

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2022-08**Resolution Approving the Small to Medium Water and Wastewater Districts Municipal Services Review and Sphere of Influence Study*****LAFCO Project No. 2021-02***

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 the spheres of influence for the Georgetown Divide Public Utility District, the Grizzly Flats Community Services District, and the South Tahoe Public Utility District, the Commission conducted the Small to Medium Water and Wastewater Districts Municipal Service Review and Sphere of Influence Study, and adopted a written statement of determinations in conjunction with this sphere of influence update on September 28, 2022; and

WHEREAS, the three agencies included in this study were the Georgetown Divide Public Utility District, the Grizzly Flats Community Services District, and the South Tahoe Public Utility District; and

WHEREAS, the Interim Executive Officer reviewed the sphere of influence updates 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 Interim Executive Officer set a public hearing for September 28, 2022 for consideration of the environmental review and the Small to Medium Water and Wastewater Districts Municipal Service Review and Sphere of Influence Study 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 September 28, 2022 the Small to Medium Water and Wastewater Districts Municipal Service Review and Sphere of Influence Study 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 Small to Medium Water and Wastewater Districts Municipal Service Review and Sphere of Influence Study, and Consultant 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 updates, including but not limited to the service review, determinations and recommendations, protests and objections, and the environmental review; and

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

Georgetown Divide Public Utility District

1. *Present and planned land uses in the area, including agricultural and open-space lands.*
 - a) *Due to the large size of the District and varied topography of the area, there is a wide range of land uses present within the District boundary and SOI. Land uses are largely Rural Residential, Low Density Residential, and Natural Resources with some Agricultural lands.*
 - b) *Areas within the District's SOI that are outside the District's jurisdictional boundary are largely Natural Resource, Open Space, Low Density Residential, and Tourist Recreational. A designated Agricultural District also exists near Lilyama Road and Highway 49 just west of Coloma.*
2. *Present and probable need for public facilities and services in the area.*
 - a) *The area continues to be populated and supports the small rural communities of Georgetown, Garden Valley, Kelsey, Greenwood, Pilot Hill, Cool, and Volcanoville (within the District's SOI but served by a separate water company).*
 - b) *Based on the limited potential for growth in the area, it is not expected that the District will need to expand services in the near future.*

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*
 - a) *The District is currently able to provide adequate water and wastewater services to the area.*
 - b) *The District relies on a single source of water to supply the entire District. In the event the raw water pipeline from the diversion point to the Walton treatment plant is damage or otherwise becomes inoperable, the District would have limited supply to fulfill customer demands. It is recommended that the District continue to seek out additional emergency sources of water such as wells or other surface water diversions.*
4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*
 - a) *The City of Auburn is located approximately six miles northwest of Cool on Highway 49. This city provides a full range of services to meet community needs including groceries, medical care, recreation activities, and other amenities.*
 - b) *The City of Placerville is located approximately 15 miles south of Georgetown along Highway 193. This city also provides a full range of services to meet community needs including groceries, medical care, recreation activities, and other amenities.*
 - c) *The City of Folsom is located approximately 15 miles southwest of Pilot Hill along Salmon Falls Road. This can be considered a major metropolitan area and is part of the greater Sacramento area.*
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, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.*
 - a) *No change to the SOI is proposed at this time.*

Grizzly Flats Community Services District

1. *Present and planned land uses in the area, including agricultural and open-space lands.*
 - a) *The District's service area is surrounded by a significant amount of U.S. Forest Service Land designated as natural resource, along with a few rural and medium density residential parcels. Grizzly Flats CSD's SOI was amended in 2008 to remove these parcels from the SOI, resulting in a new SOI that is coterminous with the District's service boundaries.*
 - b) *Based on the surrounding land use designations, substantial growth in the area is unlikely over the next five to ten years.*
2. *Present and probable need for public facilities and services in the area.*

- a) *Portions of the District that were not damaged by the fire have been repopulated. As recovery efforts continue over the next several years, a reliable source of water is vital for the community.*
3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*
 - a) *The District's current water diversion, treatment, and distribution facilities are adequate to meet current and future demand in the area.*
 - b) *The District will need to further assess damages and replace major infrastructure as needed in order to continue providing adequate service long-term.*
4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*
 - a) *The City of Placerville is located approximately 45 minutes from the District and is the closest major population area where vital services can be obtained such as health care. Other smaller communities exist in closer proximity to the District where residents can get groceries and fuel as needed.*
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, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.*
 - a) *The District and surrounding areas qualify as disadvantaged. Due to impacts from the Caldor Fire, the provision of water services is more vital than ever to help with residential and overall ecosystem recovery.*
 - b) *At this time, it is recommended that the SOI remain coterminous with the District's jurisdictional boundary.*

South Tahoe Public Utility District

1. *Present and planned land uses in the area, including agricultural and open-space lands.*
 - a) *Areas within the District's SOI and outside its boundary are primarily natural resource and conservation lands that are not intended for development. Other surrounding areas are primarily national forest and wilderness areas. Based on the TRPA regulations and designated land uses in the area, it is unlikely there will be substantial outward growth over the next five to ten years.*
2. *Present and probable need for public facilities and services in the area.*
 - a) *There are many public facilities and recreational opportunities within the District. The Tahoe Resource Conservation District (Tahoe RCD) runs the boat inspection program to prevent more aquatic invasive species (AIS) from entering Lake Tahoe. The California Tahoe Conservancy owns and manages nearly 4,700 parcels of land, totaling around 6,500 acres, for the purpose of protecting the natural environment and promoting public recreation and access to Lake Tahoe.*

3. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*
 - a) *The District currently has the capacity to support anticipated growth in the area. The City of South Lake Tahoe and surrounding communities continue to see regular use by full time residents and visitors.*
4. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*
 - a) *The District is located on Highway 50 which provides direct access to the San Francisco Bay Area, Sacramento, and Carson City in Nevada. Visitors from these areas frequent the Tahoe Basin for day, weekend, and extended trips. Additionally, residents of the Tahoe basin frequent these larger metropolitan areas for shopping, entertainment, and cultural activities.*
 - b) *Additional communities of interest include smaller communities around Lake Tahoe such as Tahoma, Meeks Bay, Zephyr Cove, and Glenbrook and those outside the basin such as Strawberry, Kirkwood, Woodfords, and Markleeville. Residents of these areas may frequent areas within the District for medical appointments, shopping, entertainment, and recreation.*
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, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.*
 - a) *It is recommended that the SOI for the District be reaffirmed with no changes.*
 - b) *Disadvantaged communities within the District are typically found within the incorporated areas of the City of South Lake Tahoe and as such are not considered DUCs.*

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 Interim Executive Officer is approved as the appropriate environmental document for this project.

Section 3. Pursuant to Government Code Section 56425(i), the Commission does hereby establish the functions and classes of services provided by the Grizzly Flats Community Services District as those specified in Community Services District Law, California Government Code Section 61000 et seq.

Section 4. Pursuant to Government Code Section 56425(i), the Commission does hereby establish the functions and classes of services provided by the Georgetown Divide Public Utility District and the South Tahoe Public Utility District as those specified in California Public Utilities Code §15501 et seq.

Section 5. The updates to the spheres of influence for the Georgetown Divide Public Utility District, the Grizzly Flats Community Services District, and the South Tahoe Public Utility District are orderly, logical and justifiable.

Section 6. The Interim 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 7. The sphere of influence for the Georgetown Divide Public Utility District is updated without changes, as shown in Figure 4 of the report, marked as Exhibit A – Map 1, attached hereto and incorporated herein by this reference.

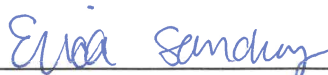
Section 8. The sphere of influence for the Grizzly Flats Community Services District is updated without changes, as shown in Figure 8 of the report, marked as Exhibit A – Map 2, attached hereto and incorporated herein by this reference.

Section 9. The sphere of influence for the South Tahoe Public Utility District is updated without changes, as shown in Figure 9 of the report, marked as Exhibit A – Map 3, 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 September 28, 2022 by the following vote:

	AYE	NO	ABSTAIN	ABSENT	NOT VOTING
Commissioner Bass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Hidahl (Chair)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Neau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Turnboo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Veerkamp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Wilde	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Borelli	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Hodson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alt. Commissioner Saunders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alt. Commissioner Thomas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTEST:



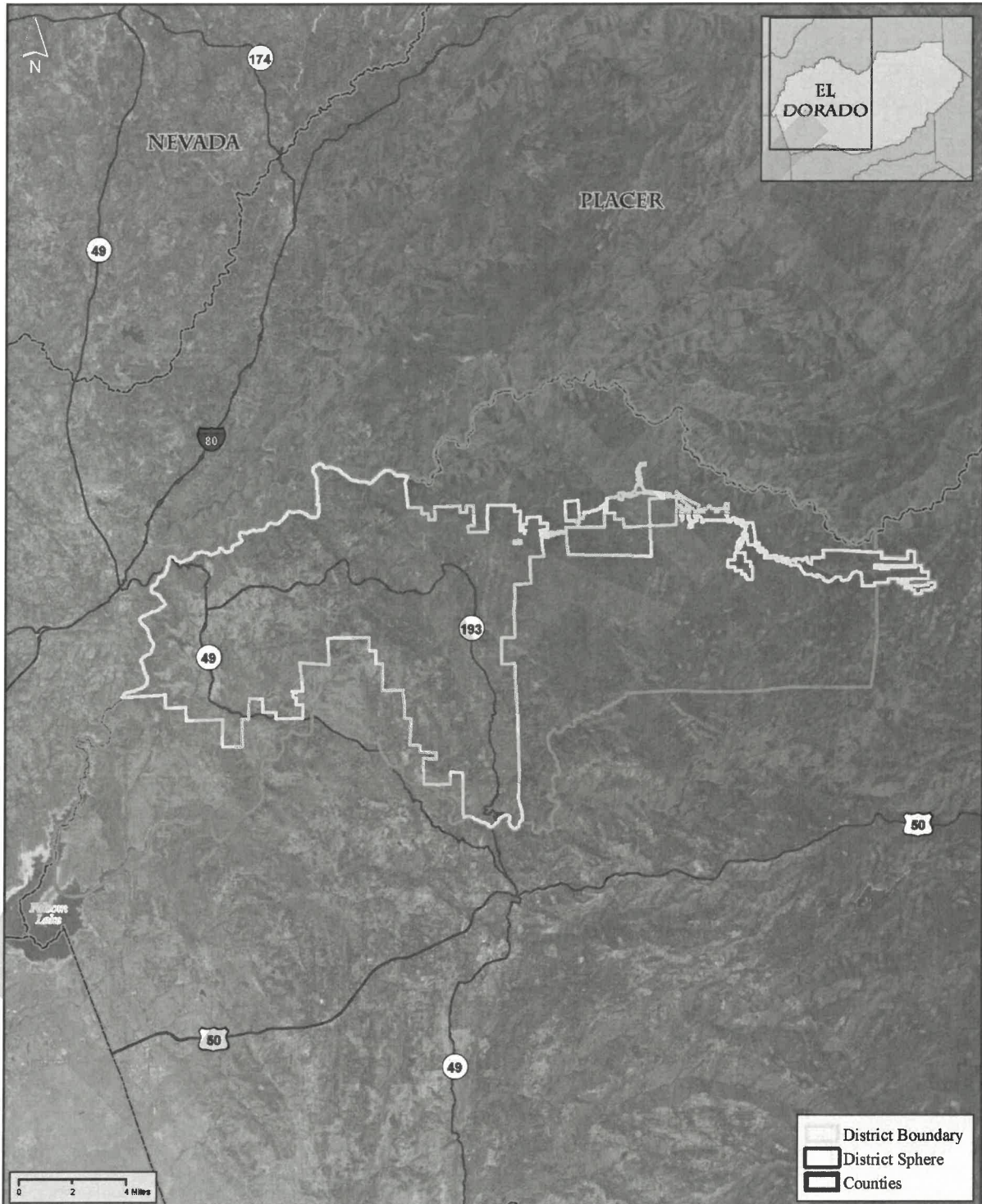
Erica Sanchez, Interim Executive Officer



John Hidahl, Chair

LAFCO RESOLUTION L-2022-08
EXHIBIT A - MAP 1

APPROVED



**Georgetown Divide
Public Utilities District**

Figure

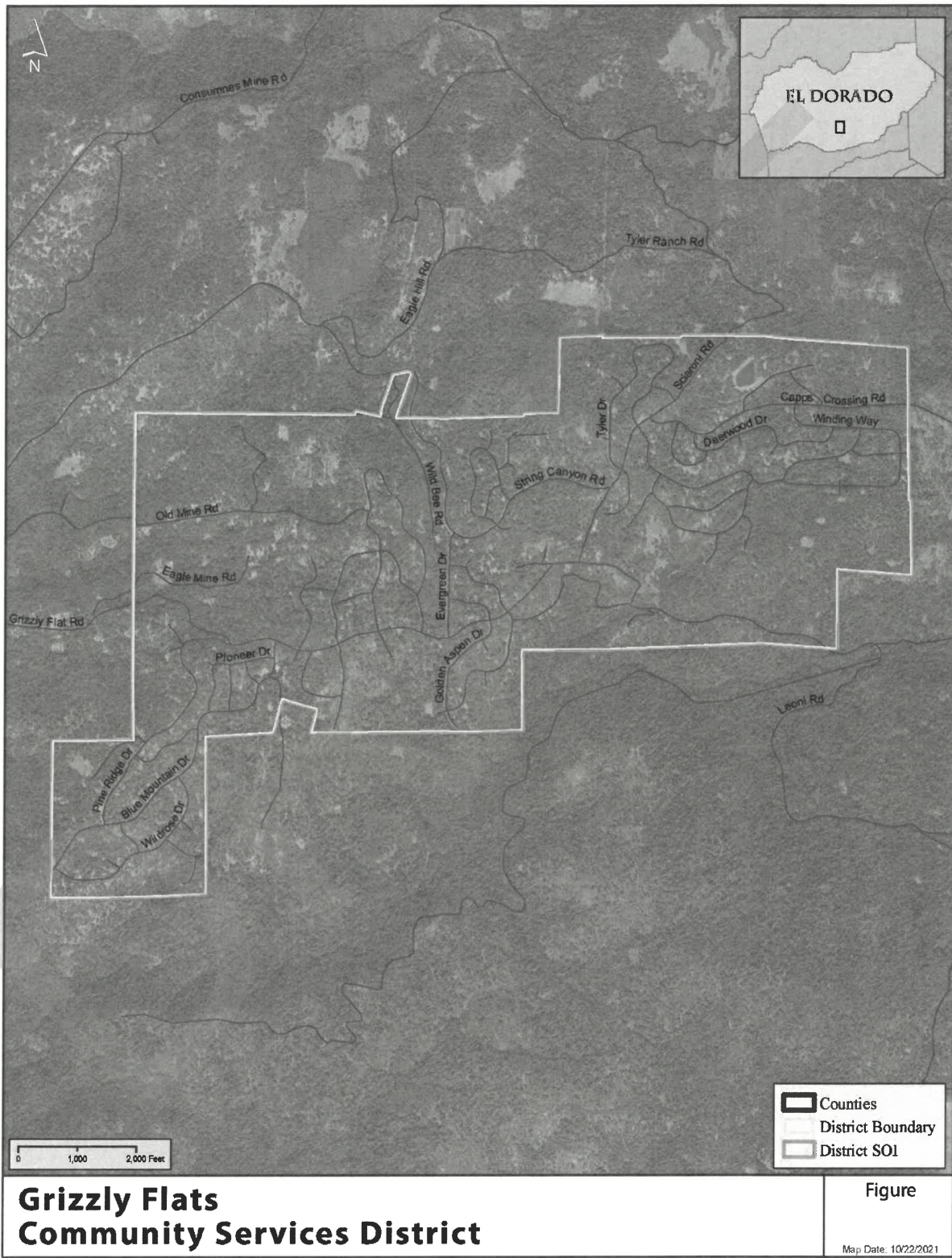
Map Date: 10/22/2021

Sources: Parcels - Humboldt County GIS, Roads - US Census TIGER.

LAFCO RESOLUTION L-2022-08

EXHIBIT A - MAP 2

APPROVED



LAFCO RESOLUTION L-2022-08
EXHIBIT A - MAP 3

APPROVED

