate services, and the management structure of the District is sufficient to perform necessary services and maintain operation in an efficient and effective manner. It is reasonable to conclude that the Tahoe RCD is competently serving the areas under its jurisdiction and there is no recommendation for restructuring of any kind.

**Evaluation of Management Efficiencies**

Tahoe RCD seems to be very efficiently operated with the current resources and staffing available. Tahoe RCD operates with a five-member Board of Directors and a full-time staff of 20, overseen by the Executive Director. The Executive Director takes directions from the Board of Directors and coordinates directly with the Director of Programs, who in turn oversees the Program Managers who are responsible for each of Tahoe RCD’s main programs. Tahoe RCD is a very visible resource conservation district and its programs, projects and staff are very active throughout the Tahoe Basin. The District informs, educates and interacts with the community through its website that provides an abundance of information and publications, its Facebook and Twitter accounts, as well as an electronic newsletter. Staff is very receptive to public inquiries regarding the various programs and services that are available to landowners in the Tahoe Basin.

Tahoe RCD has numerous Board-adopted policies and procedures to guide staff in District operations, including for purchasing, credit card use, asset capitalization, unrestricted funds and operating capital, programs and controls, grant monitoring, fraud detection, and personnel policies. Policies are revisited and updated by the Board as needed.

**7. The potential effect of agency services on agricultural and open space lands.**

*Purpose: To determine the extent in which the provision of services by the agency, or its potential expansion of services, impact agriculture and open space, both on lands within the agency or surrounding it.*

Information in this section addresses the following factors in LAFCO Policy 4.4:

- Potential effects on agricultural and open space lands.

The Tahoe Basin is subject to multi-agency authority and planning, including the Tahoe Regional Planning Agency, the Counties of El Dorado County and Placer, the City of South Lake Tahoe, and other jurisdictions in the Basin. Development within the Tahoe Basin, or “East Slope”, is under jurisdiction of the TRPA. TRPA has adopted a Regional Plan, Code of Ordinances, and other regulations, which establish specific restrictions on land use, density, rate of growth, land coverage, excavation, and scenic impacts. The Code sets maximum annual housing unit allocations, as well as density limitations on multi-family development. TRPA distributes residential allocations to local jurisdictions every two years from the total number of allocations released every four years. For 2019-2020, TRPA allocated the following base numbers of residential allocations, per year: El Dorado County 30 residential allocations, Placer County 37 residential allocations, and the City of South Lake Tahoe 33 residential allocations.

Development within Tahoe RCD is tightly regulated and growth in the Basin is very limited. Growth that does occur is directed to already existing population centers such as the Cities of South Lake Tahoe and Tahoe City (unincorporated), and the areas immediately surrounding Lake Tahoe and Highways 50, 89 and 28, such as Meeks Bay, Meyers, North Shore and Echo Lakes. Much of the land beyond these population centers is publicly owned open space and forest land.

One of the goals of the Tahoe RCD is to promote the responsible stewardship of the natural resources within its service boundaries. This is accomplished, in part, by discouraging the premature conversion of agricultural, open space, or forest land to urban uses. The services provided by Tahoe RCD protect open space and the natural resources economy by assisting private landowners and local agencies in the efficient management of local natural resources.

## **IV SOI DETERMINATIONS**

In determining the sphere of influence for each local agency, Government Code §56425(e) requires the Commission to consider and prepare a written statement of determinations with respect to four factors, which are listed in Appendix A. Staff recommends the following determinations for amending the sphere for the Tahoe Resource Conservation District:

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

Present land use in the Tahoe RCD area includes residential, recreational, commercial and tourist-related uses. Primary residential areas within Tahoe RCD tend to follow the major highways and roads that bisect the district. Growth and development potential is limited largely by the Tahoe Regional Planning Agency (TRPA) regulations. No substantial changes in the planned land use are expected as a direct result of affirming the current Tahoe RCD sphere of influence.

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

The number of permanent residents within the Tahoe RCD service area, has decreased almost 9% from 2010 (41,176) to 2018 (37,853); however, TRPA estimates that the California portion of the Tahoe Basin could be expected to potentially grow to 45,468 persons by 2035.

Due to the high percentage of vacation homes and year-round recreational activities in the Tahoe Basin, the number of permanent residents is noticeably less than the seasonal population and overnight and day visitors can more than triple the Region's population during peak periods. The seasonal population still contributes almost equally to the demand on Tahoe RCD services, because of the large percentage of recreational users and home ownership, each of which have unique resource conservation needs.

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

The Tahoe RCD appears to provide a high level of resource conservation services to its residents. Tahoe RCD receives sufficient revenue to fund its programs through various grants, contributions from both El Dorado and Placer Counties and a relatively small increment of local property taxes. Although the majority of the funding is only semi-stable due to the uncertain nature of grants, Tahoe RCD does not appear to have difficulties in financing its operations, in part, because it provides service to such a high-profile area that receives an abundance of attention and funding at the national and state level.

**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.**

Tahoe RCD serves multiple distinct communities in the Tahoe Basin, including the City of south lake Tahoe, Meeks Bay, Tahoe City, Fallen Leaf Lake, Meyers, North Shore, Phillips and Tahoma. The City of South Lake Tahoe is the only incorporated community within the Tahoe RCD boundaries, and is the primary concentrated, social or economic community of interest that is within the District. Due to stringent TRPA land use regulations, these communities' permanent populations are expected to remain relatively stable in the next few years.

**5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

While LAFCO has identified disadvantaged communities within the Tahoe RCD service area boundary, the District does not provide any of the municipal services as defined in Government Code 56425(e)(5).

**Service Area and Sphere of Influence**

Tahoe RCD's service area has not changed since its creation, nor has its sphere of influence, which is concurrent with the District's boundaries. The Tahoe RCD sphere of influence was last updated December 5, 2007; the SOI set by the Commission at the time affirmed the original sphere. Based upon the information contained in this report, it is recommended that the Tahoe RCD sphere of influence be updated to affirm the original sphere, as shown in **Map 1**.

## **V ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA, Public Resources Code §21000 et seq.) requires public agencies to evaluate the potential environmental effects of their actions. OPR's Service Review Guidelines Chapter 7, *Integrating Municipal Service Reviews with the California Environmental Quality Act*, advises that "no two municipal service reviews will be exactly alike and each needs to be evaluated on its specific merits and characteristics." The environmental review for El Dorado LAFCO's service review of the Tahoe Resource Conservation District is specific to this study and may differ from the environmental review of other service reviews and other LAFCOs.

Service reviews are intended to support sphere of influence updates, including the creation and amendment of SOI boundaries, as well as other government reorganization proposals. Such activities could influence future growth patterns, and as such are considered discretionary projects under CEQA. LAFCO has the principal responsibility for carrying out and approving this service review and therefore the principal responsibility for preparing CEQA documents as lead agency.

### **Exemption**

This service review and accompanying sphere of influence determinations qualify for a statutory exemption as outlined in Public Resources Code §15061(b)(3). These activities are 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. The MSR and sphere of influence update have no possibility for causing a significant effect on the environment. Any future projects that make use of this service review and the information contained herein will be subject to separate environmental review under CEQA.

## **VI REFERENCES AND SOURCES**

### **General Background Information:**

2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; a Plan for Quality Neighborhoods and Traffic Relief, adopted July 19, 2004

CalPERS Tahoe Resource Conservation District Annual Valuation Report as of June 30, 2018

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, prepared by Assembly Committee on Local Government, last updated November 2019

Local Agency Formation Commission Municipal Service Review Guidelines, Governor's Office of Planning and Research, August 2003

Tahoe Metropolitan Planning Organization and Tahoe Regional Planning Agency, Regional Transportation Plan Mobility 2035, December 12, 2012

Tahoe Regional Planning Agency, Distribution of Residential Allocations to Local Jurisdictions Staff Report and Meeting Minutes, April 17, 2019

Tahoe Regional Planning Agency Website, [www.trpa.org](http://www.trpa.org)

U.S. Census American Community Survey 5-Year Estimates (2014-2018)

### **Governing and Defining Legislation:**

California Public Resources Code, Division 9 (Sections 9001-9778)

### **Tahoe Resource Conservation District:**

Tahoe Resource Conservation District Annual Reports 2015-2018

Tahoe Resource Conservation District Board Meeting Agendas, Packets and Minutes, 2015-2020

Tahoe Resource Conservation District Final Budgets, Fiscal Years 2014-2015, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20

Tahoe Resource Conservation District Financial Audits, Fiscal Years 2014-2015, 2015-16, 2016-17, 2017-18, 2018-19

Tahoe Resource Conservation District MSR Questionnaire, District responses, submitted by Tori Walton, Tahoe RCD Director of Finance and Administration, December 2019

Tahoe Resource Conservation District Resolution No. 90-2, June 12, 1999

Tahoe Resource Conservation District Strategic Direction Plan 2018-2021

Email Correspondence, Tori Walton, Tahoe RCD Director of Finance and Administration, May 2020 – August 2020

Tahoe Resource Conservation District Website, [www.tahoercd.org](http://www.tahoercd.org)

The Resource Conservation District Guidebook: A Guide to District Operations and Management, Produced by the California Conservation Partnership and the California Department of Conservation, November 1999

UC Davis 2020 State of the Lake Report, <https://tahoe.ucdavis.edu/stateofthelake>

## VII **APPENDICES**

### **A. Appendix I: Background on MSR/SOI**

State mandates enacted in 2000 establish requirements for a Local Agency Formation Commission to conduct comprehensive reviews of all municipal services (MSRs) in its county. This service review includes a summary and analysis of the Tahoe Resource Conservation District, along with a subsequent update to its sphere of influence. The MSR serves as a basis for the accompanying sphere of influence determinations and considerations for future government reorganizations. The information contained in this document does not explicitly plan for future services, nor will any action or change in services result directly as a result of LAFCO's adoption of the document. This service review provides a description of existing services provided by the District and is inherently retrospective, taking a "snapshot" of existing conditions. However, this document will be used as a guide for future decisions by LAFCO in determining the agency's ability to provide services. The report complies with all guidelines adopted by the Governor's Office of Planning and Research and will be available to other agencies and to the public.

This review is part of El Dorado LAFCO's Third Cycle of municipal service reviews (2013-2021). Tahoe RCD was previously reviewed in the 2007 *Resource Conservation District MSR* as part of the First Cycle of municipal service reviews; review of the Tahoe RCD in the Second MSR Cycle was postponed until the Third Cycle. In the First Cycle of MSRs, LAFCO reviewed each public agency providing similar public services in a single, comprehensive service-based report; therefore, one agency may be covered in multiple MSRs for different services. However, LAFCO utilized an agency-based approach for the Second and Third Cycle MSRs, so each agency will be reviewed in an individual MSR, covering all services provided by the agency. For past reviews of Tahoe RCD, or for more detailed information on the other agencies which provide similar services, please visit the LAFCO website under the "MSRs" tab.

#### **Background**

##### *Legislative Framework*

In 1997, the State Legislature established the Commission on Local Governance for the 21<sup>st</sup> Century (CLG). The CLG was tasked with assessing governance issues and making recommendations, directing special attention to the Cortese-Knox Local Government Reorganization Act of 1985, the then-57 Local Agency Formation Commissions governed by the Act and citizen participation in local government. CLG members included a broad spectrum of constituent groups and perspectives including counties, cities, special districts, educators, industry and elected officials.

The CLG determined that LAFCOs needed more specific information in order to make informed decisions on projects that came before them. It was recommended that LAFCOs be required to collect and review the information necessary to guide decisions before specific proposals were made. The CLG



concluded that this information was necessary for LAFCOs to encourage orderly growth and to provide planned, well-ordered, efficient urban development patterns and to advantageously provide for the present and future needs of each county and its communities. Specifically, the CLG recommended that information on public service capacity and issues be gathered through periodic service reviews. These service reviews would ultimately constitute a statewide body of knowledge that could be used to resolve California's growth-related public service issues. Based on these recommendations, the State Legislature enacted Government Code §56430 as part of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), which became effective on January 1, 2001.

Section 56430 of the CKH Act, in part, and as amended effective January 1, 2012, states as follows:

- (a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the sub-region, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:
  - (1) Growth and population projections for the affected area.
  - (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
  - (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies, including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
  - (4) Financial ability of agencies to provide services.
  - (5) Status of, and opportunities for, shared facilities.
  - (6) Accountability for community service needs, including governmental structure and operational efficiencies.
  - (7) The potential effect of agency services on agricultural and open space lands.
- (b) In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. The commission may assess various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence, including, but not limited to, the consolidation of governmental agencies.

- (c) In conducting a service review, the commission may include a review of whether the agencies under review, including any public water system as defined in Section 116275, are in compliance with the California Safe Drinking Water Act (Chapter 4 (commencing with Section 116270) of Part 12 of Division 104 of the Health and Safety Code). A public water system may satisfy any request for information as to compliance with that act by submission of the consumer confidence of water quality report prepared by the public water system as provided by Section 116470 of the Health and Safety Code.
- (d) The commission may request information, as part of a service review under this section, from identified public or private entities that provide wholesale or retail supply of drinking water, including mutual water companies formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code, and private utilities, as defined in Section 1502 of the Public Utilities Code.
- (e) The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or Section 56426.5 or to update a sphere of influence pursuant to Section 56425.

In addition, several sections of CKH empower LAFCOs to obtain information for service reviews:

- Section 56378 authorizes LAFCOs to initiate and make studies of existing governmental agencies. “In conducting those studies, the commission may ask for land use information, studies, and plans of cities, counties, districts, including school districts, community college districts, and regional agencies and state agencies and departments. (Those agencies) shall comply with the request of the commission for that information...”
- Section 56846 states, “Every officer of any affected county, affected city, or affected district shall make available to a reorganization committee any records, reports, maps, data, or other documents which in any way affect or pertain to the committee’s study, report, and recommendation and shall confer with the committee concerning the problems and affairs of the county, city, or district.”
- Section 56844 authorizes the Commission to undertake a study or report in place of a reorganization committee, thereby transferring those access rights.

### Relationship Between Spheres of Influence and Service Reviews

The CKH Act requires LAFCOs to develop and determine the sphere of influence (SOI) for each applicable local governmental agency that provides services or facilities related to development. Government Code §56076 defines a SOI as “a plan for the probable physical boundaries and service area of a local agency.”

Service reviews must be completed prior to the establishment or update of SOIs (§56430(a)). Spheres of influence must be reviewed and updated, as necessary, not less than once every five years (§56425). El Dorado LAFCO's policies already contain the update requirement (Policy 4.2).

The information and determinations contained in a municipal service review are intended to guide and inform SOI decisions. Service reviews enable LAFCO to determine SOI boundaries and to establish the most efficient service provider for areas needing new service. They also function as the basis for other government reorganizations. Section 56430, as noted above, states that LAFCO can conduct these reviews "before, in conjunction with, but no later than the time it is considering an action to establish a SOI."

In addition to the factors in Government Code §§56425 and 56430, the Commission's Policies and Guidelines Section 4.4 require that it make the following determinations prior to establishing a sphere of influence:

- (1) The service capacity, level and types of services currently provided by the agency and the areas where these services are provided.
- (2) Financial capabilities and costs of service.
- (3) Topographic factors and social and economic interdependencies.
- (4) Existing and planned land uses, land use plans and policies; consistency with county and city general plans and projected growth in the affected area.
- (5) Potential effects on agricultural and open space lands.
- (6) A description of the services that will be provided to any areas which may be added to the sphere and the timing and method for funding expansion of facilities or services.
- (7) An analysis of the effects a proposed sphere of influence on other agencies and their service capabilities.

#### Service Review Guidelines

The Governor's Office of Planning and Research (OPR) was directed by statute (§56430) to prepare guidelines to assist LAFCOs in complying with the new service review requirements. In that regard, the final *Local Agency Formation Commission Municipal Service Review Guidelines* was released in August 2003. OPR's intent in developing these guidelines was "to provide a structure to assist LAFCOs to carry out their statutory responsibility of promoting orderly growth and development, preserving the state's finite open space and agricultural land resources, and working to ensure that high quality public services are provided to all California residents in the most cost effective and efficient manner." These guidelines were utilized in the preparation of this service review document.

The guidelines identify several possible goals and objectives for municipal service reviews to be achieved through written determinations in the seven required areas. These goals and objectives are as follows:

Promote orderly growth and development in appropriate areas with consideration of service feasibility, service costs that affect housing affordability and preservation of open space, important agricultural land and finite natural resources.

- Encourage infill development and direct growth to areas planned for growth in general plans.
- Learn about service issues and needs.
- Plan for provision of high quality infrastructure needed to support healthy growth.
- Provide tools to support regional perspectives or planning that address regional, cross-county or statewide issues and processes.
- Develop a structure for dialogue among agencies that provide services.
- Develop a support network for smaller or ill-funded districts that provide valuable services.
- Provide backbone information for service provider directories or inventory reference documents for counties that do not have them.
- Develop strategies to avoid unnecessary costs, eliminate waste and improve public service provision.
- Provide ideas about opportunities to streamline service provision through use of shared facilities, approval of different or modified government structures, joint service agreements, or integrated land use planning and service delivery programs.
- Promote shared resource acquisition, insurance policies, joint funding requests or strategies.

The guidelines emphasize that “LAFCOs may need to modify these recommendations to reflect local conditions, circumstances and types of services that are being reviewed.” To that end, El Dorado LAFCO also utilized its own set of policies for service reviews (Policy 5 et seq.), which incorporate the goals and objectives listed above.

Determinations for Amending the Sphere for an Agency per Government Code §56425:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
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.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

**B. Appendix II: Background on Disadvantaged Unincorporated Communities**

Senate Bill 244, which became effective on July 1, 2012, is the State Legislature's attempt to address the issue of poor fringe communities lacking in basic municipal services, despite their proximity to cities and other local agencies providing those services. Among other things, SB 244 was written to assist disadvantaged communities that have been traditionally unserved or underserved. The statute now requires an MSR to 1) identify said communities, and 2) document deficiencies in service related to basic public services, such as domestic water, sanitary sewers, paved streets, storm drains, and street lights. Beyond the MSR process, the bill also encourages local agencies to bring services to the disadvantaged communities up to the same standard as surrounding communities.

SB 244 focuses on "disadvantaged *unincorporated* communities" (DUCs) and its overall intent is to bring services up to the same standards as other communities by incorporating them (annexing them into a city). That approach is faulty as it applies to El Dorado County for two reasons. First, there are only two cities in El Dorado County and neither is in a financial or geographical position to extend services to all DUCs in the county. Second, in this county it is special districts that provide a significant amount of municipal services, not cities. For these reasons, this MSR focuses on all areas meeting the definition of a "disadvantaged community", regardless of their location inside or outside a city. "DUC" is used interchangeably in this MSR to include both incorporated and unincorporated disadvantaged communities.

"Disadvantaged communities" are defined as inhabited territory with 12 or more registered voters that constitutes all or a portion of a "disadvantaged community," which is defined in the Water Code to be "a community with an annual median household income that is less than 80 percent of the statewide annual median household income."

A census tract is a geographic area defined by the United States Census Bureau and used for the census. The geographic size of census tracts varies widely depending on the density of population; a census tract typically has around 4,000 residents, but can range from 1,200 to 8,000. Census tracts are further divided into census block groups, generally defined to contain between 600 and 3,000 people, and then finally census blocks for understanding locations in at a community level.

Although the United States Census collects demographic information at all levels, it does not publish demographic information related to income data below the block group level, in order to protect peoples' privacy. Consequently, for this report LAFCO relied on income data from the United States Census Bureau, 2014-2018 American Community Survey 5-Year Estimates, at the census block group level.

The American Community Survey (ACS) is an ongoing survey conducted through the U.S. Census Bureau. The ACS regularly gathers information previously contained only in the long form of the decennial census, such as

ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. ACS data is collected at the census block group level, the lowest level to have data available to the public.

ACS provides a comprehensive demographic look at some communities, but is limited in that not all households are interviewed by the U.S. Census Bureau. Nevertheless, the information in the ACS is supposed to be statistically representative.

**Table 1: Study Area Population by Median Household Income**

<b>Geographic Area Name, County</b>	<b>Median Household Income</b>	<b>Meets DUC Criteria (&lt;80% Statewide MHI)</b>
Census Tract 302, Block Group 1, El Dorado	\$57,406	
Census Tract 302, Block Group 2, El Dorado	\$55,417	yes
Census Tract 302, Block Group 3, El Dorado	\$81,207	
Census Tract 302, Block Group 4, El Dorado	-	
Census Tract 302, Block Group 5, El Dorado	\$55,255	yes
Census Tract 303.01, Block Group 1, El Dorado	\$55,789	yes
Census Tract 303.01, Block Group 2, El Dorado	\$44,519	yes
Census Tract 303.01, Block Group 3, El Dorado	\$51,518	yes
Census Tract 303.02, Block Group 1, El Dorado	\$26,296	yes
Census Tract 303.02, Block Group 2, El Dorado	\$48,833	yes
Census Tract 303.02, Block Group 3, El Dorado	\$41,125	yes
Census Tract 303.02, Block Group 4, El Dorado	\$33,533	yes
Census Tract 304.01, Block Group 1, El Dorado	\$87,344	
Census Tract 304.01, Block Group 2, El Dorado	\$75,900	
Census Tract 304.01, Block Group 3, El Dorado	-	
Census Tract 304.01, Block Group 4, El Dorado	\$48,467	yes
Census Tract 304.01, Block Group 5, El Dorado	-	
Census Tract 304.02, Block Group 1, El Dorado	\$84,688	
Census Tract 304.02, Block Group 2, El Dorado	\$38,125	yes
Census Tract 304.02, Block Group 3, El Dorado	-	
Census Tract 304.02, Block Group 4, El Dorado	\$30,136	yes
Census Tract 304.02, Block Group 5, El Dorado	\$100,758	
Census Tract 305.02, Block Group 1, El Dorado	\$82,981	
Census Tract 305.02, Block Group 2, El Dorado	\$95,577	
Census Tract 305.02, Block Group 3, El Dorado	\$122,857	
Census Tract 305.04, Block Group 1, El Dorado	\$78,646	
Census Tract 305.04, Block Group 2, El Dorado	\$147,841	
Census Tract 305.04, Block Group 3, El Dorado	\$67,222	
Census Tract 305.05, Block Group 1, El Dorado	\$58,409	
Census Tract 305.05, Block Group 2, El Dorado	\$78,000	

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Census Tract 305.05, Block Group 3, El Dorado	\$73,750	
Census Tract 316, Block Group 1, El Dorado	\$41,726	yes
Census Tract 316, Block Group 2, El Dorado	-	
Census Tract 316, Block Group 3, El Dorado	\$34,643	yes
Census Tract 316, Block Group 4, El Dorado	\$38,375	yes
Census Tract 316, Block Group 5, El Dorado	\$41,630	yes
Census Tract 320, Block Group 1, El Dorado	\$73,935	
Census Tract 320, Block Group 2, El Dorado	-	
Census Tract 320, Block Group 3, El Dorado	-	
Census Tract 201.04, Block Group 1, Placer	\$58,462	
Census Tract 201.04, Block Group 2, Placer	\$80,364	
Census Tract 201.04, Block Group 3, Placer	\$71,181	
Census Tract 201.05, Block Group 1, Placer	\$52,067	yes
Census Tract 201.05, Block Group 2, Placer	\$57,396	
Census Tract 201.06, Block Group 1, Placer	\$73,456	
Census Tract 201.06, Block Group 2, Placer	\$53,333	yes
Census Tract 201.07, Block Group 1, Placer	\$40,625	yes
Census Tract 201.07, Block Group 2, Placer	\$55,117	yes
Census Tract 201.07, Block Group 3, Placer	\$38,947	yes
Census Tract 221, Block Group 1, Placer	\$84,167	
Census Tract 221, Block Group 2, Placer	\$24,141	yes
Census Tract 222, Block Group 1, Placer	\$103,500	
Census Tract 222, Block Group 2, Placer	-	
Census Tract 223, Block Group 1, Placer	-	
Census Tract 223, Block Group 2, Placer	\$71,250	

Source: 2014-2018 5-Year American Community Survey by the U.S. Census



### **C. Appendix III: Environmental Justice**

State law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies” (Government Code §65040.12(e)). OPR explains that “as the primary agency with responsibility for approving changes in boundaries, LAFCOs play an important role in coordinating growth and ensuring that proposed changes are consistent with environmental justice obligations.” Changes of organization must be consistent with spheres of influence, and the information contained in this service review will guide future updates to agency spheres of influence.

OPR identifies several uses for data obtained in the service review process:

1. Improving the community participation process.
2. Identifying low-income/minority neighborhoods under-served by public facilities and services that enhance the quality of life.
3. Considering the equitable distribution of public facilities and services.
4. Considering infrastructure and housing needs.
5. Identifying low-income/minority neighborhoods where facilities and uses that pose a significant hazard to human health and safety may be over-concentrated.
6. Screening of issues for potential environmental justice implications.

Consideration of the issues listed above will assist LAFCO and other public agencies in identifying, preventing, and reversing historical problems of procedural and geographic inequity. In undertaking this service review and making the seven determinations, LAFCO used an open public participation process to screen for and identify environmental justice issues.

Demographic data for the study area is limited and generally does not clearly distinguish between population groups of different races, cultures, and incomes. Demographic data for the County as a whole is limited. Typically analysts rely on Census data, specifically information gleaned from the Census’ American Community Survey since that data tends to be more recent even if the pool or respondents is not as large as the pool for the decennial Census.

U.S. Census area boundaries do not correspond directly to the Tahoe RCD boundaries (i.e., the Tahoe Basin portion of El Dorado and Placer Counties), but the data at the census tract level generally provides a useful demographic framework for the evaluation of environmental justice issues. Data for the City of South Lake Tahoe and the Counties of El Dorado and Placer as a whole is also included, for comparison purposes. The most recent data available, from the 2014-2018 American Community Survey 5-Year Estimates shows the following racial populations:

**Table 2: Study Area Population by Race**

Census Tract (or other area, as defined)	Total	RACE							Hispanic or Latino (Of Any Race)
		White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	
Tract 302, El Dorado County	5,146	79.6%	0.7%	1.2%	5.7%	0.3%	11.5%	1.0%	38.1%
Tract 303.01, El Dorado County	2,814	83.1%	0.7%	0.2%	2.0%	0.0%	11.5%	2.6%	39.1%
Tract 303.02, El Dorado County	2,519	95.3%	1.0%	0.0%	3.0%	0.0%	0.0%	0.7%	16.0%
Tract 304.01, El Dorado County	3,723	88.7%	0.4%	0.0%	3.9%	0.3%	5.2%	1.5%	10.1%
Tract 304.02, El Dorado County	4,222	79.3%	1.8%	0.0%	8.6%	0.2%	4.8%	5.3%	20.9%
Tract 305.02, El Dorado County	2,693	96.3%	0.4%	0.0%	0.2%	0.0%	0.3%	2.7%	6.8%
Tract 305.04, El Dorado County	2,425	93.0%	0.0%	0.2%	2.0%	0.0%	0.1%	4.6%	14.5%
Tract 305.05, El Dorado County	2,456	94.5%	0.0%	0.0%	0.5%	0.0%	0.7%	4.3%	9.7%
Tract 316, El Dorado County	3,317	71.3%	3.6%	0.0%	10.6%	0.0%	10.2%	4.3%	37.7%
Tract 320, El Dorado County	834	84.7%	0.7%	4.4%	2.0%	0.0%	0.4%	7.8%	7.1%
Tract 201.04, Placer County	803	93.3%	3.5%	0.0%	0.0%	0.0%	2.2%	1.0%	2.1%
Tract 201.05, Placer County	1,129	92.5%	0.9%	2.1%	0.0%	0.0%	0.0%	4.5%	6.2%
Tract 201.06, Placer County	1,404	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Tract 201.07, Placer County	2,717	85.5%	0.0%	0.0%	0.0%	0.0%	12.1%	2.4%	31.5%
Tract 221, Placer County	545	92.7%	0.0%	2.9%	0.0%	0.0%	0.0%	4.4%	3.9%
Tract 222, Placer County	785	96.3%	0.0%	0.0%	0.0%	0.0%	3.1%	0.6%	8.9%
Tract 223, Placer County	321	94.1%	0.0%	0.0%	5.3%	0.0%	0.6%	0.0%	0.6%
City of South Lake Tahoe	21,814	82.2%	1.3%	0.3%	5.9%	0.2%	7.6%	2.5%	27.4%
El Dorado County	186,661	88.0%	0.8%	0.7%	4.4%	0.2%	2.2%	3.7%	12.7%
Placer County	380,077	82.5%	1.6%	0.5%	7.2%	0.2%	3.1%	4.8%	13.8%

Source: 2014-2018 5-Year American Community Survey by the U.S. Census  
 Percentages may not add due to rounding

The demographic data from the census suggests that while the Tahoe RCD service area is relatively homogenous, it is generally more diverse than the unincorporated portions of El Dorado and Placer Counties, with higher numbers of racial or ethnic minorities counted.

Overall, within the Tahoe RCD boundaries, whites comprise the largest racial group with an average 89.4% of the population; the largest ethnic minority populations are Hispanic/Latino of any race, with an average of 14.9% of the population; although it is worth noting that the ranges in each category are very broad, indicating smaller areas with a more, or in some cases less, diverse population. On average, the demographic breakdowns appear to be somewhat on par with the countywide El Dorado and Placer demographics as a whole. The City of South Lake Tahoe appears to be one of the most diverse areas within the Tahoe RCD boundaries.

**Table 3: Study Area Population by Below Poverty Level**

Geographic Area Name, County	Percentage of Families and People Below Poverty Level
Census Tract 302, El Dorado County	-
Census Tract 303.01, El Dorado County	12.2%
Census Tract 303.02, El Dorado County	12.7%
Census Tract 304.01, El Dorado County	7.8%
Census Tract 304.02, El Dorado County	18.7%
Census Tract 305.02, El Dorado County	3.7%
Census Tract 305.04, El Dorado County	11.7%
Census Tract 305.05, El Dorado County	5.0%
Census Tract 316, El Dorado County	21.3%
Census Tract 320, El Dorado County	8.8%
Census Tract 201.04, Placer County	11.3%
Census Tract 201.05, Placer County	16.7%
Census Tract 201.06, Placer County	9.9%
Census Tract 201.07, Placer County	12.3%
Census Tract 221, Placer County	7.5%
Census Tract 222, Placer County	12.9%
Census Tract 223, Placer County	31.8%
El Dorado County	8.9%
Placer County	8.0%

Source: 2014-2018 5-Year American Community Survey by the U.S. Census

Income data available from the 2014-2018 American Community Survey 5-Year Estimates indicates in 2018, the average median household income in the entire Tahoe RCD area was \$63,389, below the statewide MHI of \$71,228, but overall not within the criteria for a disadvantaged community, as defined by the Water Code at \$56,982 in 2018. However, there are many individual census tract block group areas that fall below this criteria, which is corroborated by Table 3, which outlines the percentage of families and people within the different census tracts representing Tahoe RCD which fall below the national poverty level. Income data available from the census suggests that there are low income population concentrations in the study area. However, while service levels vary

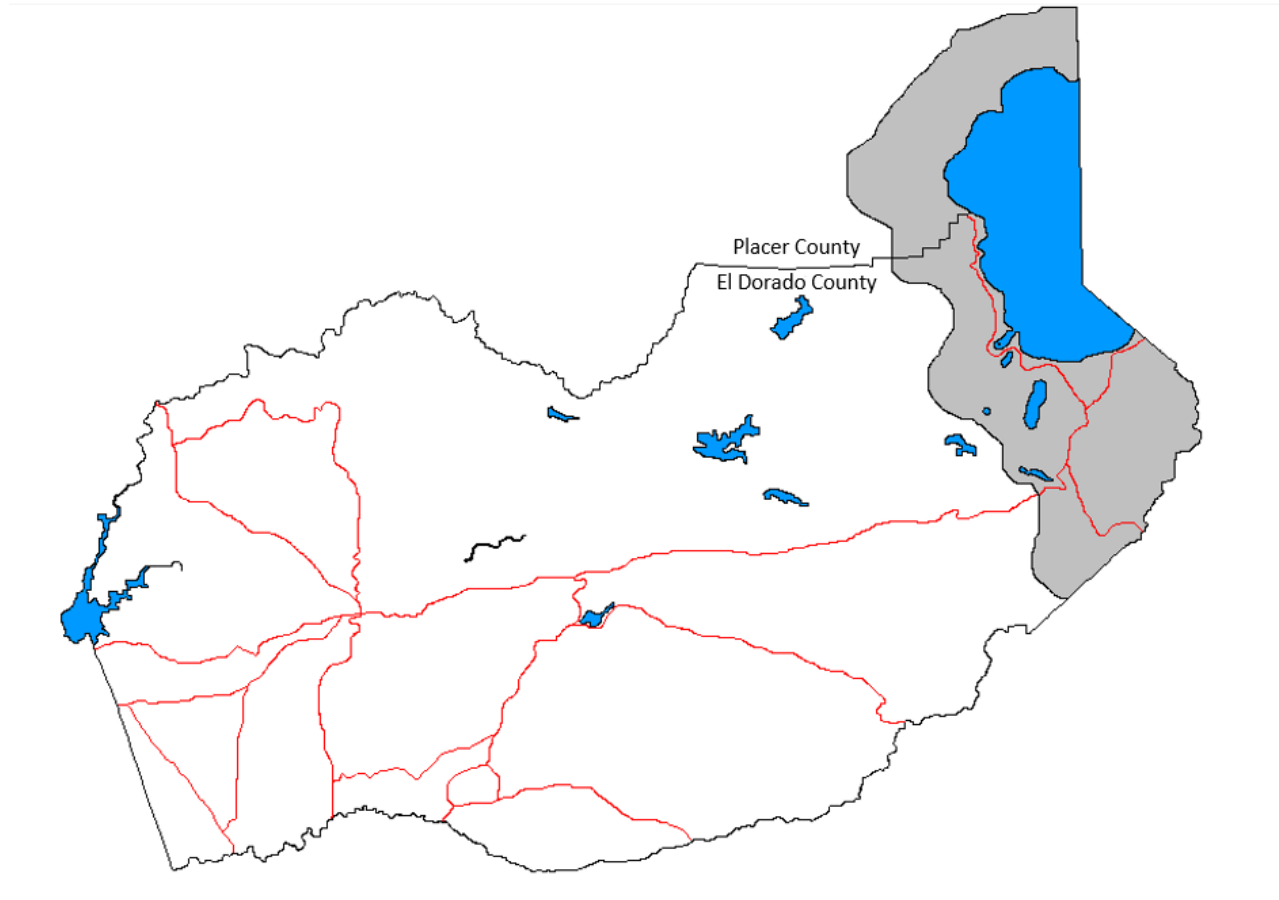
greatly within the county, no specific ethnic or economic neighborhoods could be identified by LAFCO staff that are underserved by public facilities provided by Tahoe RCD.

Finally, the 2004 County General Plan does not address environmental justice directly. Although the Environmentally Constrained Alternative did contain related land use and housing policies, the 1996 Alternative and the 2004 General Plan do not contain those sections. The 2004 General Plan Housing Element includes Goal HO: “To provide housing that meets the needs of existing and future residents in all income categories.” The housing element also discusses the following special needs groups: people with disabilities, seniors, agricultural employees, female heads of households, homeless persons, and large families and households. Consequently, the extent that the County’s planning documents address environmental justice is in its discussion of these special needs groups.

**VIII MAPS**

**Map 1 – Tahoe Resource Conservation District Current and Recommended Sphere of Influence (No Changes Recommended)**

**Tahoe Resource Conservation District**



■ Tahoe RCD Boundaries and Sphere of Influence (Coterminous)