

**Marble Valley Reorganization; Lafco Project No. 05-08  
Findings and Recommendations**

1. The proposal is to annex 2,377.88 acres (APNs 087-200-74, 119-020-44, 119-030-09, -10, -11, 13 and 119-330-01) into the El Dorado Irrigation District (EID) and the El Dorado Hills Community Services District (EDHCSD) with concurrent detachment from CSA 9 Zone 17 Ponderosa Recreation; 210.78 acres (APNs 119-030-01, -02, -03, -04, -05, -06, -07, -08, 119-110-06, -09, -10, -11, -12, -13, -14, -15, -16, -17, -18, -19 and -20) into EID; annex approximately 193 acres (portions of APNs 119-030-10 and -11) into El Dorado Hills County Water District (EDH) with concurrent detachment from El Dorado County Fire District (ECF); annex approximately 260 acres (portions of APNs 119-020-44 and 119-030-09) into ECF with concurrent detachment from EDH.
2. The parcels included in this reorganization have subsequently been renumbered by the El Dorado County Assessor as part of a mass parcel renumbering in the El Dorado Hills area, effective April 2006, as shown in Attachment B.
3. Application for this annexation is made subject to Government Code §56650 et seq. by landowner petition.
4. Marble Valley Company, LLC, the Marble Valley Regional Center for the Arts and the Marble Ridge Property owners, as the sole property owners, own 100% of the assessed value of the land within the proposal area. Therefore, the Commission may waive the Conducting Authority Hearing because no written opposition to a waiver was received by LAFCO from the affected public agencies.
5. Parcels 087-200-74, 119-020-44, 119-030-09, -10, -11, 13 and 119-330-01 (Marble Valley) will be fully utilized for the Marble Valley development; a subdivision which includes 398 single family homes, a cultural arts center, community park, elementary school, community park and 1,840 acres of open space.
6. The Marble Valley is currently undeveloped land that is zoned MV-TM by the County General Plan.
7. Development supported by the reorganization is consistent with the single family residential, local commercial and open space land use designations in the current MV-TM zoning designation based on the development agreement between the proponents and the County.
8. The territory has not been given a specific plan, planned community or community region designation.
9. Parcels 119-030-01, -02, -03, -04, -05, -06, -07, -08, 119-110-06, -09, -10, -11, -12, -13, -14, -15, -16, -17, -18, -19 and -20 (Marble Ridge Properties) are currently developed with single family residences.

10. The Marble Ridge properties are currently developed with single family homes that are zoned Residential Estate Ten-Acre Minimum (RE-10) by the 2004 County General Plan.
11. The Marble Ridge Properties requested to be included in the reorganization proposal in order to annex into EID for potable water because of poor well production.
12. The entire reorganization proposal is consistent with the County's 2004 General Plan.
13. The following agencies and districts were notified concerning this proposal: El Dorado County representing County Service Areas 07, 09, 09 Zone 17, 10, 10 Zone D and 10 Zone E; Marble Mountain Community Services District; El Dorado Hills Community Services District; El Dorado Irrigation District; El Dorado Hills County Water District; El Dorado County Fire Protection District, Shingle Springs Zone; Los Rios Community College District; El Dorado Union High School District; Buckeye Union School District; El Dorado County Planning Department; El Dorado County Water Agency and the El Dorado County Resource Conservation District.
14. There are thirty-two registered voters in the subject territory; therefore the proposal area is considered inhabited per Government Code §54046.
15. The proposal area is split between four tax rate areas; portions of the Marble Valley area are currently within TRAs 054-052, 054-146 and 054-157; the Marble Ridge Properties are currently within TRA 054-043.
16. The total assessed land value of the reorganization area is \$15,770,426.
17. Property tax transfer negotiations were completed and approved by the County on January 24, 2006; by EID on January 23, 2006; and by EDHCSD on January 12, 2006.
18. EID has planned for the provision of water service to Marble Valley and the Marble Ridge Properties, and wastewater services to Marble Valley and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.
19. EDHCSD has planned for the provision of park and recreation facilities, cable television franchise management, solid waste and recycling services, street lighting, landscape and lighting districts, and bicycle and pedestrian trails to Marble Valley and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.
20. EDH has planned for the provision of fire protection and emergency services to portions of Marble Valley and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.
21. ECF has planned for the provision of fire protection and emergency services to portions of Marble Valley and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.

22. The reorganization will not result in negative impacts to the cost and adequacy of services otherwise provided in the area and it is in the best interests of the affected area and the total organization of local government agencies.
23. The annexation proposal will result in the County meeting its Regional Housing Needs Assessment allocations as determined by the Sacramento Area Council of Governments for moderate income groups or higher.
24. Upon approval of the reorganization proposal, fire protection for Marble Valley will be provided by the EDH and ECF.
25. Fire protection for the Marble Ridge Properties is currently, and will continue to be, provided by EDH.
26. The County, as lead agency pursuant to the California Environmental Quality Act (CEQA), Public Resources Code, §§21000 et seq., prepared a draft environmental impact report (Draft EIR) analyzing the potential environmental impacts of the proposed project.
27. The Draft EIR was prepared and circulated pursuant to CEQA and the State CEQA Guidelines for public review and comment.
28. Following the public review and comment periods, a final environmental impact report (Final EIR) was prepared incorporating and responding to the comments received on the Draft EIR, and the County responded to all of the significant environmental issues raised during the environmental review process.
29. The County, by Resolution No. 22-98, certified that the Final EIR and adopted environmental findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.
30. Pursuant to State CEQA Guidelines sections 15091, 15096(h), 15381, and other provisions of CEQA, the El Dorado Local Agency Formation Commission (LAFCO) is a responsible agency for the Project and must therefore make certain findings prior to the approval of the project.
31. All the procedures of CEQA and the State CEQA Guidelines have been met, and the Final EIR prepared in connection with the Project is sufficiently detailed so that all the potentially significant effects of the Project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with CEQA and the State CEQA Guidelines.
32. The Final EIR for Marble Valley annexing into EID and EDHCSD has been reviewed and was found to be accurate and adequate to satisfy the Commission's obligations for this annexation under CEQA.
33. El Dorado LAFCO, as the lead agency for the Marble Ridge Properties portion of this reorganization, conducted an Environmental Review under CEQA and determined that a Categorical Exemption #19 (CEQA Guideline §15319(a)) was the appropriate environmental review document for this annexation. The Notice of Exemption was filed on (within 5 days after Commission approval).

34. The Categorical Exemption #19 has been reviewed for annexation of the Marble Ridge Properties into EID and was found adequate to satisfy the Commission's obligations for this annexation under CEQA.
35. El Dorado LAFCO, as the lead agency for the fire district territory exchange portion of this reorganization, conducted an Environmental Review under CEQA and determined that a Categorical Exemption #20 (CEQA Guideline §15320(a)) was the appropriate environmental review document for this annexation. The Notice of Exemption was filed on (within 5 days after Commission approval).
36. The Categorical Exemption #20 has been reviewed for annexation of the various Marble Valley parcels into EDH or EDC and was found adequate to satisfy the Commission's obligations for this annexation under CEQA.
37. Marble Valley is within the EID and EDHCSD spheres of influence and is contiguous to the existing boundaries.
38. The Marble Ridge properties are within the EID sphere of influence and are contiguous to the existing boundary.
39. The Marble Valley areas proposed for fire district area exchange are within the EDH and EDC spheres of influence and are contiguous to the existing boundaries.
40. The County Surveyor has agreed that the submitted legal description and maps are mathematically correct.
41. The area proposed for reorganization represents an orderly, logical and a justifiable extension of the district boundaries.

## **RECOMMENDATIONS**

1. Assign the short form title, "Marble Valley Reorganization."
2. Review and consider the Final EIR on the proposed Marble Valley Project hereby received by the Commission in the form attached hereto and incorporated herein by this reference.
3. Find and determine that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and as the decision-making body for the El Dorado Local Agency Formation Commission, review and consider the information contained in the Final EIR and the environmental effects of the Marble Valley Project.
4. Concur with the environmental findings in the County of El Dorado's Resolution No. 22-98 and readopt these findings, attached hereto and incorporated herein by this reference, subject to the following modifications. Find that there are no additional feasible mitigation measures or alternatives within the Commission's powers which would substantially lessen or avoid any significant effects that the

Project would have on the environment for the impacts identified in Attachment G.

5. Adopt the Statement of Overriding Considerations contained in Attachment G and find that the benefits of the Project outweigh those adverse environmental impacts that cannot be mitigated to below a level of significance.
6. Adopt Categorical Exemption 15319(a) as the appropriate environmental review for the Marble Ridge Properties portion of this proposal and instruct the Executive Officer to file a Notice of Exemption with the County Clerk.
7. Adopt Categorical Exemption 15320 as the appropriate environmental review for the fire district territory exchange portion of this proposal and instruct the Executive Officer to file a Notice of Exemption with the County Clerk.
8. Make the findings and conclusions as set out in this attachment to the Staff Report.
9. Approve the Reorganization of Marble Valley, subject to the following conditions:
  - a. Upon and after the effective date of said reorganization, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
    - (1) shall be subject to the jurisdiction of El Dorado Irrigation District, El Dorado Hills Community Services District, El Dorado Hill County Water District and El Dorado County Fire Protection District, hereafter referred to as EID, EDHCSD, EDH and EDC;
    - (2) shall have the same rights and duties as if the affected territories have been a part of EID, EDHCSD, EDH and EDC upon their original formation;
    - (3) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of EID, EDHCSD, EDH and EDC, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of EID, EDHCSD, EDH and EDC and the County of El Dorado if applicable;
    - (4) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such services;
    - (5) shall be subject to all of the rules, regulations, ordinances of EID, EDHCSD, EDH and EDC as now existing or hereafter amended.
  - b. 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.
- c. Proponents shall complete all map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of the resolution.
  - d. The Certificate of Completion shall be issued and recorded subsequent to final payment of all LAFCO, County and State Board of Equalization fees, costs and charges associated with the Project and necessary to complete the required filings and transmittals.
10. Waive Conducting Authority proceedings for this proposal consistent with Government Code §56663(c) of the Cortese-Knox-Hetzberg Act of 2000.
  11. 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.