

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF MAY 21, 2008*

### *REGULAR MEETING*

**TO:** Francesca Loftis, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

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

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

**AGENDA ITEM #2d:** Naef et al Reorganization to El Dorado Irrigation District  
and El Dorado Hills Community Services District; LAFCO  
Project No. 05-06 – Request for a Retroactive Extension of  
One Year Deadline for Meeting of Conditions of Approval

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#### **RECOMMENDATION**

Staff recommends that the Commission grant a retroactive extension of one (1) year to the owners of the parcels in question so that the petition would not be considered abandoned prior to the recent recordation of the Certificate of Completion. The time extension would be effective from February 28, 2008 until February 28, 2009.

#### **REASON FOR RECOMMENDED ACTION**

Government Code §57001 states that a petition is considered abandoned if a Certificate of Completion has not been recorded within one year of the Commission's approval of the project, unless the Commission grants an extension. The current deadline expired February 28, 2008. Staff recorded the Certificate of Completion on April 22, 2008 after attaining the USBR authorization letter, which was the last condition still outstanding.

#### **BACKGROUND**

On February 28, 2007, the Commission adopted Resolution L-2007-03, conditionally approving the reorganization of the Naef et al properties to the El Dorado Irrigation District (EID) and the El Dorado Hills Community Services District (EDHCSD). Prior to the application being complete and finalized, the Commission adopted the following condition:

The Certificate of Completion shall be issued and recorded subsequent to the fixing and establishment of any necessary right of use of water by El Dorado Irrigation District in the subject territory (§56886j). Nothing in this condition shall

operate or be interpreted to modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.

Because the subject parcels are within EID's El Dorado Hills Service Area, written consent from the Bureau of Reclamation is required to verify that water resources are available from Folsom Lake for this project. LAFCO staff had been operating under the assumption that USBR had not signed off on this project; however, in November 2007 the Bureau sent EID a notification but not to LAFCO staff. On the week of April 21, 2008 EID staff sent a copy of the USBR signoff to LAFCO and staff was able to complete the proceedings. While this project is closed, the retroactive extension is necessary so that no questions arise whether this project had been "abandoned" in February, at the anniversary of the Commission's action. Since all parties were working on meeting the conditions, it was not the applicant's, EID's or LAFCO's intention to abandon this project.