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**BUTTE LOCAL AGENCY FORMATION COMMISSION**

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January 12, 2012

Bill Chiat, Executive Director  
CALAFCO  
1215 K Street, Suite 1650  
Sacramento, CA 95814

Re: Proposed Changes to Government Code Section 56133

Dear Bill:

The Butte Local Agency Formation Commission has reviewed the proposed changes to Government Code Section 56133 and unanimously determined to convey its opposition to the proposal as discussed below.

The Commission generally supports local discretion and understands the varied reasons suggested for expanding the authority of LAFCOs to approve an extension of services outside of an agency's sphere of influence beyond health and safety concerns. However, even with the substantial findings requirements contained in the new provisions, the proposal has the potential to fundamentally alter how many LAFCOs address service needs outside of agency spheres. It inevitably weakens LAFCO's responsibilities to manage and promote orderly boundaries and service provisions through the long standing process of updating/amending agency spheres of influence when appropriate to address identified service needs.

There may be isolated circumstances that may benefit from the additional flexibility provided in this proposed amendment to 56133. Today, we believe that most of those are handled at the local level by determining that under the existing health and safety exemption, Providing a means of circumventing the sphere amendment/annexation process has the potential to gradually diminish existing LAFCO growth management practices tied to the more methodical review and updates of municipal service reviews and sphere of influence plans. Once such discretionary authority is available, LAFCO's will be asked to use that discretion to avoid sphere amendments in many situations where such exercise of discretion would be inappropriate. This will place a new political burden on LAFCO's that some may not be able to withstand. All that would be required is the making of some very general findings. The result is likely to be unintended consequences leading to more difficult future policy decisions related to growth boundaries.

Sincerely,

*Steve Lucas*

Stephen Lucas  
Executive Officer

Cc: LAFCO