

RESOLUTION NUMBER L-2007-15

**Update to the El Dorado Hills County Water District
Sphere of Influence**

LAFCO Project No. 2007-04-D

AMENDED

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 56425 et seq. provides that the local agency formation commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and

WHEREAS, Section 56430 requires that local agency formation commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a Countywide Fire Suppression and Emergency Services Municipal Services Review and adopted a written statement of determinations on August 23, 2006; and

WHEREAS, the agencies reviewed were County Service Area 7, City of South Lake Tahoe, Cameron Park Community Services District, Diamond Springs/El Dorado Fire Protection District, El Dorado County Fire Protection District, El Dorado Hills County Water District, Fallen Leaf Lake Community Services District, Garden Valley Fire Protection District, Georgetown Fire Protection District, Lake Valley Fire Protection District, Latrobe Fire Protection District, Meeks Bay Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and Rescue Fire Protection District, among others; and

WHEREAS, the Executive Officer reviewed the sphere of influence update pursuant to the California Environmental Quality Act (CEQA), and recommended that the project is exempt from CEQA under Section 15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is

APPROVED

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 June 27, 2007 for consideration of the environmental review and the draft sphere of influence update for El Dorado Hills County Water 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 June 27, 2007 the draft 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 draft sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 56425 et seq.; LAFCO's Policies and Guidelines related to spheres of influence, starting with Policy 4.0; and all other matters presented as prescribed by law; and

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and

WHEREAS, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determinations and the service reviews; and

WHEREAS, pursuant to Government Code Section **56425(i)(2)**, the Commission does hereby establish the functions and classes of services provided by El Dorado Hills County Water District as follows: fire suppression and emergency services; and

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

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

Present land use in the EDH area includes primarily residential areas spread throughout the district, largely in planned developments. The El Dorado Hills area is the most rapidly growing portion of the County. More residential development that is expected in the near future.

There are approximately 1,400 acres currently within the EDH sphere that are not within the district boundaries. Of these, approximately 455 acres are set aside for agricultural production, 361 acres near Folsom Lake are designated as permanent tourist recreational or open space lands and 586 acres are currently vacant and slated for development. While these parcels are not within a fire protection agency,

each of the areas in question are surrounded on all sides by EDH boundaries, indicating that it would be the most likely agency to respond to a fire or medical emergency. This creates an issue of fiscal inequity to the EDH, because it does not receive revenue from these parcels to offset the potential costs of service.

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

Although more than half of the acreage outside of the EDH boundaries is designated by the 2004 General Plan for agricultural, tourist recreational or open space uses, the remaining 586 acres are designated for low density residential uses and are expected to be developed in the near future. In addition, many of these developable parcels have an active application with County Planning. In those instances, it is conceivable that existing large parcels will be subdivided into smaller parcels with residences on them. If this were to occur, it would lead to an increase in service demand to the district.

Parcels currently within the EDH district receive adequate fire suppression and emergency response services as needed. If developed, the areas described above would increase demand for these services. While existing personnel and equipment will most likely be adequate to maintain current service levels. Upon district annexation the additional revenue received from these parcels in the form of increased property taxes, assessments and development impact fees would sufficiently offset the increased costs and required resources to ensure the provision of services to the area.

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

EDH appears to provide a moderate to high level of fire suppression and emergency response services within and, in cases of mutual aid responses, outside its boundaries. The district is compensated for these services primarily through property taxes, development impact fees and district assessments.

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.*

EDH primarily serves the community of El Dorado Hills, which would not be divided in any way by this sphere update.

NOW, THEREFORE BE IT HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND:

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The Notice of Exemption prepared by the Executive Officer is approved as the appropriate environmental document for this project.

Section 3. The update to the El Dorado County Water District's Sphere of Influence to affirm the current sphere is orderly, logical and justifiable.

Section 4. The Executive Officer is directed to file a Notice of Exemption under Section 15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 5. The El Dorado County Water District's 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 June 27, 2007 by the following vote of said Commission.

AYES: LONG, LOFTIS, BRIGGS, HAGEN,
HUMPHREYS, NORRIS, SWEENEY

NOES: NONE

ABSTENTIONS: NONE

ABSENT: NONE

ATTEST:

Alison Merero
Clerk to the Commission

[Signature]
Chairperson

