

# EL DORADO LAFCO

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LOCAL AGENCY FORMATION COMMISSION

## *EXECUTIVE OFFICER'S REPORT*

*AGENDA OF JANUARY 28, 2009*

### *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 #5:** Bass Lake Estates Annexation to the El Dorado Irrigation  
District

**LAFCO Project No.** 2008-01

**PROPONENT(S):** Reza Shera, Pacific Group

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#### **DESCRIPTION OF PROJECT**

This proposal includes annexation of one parcel, APN 115-030-06 (7.45 acres), into the El Dorado Irrigation District (EID) for the purpose of obtaining municipal water and wastewater services for Bass Lake Estates, a planned 36-lot residential subdivision. A map of the subject parcel and current EID boundaries is included as 'Attachment A' at the end of this report.

#### **PURPOSE**

The landowner of the subject parcel plans to subdivide the existing 7½-acre parcel into 36 residential lots ranging from 3,020 to 5,665 square feet and three open space lots totaling 2.38 acres. The subdivision has been tentatively named Bass Lake Estates. Annexation into EID will allow for the provision of potable water and wastewater services to the proposed subdivision.

#### **RECOMMENDATIONS**

Staff recommends that the Commission take the following actions:

1. Recognize that El Dorado County, as the lead agency, has prepared a Negative

Declaration and CEQA determinations which, along with an accompanying Addendum prepared by LAFCO staff, have been found to be adequate and complete for the purposes of annexation. Staff recommends that the Commission certify the Addendum and direct staff to file a Notice of Determination pursuant to Title 14, Chapter 3, Section 15094 of the California Code of Regulations for the project.

2. Adopt LAFCO Resolution L-2009-02 (Attachment F), adding any additional conditions the Commission finds appropriate and approve the Bass Lake Estates Annexation to the El Dorado Irrigation District; LAFCO Project No. 2008-01.
3. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.
5. Determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

### **REASON FOR RECOMMENDATION**

Annexation into EID is necessary to provide essential water and wastewater services to the proposed 36-home subdivision.

### **LOCATION**

The subject property is located in the Cameron Park area, on Bass Lake Road, approximately 175 feet southwest of the intersection with Woodleigh Lane.

### **CEQA**

El Dorado County, as the Lead Agency for the project prepared and certified a Negative Declaration (ND) for the project on February 12, 2008. Within the scope of this environmental review, the environmental impacts of the annexation were addressed; however, LAFCO staff prepared a supplemental Addendum (Attachment E) to provide a more robust analysis of specific areas within the ND that would require greater consideration by LAFCO in order to meet its obligations under CEQA as a responsible agency. Specifically, LAFCO prepared this additional document focusing on the impacts to utilities and service systems to confirm that the annexation will result in no additional environmental impacts beyond those addressed in the ND. As documented within the Addendum, no new impacts would result.

Areas of interest to LAFCO within the two environmental documents are summarized by the following:

#### **Agricultural Resources**

There would be no impact to agricultural resources. It was found that no conversion of agricultural land would occur as a result of the project; the property is not located within a Williamson Act Contract and the project would not conflict with existing zoning for agricultural use, and would not affect any properties under a Williamson Act Contract. Review of the General Plan land use map for the project area indicates that the project

site is not within an Agricultural zone or Agricultural overlay.

### **Hydrology and Water Quality**

No significant hydrological impacts are expected with the project either directly or indirectly; the thresholds of this category have not been exceeded. The project will be served by public water and sewer and would not significantly degrade groundwater in the project vicinity, nor have a significant impact on water quality standards. Based on the soil types, surface runoff has been characterized as being slow to moderate. The Department of Transportation has required a Grading Plan and a Drainage and Erosion Control Plan for any proposed road improvements, which will reduce potential erosion and drainage impacts to a less than significant level.

### **Land Use and Planning**

The proposed use of the land would be consistent with the zoning and the General Plan policies for residential uses. There would be no significant impact from the project due to a conflict with the General Plan or zoning designations for use of the property. No significant land use and planning impacts are expected. The project site is surrounded by residential uses and is located within the Cameron Park Community Region, not dividing an established community. The parcel is zoned One-Family Residential (R1) with a Planned Development (PD) overlay, which is consistent with the Cameron Park Community Region and allows single family residential development.

### **Population and Housing**

The project would not displace housing. There is no potential for a significant impact due to substantial growth with the proposed project either directly or indirectly. For this "Population and Housing" category, the thresholds of significance have not been exceeded. The project site is in an area zoned for residential use and is designated as Medium Density Residential land use; the minimum allowable density is one dwelling unit per acre and the population growth for the County has been analyzed within the 2004 General Plan. No further land division would occur without both a General Plan and Zoning amendment. Utility services are available at the project site. No housing or people would be displaced, and no extensions of infrastructure would be required.

### **Public Services**

It was determined that adequate public services are available to serve the project. There is no potential for a significant impact due to the creation of 36 residential lots at the subject site, either directly or indirectly. No significant public service impacts are expected.

The following is a summary of the potential impacts the proposed project may have on the public service providers:

Fire Protection: The Cameron Park Community Services District (CPCSD) currently provides fire protection services to the project area. Development of the project would result in a minor increase in the demand for fire protection services; however the district has determined that the level of service would not fall below the minimum requirements as a result of the project. CPCSD would review building permit plans to determine compliance with their fire standards. Fire districts have been granted authority by the

State Legislature to collect impact fees at the time a building permit is secured.

Police Protection: The project site will be served by the El Dorado County Sheriff's Department. The project would create 36 residential lots, which would not significantly impact police protection services.

Schools: The project site is located within the Buckeye Union and El Dorado Union School Districts. The affected school districts were contacted as part of the initial consultation process and no specific comments were received.

Parks: The project is located within the CPCSD, which would also provide for park and recreation services. The proposed project will not substantially increase the local population necessitating the development of new park facilities. Future residential development would be subject to school impact fees at the time of building permit issuance. The tentative map is subject to payment of parkland dedication in-lieu fees consistent with the procedures outlined in the County Code.

### **Recreation**

No significant impacts to recreation and open space resources are expected either directly or indirectly. The proposed project would not increase population that would substantially contribute to increased demand on recreation facilities or contribute to increased use of existing facilities. Park facilities are maintained by the CPCSD, which charges park impact fees in conjunction with building permits.

### **Transportation and Traffic**

No significant traffic impacts are expected either directly or indirectly from this project. The project site is readily accessible from Bass Lake Road. The Department of Transportation has reviewed the proposed project and has determined that the project does not exceed the thresholds established in the 2004 General Plan. The number of vehicles associated with the project would not change current vehicle trip rates and would not measurably affect traffic volumes or levels of service on a permanent basis. In addition, there are no traffic hazards on or adjacent to the project site and, based upon the required road improvements, there would be no disruption of emergency access to the project area or surrounding area.

### **Utilities and Service Systems**

No significant impacts are expected to result to utility and service systems from the development of this project.

Public Water: The subject parcel is within the Cameron Park Service Zone of EID's Western Region Supply Area. According to EID's *2007 Water Resources and Service Reliability Report*, the water meter availability for this supply area is a total of 2,426 EDUs. After taking into account contractual commitments and annexations already approved by LAFCO, it is reasonable to assume that EID's Western/Eastern Water Supply Region has approximately 1,037-1,044 EDUs that are available for purchase and not yet implicitly committed to other prospective customers. According to EID's FIL to the applicant, the project as proposed would require 36 EDUs of water supply. The current available supply is sufficient to accommodate the estimated 36 EDUs of service that will be required for the Bass Lake Estates project.

In order to provide this fire flow and receive service, a water line extension connecting to one of two existing nearby 12-inch water lines must be constructed.

Public Sewer: Upon annexation, the subject parcel would be served by EID's Deer Creek Wastewater Treatment Plant (DCWWTP), which discharges treated wastewater to Deer Creek, a tributary to the Cosumnes River. The proposed project would require an extension of EID's wastewater collection system and increase the demand on EID's wastewater treatment facilities. According to EID's *2001 Wastewater Master Plan*, the plant has a permitted capacity of 3.6 million gallons per day (MGD) average dry weather flow; the current average dry weather flows are 2.7 MGD. According to the applicant's engineer, the project will generate approximately 240 gallons of wastewater per day, per residence. With the proposed 36 residences, this amounts to 8,640 gallons of wastewater per day for the entire project. The DCWWTP has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

EID is within the jurisdictional boundaries of the State of California Regional Water Quality Control Board – Region 5, Central Valley and operates under Waste Discharge Requirements Order No. R5-2002-0210 regarding treatment processes and water quality standards that are specific to the Deer Creek Wastewater Treatment Plant. Extension of wastewater service to the subject parcel will not exceed the current wastewater treatment requirements.

Drainage: All required drainage facilities for the project would be built in conformance with the standards contained in the "*County of El Dorado Drainage Manual*," as determined by the Department of Transportation.

Solid Waste: County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. Only certain inert waste materials (e.g. concrete, asphalt, etc.) may be dumped at the Union Mine Waste Disposal Site; all other materials that cannot be recycled are exported to the Lockwood Regional Landfill near Sparks, Nevada. Adequate space is available at the site for solid waste collection. On-site solid waste collection for the proposed lots will be handled through the local waste management contractor.

Power and Telephone Facilities: Power and telephone facilities are currently in place and utilized at the project site. No further expansion of power is anticipated from parcel map and rezone.

### **Mandatory Findings of Significance**

The Mandatory Findings of Significance determined there is no substantial evidence that the project will have the potential to degrade the quality of the environment (reducing fish or wildlife habitat) or cause substantial direct or indirect adverse effects on humans.

Due to the small size of the proposed project, types of activities proposed, and site-specific environmental conditions, which have been disclosed and analyzed in the Negative Declaration, there would be no significant impacts related to agriculture resources, air quality, biological resources, cultural resources, geology/soils,

hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, traffic/transportation, or utilities/service systems that would combine with similar effects such that the project's contribution would be cumulatively considerable. For these areas, it has been determined there would be no impact or the impact would be less than significant.

**Conclusion**

The ND prepared by El Dorado County, along with the Addendum prepared by LAFCO staff, addressed the environmental impacts of the proposed subdivision and ultimately determined that the proposed action would not have a significant impact of the environment. Staff has carefully reviewed these documents and found the analysis to be accurate and adequate for the annexation proposal at hand.

**BACKGROUND**

The applicant initiated an annexation petition with LAFCO in March of 2008. The parcel, APN 115-030-06, is 7.45 acres that currently contains a residence which is no longer in use and will be removed upon further development of the site. The planned future use is to subdivide the existing parcel into 36 residential lots to create Bass Lake Estates. The project was approved on February 12, 2008 by the El Dorado County Board of Supervisors, including the Tentative Subdivision Map proposing the creation of 36 lots ranging in size from 2,795 to 5,665 square feet (TM 06-1420), and a rezone to add the Planned Development overlay to the existing One-Family Residential-Airport Safety (R1-AA) zoning to allow for modification to the zoning development standards (Z 06-0029 / PD 06-0020).

**SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS**

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the following factors:

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Need for organized services, probable future needs	1 – Consistent	Annexation is necessary in order to provide municipal water and wastewater service to Bass Lake Estates. No other water or wastewater purveyor currently serves this area and private wells and septic systems are not an option.
Ability to serve, level and range of service, time frames, conditions to receive service	2 – Consistent	The applicant will be required to construct approved infrastructure extensions onto the subject site for water and wastewater service and adequate fire protection.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Timely availability of adequate water supply	3 – Consistent	There are sufficient EDUs available in this service region to accommodate the subdivision. Meters are sold on a first-come first-serve basis, and should be available for purchase after all EID fees and connection charges are paid and the necessary infrastructure improvements are completed by the landowner.
Alternatives to service, other agency boundaries, and local gov't structure	4 – Consistent	There are no other reasonable alternatives to provide water and wastewater service to the planned subdivision.
Significant negative service Impacts	5 – Consistent	There are not expected to be any negative impacts to the current level of service for existing EID customers.
Coordination of applications	6 – Consistent	No additional services are necessary for Bass Lake Estates and no neighboring parcels appear to require annexation into EID at this time.
Present cost/adequacy of governmental services, including public facilities	7 – Consistent	EID does not appear to have any current service deficiencies that would result in any negative cost or service impacts to present customers.
Effect of proposal on cost & adequacy of service in area and adjacent areas	8 – Consistent	Property tax revenue, impact fees, facility connection charges and other charges will support the cost of services required.
Effect of alternative courses of action on cost & adequacy of service in area and adjacent areas	9 – Consistent	There are no other municipal water or wastewater service providers in this area of the County. Private systems are not viable options given the anticipated future use.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Sufficiency of revenues, per capital assessed valuation	10 – Consistent	EID should receive sufficient revenue for providing service to the proposed subdivision.
Revenue producing territory	11 – Consistent	EID will collect revenue through user charges, property taxes and connection fees, which should offset the cost of providing water service to the subdivision.
56668.3 “best interest”	12 – Consistent	The annexation appears to be consistent with LAFCO and EID policies and is in the best interests of the landowners and the future residents of Bass Lake Estates.
Boundaries: logical, contiguous, not difficult to serve, definite and certain	13 – Consistent	The subject territory is substantially surrounded by other parcels within EID’s service area. Annexation of the parcel will create a more logical District boundary.
Topography, natural boundaries, drainage basins, land area	14 – Consistent	The site currently contains a residence which is no longer in use and will be removed upon development of the planned subdivision. There are no topographical features that will hinder service to this area.
Creation of islands, corridors, irregular boundaries	15 – Consistent	Approval of the annexation will eliminate an isolated portion of a service island and will create a more logical District boundary.
Conformance to lines of assessment, ownership	16 – Consistent	The boundaries of the proposed annexation conform to the existing lines of assessment and ownership. The proposal maps have been reviewed by the County Surveyor and have been found to be definite and certain.



FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Spheres of Influence	17 – Consistent	The boundaries of the parcel proposed for annexation are fully contained within the EID sphere of influence.
Effect on adjacent areas, communities of interest	18 – Consistent	The subject parcel is within the Cameron Park Community Region. The proposed subdivision will primarily benefit only the future residents of Bass Lake Estates and is not expected to have a significant effect on the surrounding area.
Information or comments from landowners or owners	19 – Consistent	The landowner supports the proposed annexation and has not submitted additional comments or information to be considered.
Effect on other community services, schools	20 – Consistent	There are no negative impacts expected for the current public service providers in the area.
Other agency comments, objections	21 – Consistent	There were no significant agency comments submitted regarding this proposal and no objections or negative comments of any kind were received by LAFCO staff.
Fair share of regional housing needs	22 – Consistent	Annexation and development of the Bass Lake Estates subdivision will increase the available market rate housing for the Cameron Park area.
Land use, information relating to existing land use designations	23 – Consistent	The subject territory has been rezoned R1-AA-PD and has a land use designation of HDR.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Population, density, growth, likelihood of growth in, and in adjacent areas, over 10 years	24 – Consistent	The proposal area currently has no registered voters; upon completion of the subdivision development there will be approximately 108 new residents (accounting for an average of three persons per home).
Proximity to other populated areas	25 – Consistent	Surrounding land use is HDR; surrounding zoning includes R1A, RE-5 and RE-10.
Consistency with General Plans, specific plans, zoning	26 – Consistent	The proposed Bass Lake Estates subdivision is consistent with the current land use designation (HDR) and zoning (R1-AA-PD) of the parcel.
Physical and economic integrity of agriculture lands and open space	27 – Consistent	The parcel has not been utilized for any type of agricultural activities and is surrounded by residential development. The proposed annexation and development would not affect agriculture.
Optional factor: regional growth goals and policies	28 – Consistent	The proposed subdivision will assist the unincorporated part of the County in achieving its RHNA goals by providing 36 units of either Moderate or Above Moderate housing.

## **DETERMINATIONS**

The Commission should review the factors summarized above and discussed below, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is uninhabited per Government Code §54046. Application for this annexation is made subject to Government Code §56650 et. seq. by landowner petition .
2. The territory proposed for annexation is within the Sphere of Influence of the El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.

3. The Negative Declaration prepared for this project by El Dorado County, and accompanying Addendum prepared by LAFCO staff, are adequate, complete and satisfy the requirements of the California Environmental Quality Act.
4. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
5. The annexation will not have an adverse effect on agriculture and open space lands.
6. The annexation will result in a decrease in water supply available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

### **DISCUSSION**

Government Code §56668 and LAFCO Policies require that the review of an annexation proposal shall consider the following factors:

**(Numbered items 1-6 relate to services)**

1. ***NEED FOR ORGANIZED COMMUNITY SERVICES, PROBABLE FUTURE NEEDS:*** Applicants shall demonstrate the need and/or future need for governmental services and that the proposal is the best alternative to provide service (Policies 3.1.4(b), 6.1.7; §56668(b)).

***RESPONSE:*** The purpose of the proposal is to annex 7.45 acres into EID in order to obtain potable water and wastewater service for Bass Lake Estates, a planned 36-lot subdivision. No other water or wastewater purveyor currently serves this area of the County and private wells and septic systems are not a realistic option given the scope of the future land use. The anticipated use is too great for private systems to be viable options for the development, due to the number of homes at buildout.

2. ***ABILITY TO SERVE, LEVEL AND RANGE OF SERVICE, TIME FRAMES, CONDITIONS TO RECEIVE SERVICE:*** Prior to annexation the applicants and proposed service providers shall demonstrate that the annexing agency will be capable of providing adequate services which are the subject of the application and shall submit a plan for providing services (Policy 3.3, §56668(j)).

***RESPONSE:*** EID prepared Facility Improvement Letter 0706-077 (FIL, Attachment D) for the Bass Lake Estates subdivision on July 17, 2006, which outlined the existing infrastructure near the subject site, stated the fire flow requirements from the subject fire district and detailed the requirements for the applicant prior to receiving water and wastewater service.

There are two existing 12-inch water lines that are near the subject site; one in

Magnolia Hills Road and one in Woodleigh Lane. In addition, a new 12-inch water line is proposed to be built up to the southwest property corner as part of the Silver Springs project. The 18-inch Gold Hill Intertie water transmission main abuts the western portion of the project site in Bass Lake Road; however additional taps on this main are not allowed. The Cameron Park Fire Department has determined that the minimum fire flow for this project is 1,000 gallons per minute for a 2-hour duration. In order to provide this fire flow and receive service, the applicant will need to construct a water line extension that connects to EID's existing 12-inch water lines. This would allow the capacity to provide water and fire protection to the Bass Lake Estates subdivision.

There are two existing sewer lines near the subject site; one is an 8-inch line to the south in Magnolia Hills Road and the other is a 6-inch line to the north in Woodleigh Lane. Both of these sewer lines have adequate capacity at this time. In order to receive service from these lines, an extension of facilities of adequate size must be described in the Facility Plan Report submitted to EID and constructed by the applicant.

3. **TIMELY AVAILABILITY OF ADEQUATE WATER SUPPLY:** The Commission shall consider the timely availability of water supplies adequate for projected needs (§56668(k)).

**RESPONSE:** The subject parcel proposed for annexation is inside the EID sphere of influence and part of its Western/Eastern Water Supply Region. An estimated total of 36 Equivalent Dwelling Units (EDUs) will be required to serve the Bass Lake Estates subdivision. According to EID's 2007 Water Resources and Service Reliability Report (adopted by the EID Board June 25, 2007), this service region has 2,426 EDUs of water available, 907 of which have been previously committed through contractual commitments, leaving a total of 1,519 EDUs. Annexations approved by LAFCO after this date account for an additional 475-482 EDU commitments<sup>1</sup>, bringing the total amount of available EDUs to approximately 1,037-1,044, which is more than adequate to serve the needs of the Bass Lake Estates subdivision. Upon Commission approval of the Bass Lake Estates annexation, the amount available in this region will be between approximately 1,001 and 1,008 EDUs. Meters are sold on a first-come first-serve basis, and should be available for purchase after all EID fees and connection charges are paid and the necessary infrastructure improvements are completed by the landowner. The provision of service is contingent upon LAFCO Commission approval of the annexation.

4. **ALTERNATIVES TO SERVICE, OTHER AGENCY BOUNDARIES, AND LOCAL GOVERNMENT STRUCTURE:** The Commission shall consider alternatives to the proposal, proximity of other agency boundaries and alternative courses of action. Where another agency objects to the proposal, LAFCO will determine the best alternative for service (Policies 3.3.2.2(g), 6.1.3).

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<sup>1</sup> Garrett 2007-02 (5 EDUs), La Caille Estates 2006-07 (24 EDUs), Preacher 05-15 (3 EDUs), Marble Valley 05-08 (443-450 EDUs)

**RESPONSE:** There are no other public service alternatives for the provision of water or wastewater service. Given the planned use for the subject area, the expected demand is too great for private wells to be feasible. The only remaining option for water service would be to transport potable water to the 36-home subdivision, which is not realistic due to expected high costs and excessive inconvenience. Private septic systems are not a preferred option because County General Plan policies direct new development to connect to wastewater services, when feasible.

5. **SIGNIFICANT NEGATIVE SERVICE IMPACTS:** Services provided to the territory will not result in a significant negative impact on the cost and adequacy of services otherwise provided (Policy 6.2.4, §56668.3(b)).

**RESPONSE:** The service impacts to other EID customers are expected to be minor. Before each FIL is generated, EID staff conducts an analysis of the infrastructure capacity and compares it to the total expected demand from existing and projected customer use. This is done to ensure that neighboring EID customers will not have any negative impacts to their current level of service. EID regulations provide safeguards to ensure that new development does not result in the over-allocation of water. Under EID regulations, no water meters can be issued if available water supplies are “seriously threatened” until additional water supply is available (EID Regulation No. 22.7). The developer is responsible for construction and financing of all water and wastewater transmission lines and distribution facilities to receive EID service. No negative fiscal, service or other impacts have been identified by EID.

6. **COORDINATION OF APPLICATIONS:** If a project site can be anticipated to require additional changes of organization in order to provide complete services, the proposal shall be processed as a reorganization (Policy 3.1.10). Where related changes of organization are expected on adjacent properties, petitioners are encouraged to combine applications and LAFCO may modify boundaries, including the addition of adjacent parcels to encourage orderly boundaries (Policy 3.1.9).

**RESPONSE:** The proposed subdivision is within the Cameron Park Community Services District for fire-related and park and recreation services. There are no additional services that are necessary to serve the future residents of Bass Lake Estates. The subject parcel is substantially surrounded on all sides by EID’s service boundary and there are no neighboring properties that require annexation into the District at this time.

**(Numbered items 7-12 relate to cost and revenues)**

**PRESENT COST/ADEQUACY OF GOVERNMENTAL SERVICES, INCLUDING PUBLIC FACILITIES:** The Commission shall consider existing government services and facilities, cost and adequacy of such services and facilities (§56668(b), Policy 3.3). If service capacity and/or infrastructure will be expanded, the applicant will submit cost and financing plans (Policy 3.3.2.2).

**RESPONSE:** EID stated in their FIL to the applicant that it has adequate excess water supply in their Western/Eastern Water Supply Region to serve this project. EID does not appear to have any current service deficiencies that indicate annexation of Bass Lake Estates would result in any negative cost or service impacts to present customers.

7. **EFFECT OF PROPOSAL ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider existing and proposed government services and facilities, the cost and adequacy of such services and facilities and probable effect of the proposal on the area and adjacent areas (§56668(b) and Policy 3.3). LAFCO will discourage projects that shift the cost of service and/or service benefits to others or other service areas (Policy 6.1.8).

**RESPONSE:** EID has negotiated and approved the property tax increment agreement with the County for the annexation territory. In addition to tax revenue; impact fees, facility connection charges and other charges will support the cost of services. The annexation is expected to provide revenue that will offset the short- and long-term costs to the District.

8. **EFFECT OF ALTERNATIVE COURSES OF ACTION ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider the cost and adequacy of alternative services and facilities (§56668).

**RESPONSE:** The proposed annexation to EID is the most logical alternative to deliver the necessary water and wastewater service to Bass Lake Estates. At this time, there are no other municipal water or wastewater service providers in this area of the County. The alternatives for providing potable water to the subdivision are private wells or transported water. Private wells are not a viable option given the anticipated service demand from the 36 homes and water transportation is very costly and inconvenient. Private septic systems are not a preferred option because County General Plan policies direct new development to connect to wastewater services, when feasible.

9. **SUFFICIENCY OF REVENUES, PER CAPITA ASSESSED VALUATION:** 56668(j)

**RESPONSE:** The current assessed value of the subject parcel is \$167,994. A slight increase in assessed value is expected to occur upon annexation into EID; a significant increase in the assessed value is expected to occur as a result of the subdivision.

The annexation is expected to provide sufficient revenue to EID to cover the short- and long-term costs of the Bass Lake Estates residents' use of existing EID facilities. The County and EID have negotiated a property tax revenue sharing agreement, based upon the Chief Administrative Officer's proposal (Attachment C), with EID receiving 2.667% of the property tax revenue for the annexing area. Based upon this agreement, various connection fees and the applicant's responsibility for covering the cost of extending necessary infrastructure, EID should receive sufficient revenue for providing service to the proposed subdivision.

10. **REVENUE PRODUCING TERRITORY:** The proposed annexation shall not represent an attempt to annex only revenue-producing territory (Policy 6.1.1).

**RESPONSE:** Bass Lake Estates will consist of 36 single family homes upon subdivision. The total assessed value of the subject area is expected to increase as a result of annexation and development. EID will collect revenue through user charges, property taxes and connection fees, which should offset the cost of providing water service to the subdivision.

11. **"BEST INTEREST":** The Commission shall consider whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district (§56668.3).

**RESPONSE:** The annexation appears to be consistent with LAFCO and EID policies and is in the best interests of the landowners and the future residents of Bass Lake Estates. The annexation will provide essential municipal water and wastewater services to the proposed subdivision.

**(Numbered items 13-17 relate to boundaries)**

12. **BOUNDARIES: LOGICAL, CONTIGUOUS, NOT DIFFICULT TO SERVE, DEFINITE AND CERTAIN:** The proposed boundary shall be a logical and reasonable expansion and shall not produce areas that are difficult to serve (§56001). Lands to be annexed shall be contiguous (Policy 3.9.3, §56741-cities) and should not create irregular boundaries, islands, peninsulas or flags (Policy 3.9.4). The boundaries of the annexation shall be definite and certain and conform to existing lines of assessment and ownership (Policy 3.9.2, §56668(f)).

**RESPONSE:** The subject territory is within EID's sphere of influence and is substantially surrounded by other parcels within EID's service area. Annexation of the parcel will eliminate an isolated portion of a service island and will create a more logical District service area. Water and sewer lines are nearby and can be extended to the subject area without any foreseeable problems.

13. **TOPOGRAPHY, NATURAL BOUNDARIES, DRAINAGE BASINS, LAND AREA:** Natural boundary lines which may be irregular may be appropriate (Policy 3.9.6). The resulting boundary shall not produce areas that are difficult to serve (Policy 3.9.7).

**RESPONSE:** The vegetation on site is characterized by native chaparral, grasslands, and native trees, primarily live oak, pine and manzanita. The project site is located within Mitigation Area 1 which would require payment of Mitigation In-Lieu fees at the time of building permit issuance. The eastern portion of the site has previously been disturbed with residential development; the site currently contains a residence which is no longer in use and will be removed upon

development of the planned subdivision. There are no topographical features that will hinder service to this area.

- 14. CREATION OF IRREGULAR BOUNDARIES:** Islands, peninsulas, "flags", "cherry stems", or pin point contiguity shall be strongly discouraged. The resulting boundary shall not produce areas that are difficult to serve. The Commission shall determine contiguity (Policies 3.9.3, 3.9.4, 3.9.7).

**RESPONSE:** As noted above in Section 13, the parcel is substantially surrounded on all sides by EID's service area. Approval of the annexation will eliminate an isolated portion of a service island and will create a more logical District service area.

- 15. CONFORMANCE TO LINES OF ASSESSMENT, OWNERSHIP:** The Commission shall modify, condition or disapprove boundaries that are not definite and certain or do not conform to lines of assessment or ownership (Policy 3.9.2).

**RESPONSE:** The boundaries of the proposed annexation conform to the existing lines of assessment and ownership. The proposal maps have been reviewed by the County Surveyor and have been found to be definite and certain. The subdivision was approved by the Board of Supervisors on February 12, 2008.

- 16. SPHERES OF INFLUENCE:** Commission determinations shall be consistent with the spheres of influence of affected local agencies (Policy 3.9.1).

**RESPONSE:** The boundaries of the proposed for annexation are fully contained within the EID sphere of influence.

**(Numbered items 18-21 relate to potential effect on others and comments)**

- 17. EFFECT ON ADJACENT AREAS, COMMUNITIES OF INTEREST:** The Commission shall consider the effect of the proposal and alternative actions on adjacent areas, mutual social and economic interests and on the local governmental structure of the county (§56668(c)).

**RESPONSE:** The subject parcel is within the Cameron Park Community Region. The proposed subdivision will primarily benefit only the future residents of Bass Lake Estates and is not expected to have a significant effect on the surrounding area.

- 18. INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS:** The Commission shall consider any information or comments from the landowner or owners.

**RESPONSE:** The landowner supports the proposed annexation and has not indicated that any additional comments or information need to be given consideration beyond the customary application materials.



- 19. EFFECT ON OTHER COMMUNITY SERVICES, SCHOOLS:** LAFCO's review of services refers to governmental services whether or not those services are provided by local agencies subject to the Cortese-Knox-Hertzberg Act, and includes public facilities necessary to provide those services.

**RESPONSE:** There are no negative impacts expected for the public service providers in the area. The following identifies the current public service providers and the expected impacts:

Fire Protection: The subject parcel currently receives fire protection from the Cameron Park Community Services District Fire Department. The nearest fire station is Station 88 at 2961 Alhambra Drive, which is located approximately one mile east of the proposed Bass Lake Estates. The level of service provided to the area will not change as a result of the annexation.

Police Protection: The El Dorado County Sheriff's Department will provide police protection for Bass Lake Estates. The closest substation is located at 981 Governor Drive in El Dorado Hills; however, response time would depend on the location of the nearest unit at the time of dispatch.

Park and Recreation Services: These are currently provided by the Cameron Park Community Services District and will not change as a result of the annexation. The CSD requires landowners to pay park-in-lieu fees in conjunction with building permits to comply with the Quimby Act.

Schools: Future residents of the proposed Bass Lake Estates will be within the Rescue Union School District and El Dorado Union High School District. The students would most likely attend Green Valley Elementary at 2380 Bass Lake Road and Pleasant Grove Middle School at 2540 Green Valley Road, both located in Rescue. High school students would attend Ponderosa High School at 3661 Ponderosa Road in Shingle Springs. The affected school districts will collect development fees from the construction of each residence to help offset the costs of providing new facilities for the additional students.

- 20. OTHER AGENCY COMMENTS, OBJECTIONS:** All affected and interested agencies are provided application related material and notified of the proposal and proposed property tax redistribution plan. Comments have been requested and shall be considered (Policy 3.1.4 (l), §56668(i)).

For district annexations and city detachments only, the Commission shall also consider any resolution objecting to the action filed by an affected agency (§56668.3(4)). The Commission must give great weight to any resolution objecting to the action which is filed by a city or a district. The Commission's consideration shall be based only on financial or service related concerns expressed in the protest (§56668.3(5b)).

**RESPONSE:** The following agencies were provided an opportunity to comment on this proposal:

- El Dorado Irrigation District

- El Dorado County Representing County Service Areas 7, 9, 10 and 10 Zone D
- Cameron Park Community Services District
- El Dorado County Water Agency
- El Dorado County Resource Conservation District
- El Dorado County Agricultural Department
- El Dorado County Office of Education
- Rescue Union School District
- El Dorado Union High School District
- Los Rios Community College District
- El Dorado County Planning Department
- El Dorado County Surveyor's Office
- El Dorado County Committee on School District Organization

The El Dorado County Agricultural Department commented that a small area of the subject parcel contains choice soils. Staff review concurs that choice soils account for approximately ten percent of the total subject area.

No other significant agency comments were submitted regarding this proposal and no objections or negative comments of any kind were received by LAFCO staff.

**(Numbered items 22-26 relate to land use, population and planning)**

- 21. FAIR SHARE OF REGIONAL HOUSING NEEDS:** The Commission shall review the extent to which the proposal will assist the receiving entity in achieving its fair share of regional housing needs as determined by Sacramento Area Council of Governments (SACOG) (§56668(l)).

**RESPONSE:** The annexation and development of the Bass Lake Estates subdivision will contribute to the County in meeting its Regional Housing Needs Assessment goals for moderate to high income levels. The proposal will increase available market rate housing for the Cameron Park area, and will contribute to a decrease in the total available land for lower income housing categories. The County, however, may be able to meet these lower income regional housing needs allocations elsewhere.

- 22. LAND USE, INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS:** The Commission shall consider any information relating to existing land use designations (§56668(m)).

**RESPONSE:** In February of 2008, the Board of Supervisors approved a request to change zoning of the Bass Lake Estates subdivision site from One-Family Residential-Airport Safety (R1-AA) to One-Family Residential-Airport Safety-Planned Development (R1-AA-PD). The land use designation is High Density Residential (HDR). The annexation and proposed development are consistent with the current zoning and land use designation of the subject parcel.

- 23. POPULATION, DENSITY, GROWTH, LIKELIHOOD OF GROWTH IN AND IN ADJACENT AREAS OVER 10 YEARS:** The Commission will consider information related to current population, projected growth and number of registered voters and inhabitants in the proposal area.

**RESPONSE:** There are currently no registered voters residing in the proposal area and the subject territory is currently considered uninhabited per State Law. Upon completion of the Bass Lake Estates subdivision development there will be 36 residential units, resulting in approximately 108 new residents (accounting for an average of three persons per home).

The subdivision will have a minimal growth-inducing impact due to the moderate number of additional residential lots and lack of any school or large scale employment opportunities that lead to indirect growth. Because the parcel is currently an isolated island within EID's service boundary, the project will not directly or indirectly induce significant growth by extending or expanding infrastructure to parcels outside of the District.

- 24. PROXIMITY TO OTHER POPULATED AREAS:** The Commission shall consider population and the proximity of other populated areas, growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years (Policy 3.1.4 (a)).

**RESPONSE:** The surrounding land uses are predominantly residential on all sides; the land use designations are HDR to the north, west, south and east of the subject parcel. The subject parcel is substantially surrounded by other R1-AA parcels, with one RE-10 parcel to the southwest, and a few R1A and RE-5 parcels relatively nearby. The proposed subdivision will conform to the surrounding residential land uses.

- 25. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING:** The Commission shall consider the general plans of neighboring governmental entities (Policy 3.1.4(g)).

**RESPONSE:** In February of 2008, the Board of Supervisors approved both a rezone from R1-AA to R1-AA-PD and a request to subdivide the subject parcel into 36 lots from 3,020 to 5,665 square feet. The new zoning is consistent with adjacent land uses and is compatible with the surrounding area. The proposed Bass Lake Estates subdivision is consistent with the current land use designation (HDR) and zoning of the parcel. See Section 23 above for further detail.

- 26. PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURE LANDS AND OPEN SPACE LANDS:** LAFCO decisions will reflect it's legislative responsibility to maximize the retention of prime agricultural land while facilitating the logical and orderly expansion of urban areas (Policy 3.1.4(e), §56016, 56064).

**RESPONSE:** Comments were submitted to LAFCO by the Department of Agriculture, stating that approximately 10 percent of the project area contains

choice soils; however, it is not currently utilized for any type of agricultural production, nor is it within an Agricultural (A) General Plan land use overlay district. In addition, none of the parcels adjacent to the project site are in agricultural production. The parcel is within the Cameron Park Community Region and is surrounded by residential development. The proposed subdivision will not interfere with any agricultural activities or production.

**27. OPTIONAL FACTOR: REGIONAL GROWTH GOALS AND POLICIES:** The Commission may, but is not required to, consider regional growth goals on a regional or sub-regional basis (§56668.5).

**RESPONSE:** In February of 2006, the Sacramento Area Council of Governments (SACOG) released a draft version of their Regional Housing Needs Assessment (RHNA) Allocation Goals for El Dorado County, which quantifies the need for housing by income level for 2006-2013. For the unincorporated portion of El Dorado County, the total RHNA Allocations are as follows:

2006-2013 Total RHNA Allocation				
Total Units	Very Low <50% of MHI	Low 50-80% of MHI	Moderate 80-120% of MHI	Above Moderate 120+% of MHI
15,993 (100%)	4,818 (30.1%)	3,456 (21.6%)	3,002 (18.8%)	4,717 (29.5%)

**MHI = Median Household Income**

The Bass Lake Estates Subdivision is expected to provide market rate housing for the area, which would most likely be classified as either “moderate” or “above moderate” income units. As defined by SACOG, “moderate” income units are households with 80-120% of the median household income for El Dorado County. “Above moderate” units are households with an income higher than 120% of the median household income. The proposed subdivision will assist the unincorporated part of the County in achieving its RHNA goals by providing 36 units of either Moderate or Above Moderate housing.

- Attachment A: EID Boundary Map**
- Attachment B: Landowner Application & Project Information**
- Attachment C: Chief Administrative Officer Proposal Spreadsheet**
- Attachment D: Facility Improvement Letter**
- Attachment E: Supplemental Addendum to the Negative Declaration**
- Attachment F: LAFCO Resolution L-2009-02**