

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2020-14

Update to the El Dorado Irrigation District Sphere of Influence
LAFCO Project No. 2019-01

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 El Dorado Irrigation District and adopted a written statement of determinations in conjunction with this sphere of influence update on December 2, 2020; 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 December 2, 2020 for consideration of the environmental review and the sphere of influence update for the El Dorado Irrigation 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 December 2, 2020 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 March 26, 2008, at the time of its last review, the Commission established the functions and classes of services provided by the El Dorado Irrigation District as follows: water, wastewater, hydroelectric power, and parks and recreation 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.*

Within the SOI, land uses consist primarily of natural resource and agricultural land. Existing and planned land uses in the SOI are not expected to require municipal water or sewer service extensions in the near future. However, agricultural areas may have a need for raw water for irrigation from private wells or other sources in the future.

The County of El Dorado's General Plan includes development patterns and areas of growth in existing Community Regions and Rural Regions, establishing urban limit lines where urban and semi-urban lands will be developed. These urban limit lines can only be modified through the General Plan amendment process; thereby controlling the ability of existing rural areas to be developed.

Proposed future developments will occur in areas that can be served by existing District infrastructure. Extension of service to areas within the SOI will be evaluated on a case-by-case basis as the need arises and as the District's infrastructure allows.

This MSR/SOI Update offers three SOI Update options for consideration: Option No. 1 – Retain Existing SOI; Option No. 2 – Reduce SOI as outlined by EID and LAFCO; and Option No. 3 – Reduce the SOI to Include Community Regions and Rural Regions Only. An analysis of land-use factors for each of the three SOI options presented was carefully considered. Based on the analysis of the three SOI Update options, Option No. 1 is recommended to retain EID's existing SOI.

Potential effects on agricultural and open-space lands were evaluated for each of the three SOI Update options presented. The potential future provision of water service, both municipal and raw, has positive and negative effects on agricultural and open space lands.

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

The District currently provides for adequate services to meet the needs of the existing 41,396 water connections and 23,191 sewer connections within the District boundaries. Services provided by EID include water, sewer, hydroelectric power and recreation.

Although there is no present or probable need for water or wastewater service to the SOI area, EID's Board of Director's have expressed the intent to explore potential future options for service. Future development in the existing SOI is not currently proposed and it is noted that costs for extension of service to the SOI would need further study. There are no sewer or water facilities or infrastructure in the existing SOI area.

Two satellite areas currently within the District boundary (Outingdale and Fair Play), as well as the satellite water reservoir areas within the District boundary (Echo, Aloha and Silver Lakes) will continue remain within the SOI Under Option No. 1.

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

The present capacity of EID's public facilities and the adequacy of public services related to water, wastewater, recreation and hydroelectric services are determined to be adequate for existing demand.

Existing residences, farms, and businesses in the SOI area currently rely on groundwater wells and individual septic systems for water and wastewater services. There is no present or probable need for EID services to the existing SOI areas. However, EID's Board of Directors and the El Dorado County Water Agency (EDCWA) wish to explore potential future options for rural agricultural development in the SOI area. Any future development proposed in the SOI should be consistent with the County's General Plan. Retention of the existing SOI is not expected to affect other agencies or service providers within the region.

EID has acknowledged that there are significant challenges in providing infrastructure to the existing SOI due to steep terrain, distance from existing infrastructure, and ability for these areas to be developed in the future. Additionally, developing infrastructure in some SOI areas would likely be expensive. Given these geographic and infrastructure constraints, it is not likely that EID will be able to provide service to these areas within the next 10 years. However, EID's Board of Director's has indicated a willingness to explore future options to provide water service to the existing SOI over the long-term. Therefore, EID has indicated that retention of the existing SOI is the best option.

There are no existing municipal services in geographic proximity to the existing SOI. Provision of service to the existing SOI would require infrastructure extension and associated financing. EID and EDCWA have indicated a willingness to consider additional details about the feasibility of infrastructure extension.

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.*

There are a number of social and economic communities in the area served by the District, including El Dorado Hills, Cameron Park, El Dorado, Diamond Springs, Shingle Springs, the City of Placerville, Mosquito, Cedar Grove, Pollock Pines, Pleasant Valley, Rescue, Coloma, and Lotus. The proposed retention of the existing SOI proposed by Option No. 1 is not anticipated to adversely affect any adjacent social or economic community of interest.

There is limited potential for consolidations or other reorganizations at this time. When LAFCO next updates EID's SOI, it should consider a SOI that is more aligned with the County General Plan and which will not divide any existing communities as described in Options No. 2, 3, 4 (Option 2 but for all services except water), or 5 (for all services except untreated, irrigation water).

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.*

There is a large disadvantaged area (Block Group 314023 as shown on Figure 6-1) in the southeast portion of the existing SOI which includes portions of Somerset and Fair Play. These fringe areas would remain in the District boundary and within the existing SOI.

The present and probable need for water, sewer and structural fire protection of any DUC within the existing EID SOI are considered in this MSR. The proposed retention

of the existing SOI per Option No. 1 is not anticipated to adversely affect any disadvantaged community.

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 El Dorado Irrigation District as follows: water, wastewater, hydroelectric power, and park and recreation services.

Section 4. The update to the El Dorado Irrigation 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 El Dorado Irrigation 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 December 2, 2020 by the following vote of said Commission.

	AYE	NO	ABSTAIN	ABSENT	NOT VOTING
Commissioner Acuna	<input type="checkbox"/>				
Commissioner Bass	<input type="checkbox"/>				
Commissioner Frentzen	<input type="checkbox"/>				
Commissioner Hidahl	<input type="checkbox"/>				
Commissioner Morrison	<input type="checkbox"/>				
Commissioner Palmer	<input type="checkbox"/>				
Commissioner Powell	<input type="checkbox"/>				
Alt. Commissioner Anderly	<input type="checkbox"/>				
Alt. Commissioner Saunders	<input type="checkbox"/>				

Alt. Commissioner Taylor	<input type="checkbox"/>				
Alt. Commissioner Veerkamp	<input type="checkbox"/>				

ATTEST:

Executive Officer

Chairperson

DRAFT