

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF FEBRUARY 28, 2018*

### *REGULAR MEETING*

**TO:** Shiva Frentzen, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**PREPARED BY:** Erica Sanchez, Assistant Executive Officer

**AGENDA ITEM #4C:** REQUEST FOR TIME EXTENSION – MALCOLM DIXON  
ESTATES REORGANIZATION TO THE EL DORADO  
IRRIGATION DISTRICT AND THE EL DORADO HILLS  
COUNTY WATER DISTRICT

**LAFCO Project No.** 2013-01

**PROPONENTS:** Diamante Development, LLC and Christopher LaBarbera

**AGENT:** David Crosariol, CTA Engineering and Land Surveying

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### **RECOMMENDATION**

Staff recommends that the Commission consider a fourth one-year extension request for the Malcolm Dixon Estates Reorganization into the El Dorado Irrigation District (EID) and the El Dorado Hills County Water District (EDH Fire), to give the project proponents additional time to comply with the Commission's conditions of approval. The current deadline expires March 26, 2018; the time extension would be effective until March 26, 2019.

### **REASON FOR RECOMMENDED ACTION**

Per Government Code §57001, if a certificate of completion is not recorded for a project within one year of Commission approval, the project shall be terminated unless the Commission grants an extension. The extension may be for any period deemed reasonable to the Commission for completion of necessary prerequisite actions by any party. The certificate of completion cannot be recorded until all conditions of approval have been met.

**BACKGROUND**

The Commission conditionally approved the Malcolm Dixon Estates Reorganization to EID and EDH Fire on March 26, 2014, with a standard one-year deadline to complete all required conditions. The final conditions include authorization from the United States Bureau of Reclamation (USBR) to approve the inclusion request for the project area, and payment of State Board of Equalization (SBE) fees, which cannot be collected until after USBR inclusion approval is received. At the request of the applicant, the Commission has granted three previous one-year extensions for the project in 2015, 2016 and 2017, to allow additional time to comply with the conditions of approval. The current extension is scheduled to expire on March 26, 2018.

Because the project is within EID's El Dorado Hills Service Area, USBR is required to verify that water resources are available from Folsom Lake for this project. The EID Board approved the reorganization in February 2016 and the inclusion request packet was sent to USBR shortly after. USBR approval typically takes 12-24 months to receive, and can potentially take even longer.

The reported status of the USBR inclusion request is that the project is currently at the regional USBR office in Sacramento for final approval. USBR staff has given a tentative timeframe for final approval by mid-February; however, given the uncertainty of an exact approval date, the applicant is requesting the Commission approve a fourth one-year extension to ensure all conditions can be completed by the March 26, 2018 deadline.

If the Commission denies the extension request and the final conditions are not completed within this timeframe, the reorganization will be terminated. The applicant would be eligible to reapply for reorganization one year after this date; however, the process would start over from the beginning.

**Attachment:**

Attachment A: Extension Request Letter from the Applicant's Agent (2-5-18)