

DRAFT
EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2008-09

**Update to the South Tahoe Public Utility District
Sphere of Influence**

LAFCO Project No. 2007-12-F

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 Water, Wastewater and Power Municipal Services Review and adopted a written statement of determinations on January 30, 2008; and

WHEREAS, the agencies reviewed were the City of Placerville; El Dorado Irrigation District; Georgetown Divide, Kirkwood Meadows, South Tahoe and Tahoe City Public Utility Districts; Cameron Estates, El Dorado Hills, Greenstone Country and Grizzly Flat Community Services Districts; and McKinney Water District; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a General Government Services I Municipal Services Review and considered a written statement of determinations on January 30, 2008; and

WHEREAS, the agencies reviewed were Arroyo Vista, Cameron Estates, Cameron Park, Cosumnes River, El Dorado Hills, Fallen Leaf Lake, Greenstone, Holiday Lake, Lakeview, Showcase Ranches and Springfield Meadows Community Services Districts; Georgetown Divide, Kirkwood Meadows, South Tahoe and Tahoe

City Public Utility Districts; El Dorado Irrigation District; the Cities of Placerville and South Lake Tahoe; County Service Areas 2, 3, 5 and 9; Georgetown Divide Recreation District; and Tahoe Paradise Resort Improvement District; and

WHEREAS, the General Government Services I Municipal Services Review found that South Tahoe Public Utility District does not actively provide any of the services covered in said review; and

WHEREAS, the Executive Officer examined the General Government Services I Municipal Services Review, found it not to be relevant to the sphere of influence for South Tahoe Public Utility District and recommended that it would not be necessary for the Commission to adopt the final version of said review before taking action on that agency's sphere of influence; 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 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 30, 2008 for consideration of the environmental review and the draft sphere of influence update for South Tahoe Public Utility 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 30, 2008 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 Water, Wastewater and Power Municipal Services Review found that the South Tahoe Public Utility District is authorized to provide and currently actively provides water and wastewater services; and

WHEREAS, pursuant to Government Code Sections 56425(i)(2) and 61002(h), the General Government Services I Municipal Services Review found that the South Tahoe Public Utility District is authorized to provide but does not directly provide lighting and landscaping services; and

WHEREAS, pursuant to Government Code Sections 56425(i)(2) and 61002(h), the General Government Services I Municipal Services Review found that although the South Tahoe Public Utility District is billing mechanism for lighting and landscaping services for a small number of special assessment districts, the District does not install or maintain the lighting fixtures or infrastructure; and

WHEREAS, pursuant to Government Code Sections 56425(i)(2) and 61002(h), the General Government Services I Municipal Services Review found that the South Tahoe Public Utility District is authorized to provide but does not currently provide parks and recreation services and fire suppression; 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 STUPD area includes residential, recreational, commercial and tourist-related uses. Primary residential areas within STPUD tend to follow the major highways and roads that bisect the district. Growth and development potential is limited largely by TRPA regulations and there are not expected to be any substantial changes in the planned land use as a direct result of this review.

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

Present needs for public facilities and services are currently being met. Probable needs for public facilities and services are not currently anticipated to vary from present needs, as future demands are expected to remain relatively the same.

In 2006, STPUD had approximately 13,800 water service accounts, of which 95 percent are residential and the remainder is commercial. This distribution is expected to remain fairly constant through 2030.

STPUD operates the only wastewater treatment system in South Lake Tahoe. In 2006, the District treated approximately 4,200 AF of wastewater flows. Flows are projected to increase to 5,000 AF per year by 2015.

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 public facilities provided is adequate to serve the existing community.

The major water issue in the Tahoe Basin is one of water quality rather than water supply. STPUD relies on groundwater for its water supply and there are significant plumes of MTBE-contaminated groundwater within the Tahoe Basin. The District has funds designated to address these contamination issues and must provide MTBE treatment on certain wells. Per STPUD's *Urban Water Management Plan 2005 Update* (January 2007 Draft), supplies will be adequate to meet projected demands through 2030 under normal conditions as well as single and multiple dry year scenarios.

Due to strict environmental regulations, all wastewater must be exported out of the Tahoe Basin. The District exports advanced secondary treated effluent to Alpine County for land application and fire suppression use. Waterline replacement and installing meters on non-metered accounts will be an infrastructure need for several years as the District systematically implements the improvements. The District has planned for the infrastructure needs of its water and wastewater services through its ten-year CIP.

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.*

Social or economic communities of interest in the area do not extend beyond the District boundaries. In addition to the City of South Lake Tahoe, STPUD serves a number of unincorporated communities such as Montgomery Estates, Tahoe Paradise, Meyers, Angora Highlands, Fallen Leaf Lake, and Christmas Valley. The City of South Lake Tahoe is the primary concentrated, social or economic community of interest that is within the district. Due to TRPA land use regulations, these communities' populations are expected to remain relatively stable.

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 South Tahoe Public Utility 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 South Tahoe Public Utility District's sphere of influence is updated to affirm its current sphere, including the infill lands within its service area, 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 30, 2008 by the following vote of said Commission.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

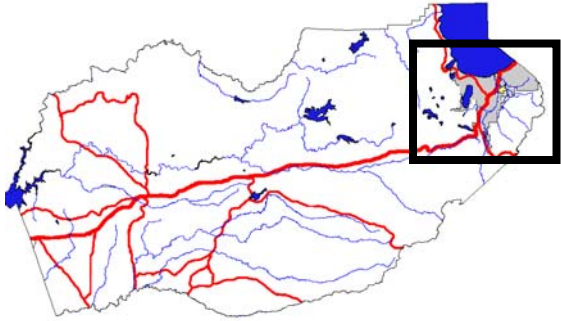
ATTEST:

Clerk to the Commission




Chairperson

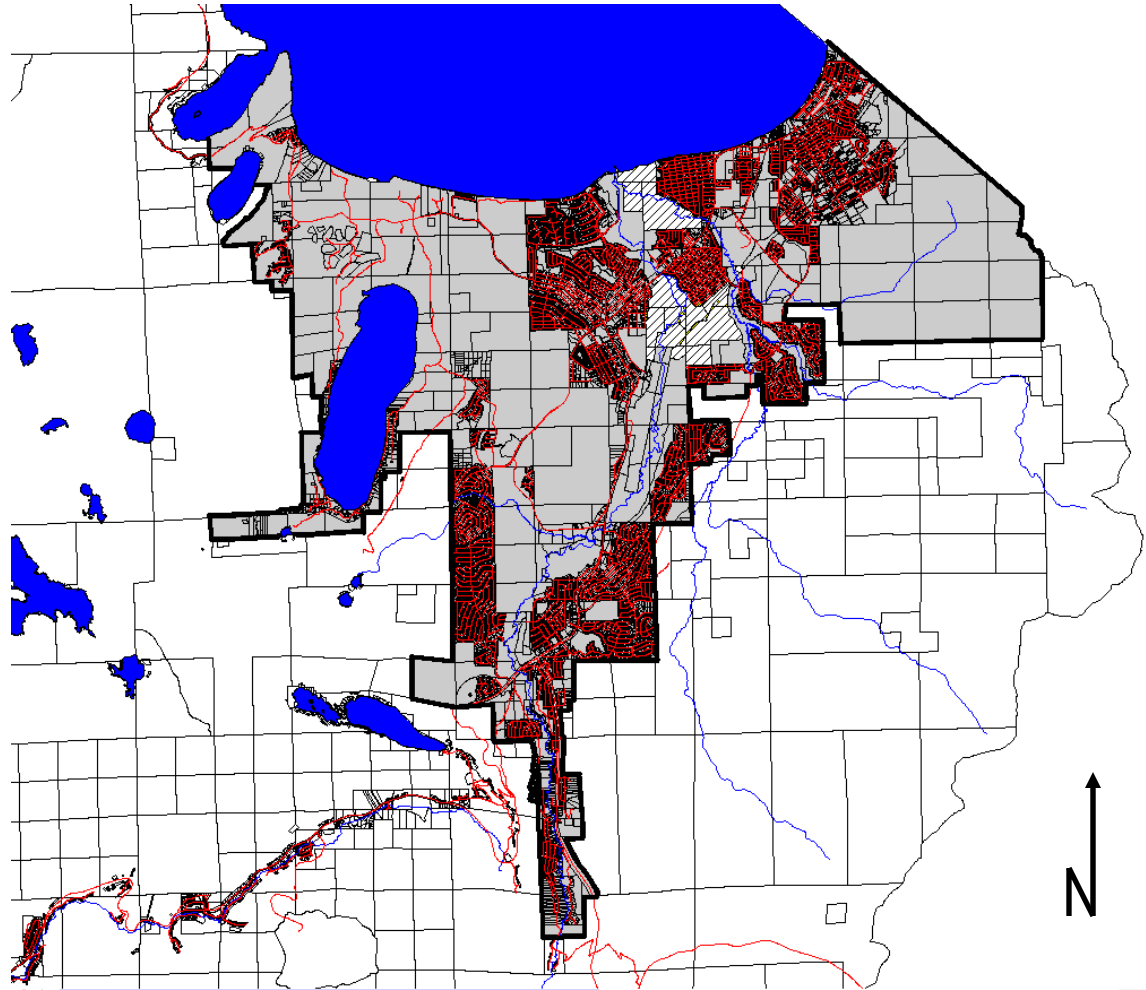
EXHIBIT A

Area of Interest:



Legend:

-  Service Area
-  10-Year Sphere of Influence Area
-  20-Year Sphere of Influence line



South Tahoe Public Utility District