

**LOCAL AGENCY FORMATION COMMISSION**  
**JUNE 22, 2005**

**AGENDA NO. 2  
CONSENT CALENDAR**

**EL DORADO LAFCO**  
**LOCAL AGENCY FORMATION COMMISSION**

550 MAIN STREET SUITE E  
PLACERVILLE, CA 95667  
[lafco@co.el-dorado.ca.us](mailto:lafco@co.el-dorado.ca.us)

PHONE: (530) 295-2707  
FAX: (530) 295-1208  
[www.co.el-dorado.ca.us/lafco](http://www.co.el-dorado.ca.us/lafco)

**AGENDA**

**June 22, 2005- 5:30 P.M.**

El Dorado County Hearing Rm. 2850 Fairlane Court, Bldg. C., Placerville, California

Time limits are three minutes for speakers

Speakers are allowed to speak once on any agenda item

**1. CALL TO ORDER AND ROLL CALL**

**2. CONSENT CALENDAR**

- A. ADOPTION OF AGENDA
- B. MINUTES OF THE MEETING OF MAY 25, 2005
- C. APPROVAL OF CLAIMS
- D. AUTHORIZATION TO APPROVE AMENDMENT OF CONTRACT FOR BEST, BEST & KRIEGER FOR AN ADDITIONAL ONE YEAR TO PROVIDE LEGAL SERVICES TO LAFCO
- E. AUTHORIZATION TO APPROVE AMENDMENT OF CONTRACT FOR SCOTT BROWNE FOR AN ADDITIONAL ONE YEAR TO PROVIDE SPECIAL LEGAL COUNSEL TO LAFCO

**3. PUBLIC FORUM/PUBLIC COMMENT**

Members of the public may address the Commission concerning matters within the jurisdiction of LAFCO which are not listed on the agenda. No action may be taken on these matters.

**4. BELL RANCH ANNEXATION; LAFCO PROJECT NO. 01-04**

Annexation of 117 acres to El Dorado Irrigation District, located on Morrison Rd. And Tierra De Dios Dr. In El Dorado Hills. CEQA: A Mitigated Negative Declaration was prepared by El Dorado County as the lead agency, SCH#2005022144

**5. MENTON/ROBINSON REORGANIZATION; LAFCO PROJECT NO. 04-12**

Annexation of 5 acres to the City of Placerville and detachment from County Service Area 9, located on Briw Ridge Ct. Near Briw Rd. And Forni Rd. CEQA: Exempt §15061(b)(3)

**6. EXECUTIVE OFFICER REQUESTING APPOINTMENT OF AN AD HOC PERSONNEL COMMITTEE TO CONSIDER SUCCESSION/REPLACEMENT PLANNING AND RELATED MATTERS**

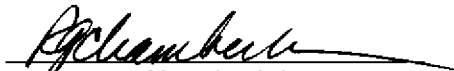
**7. OTHER BUSINESS**

- A. LEGISLATION - The commission may authorize support or opposition to bills currently pending before State Legislature.
- B. COMMISSIONER ANNOUNCEMENTS
- C. COUNSEL REPORT
- D. EXECUTIVE OFFICER REPORT
  - 1. Correspondence
  - 2. Miscellaneous Items
  - 3. Project Status Report
  - 4. Report on Proposed Incorporation of the City of El Dorado Hills

**8. ADJOURNMENT**

The next regularly schedule LAFCO Commission meeting will be July 22, 2005.

Respectfully submitted,  
June 1, 2005

  
Roseanne Chamberlain  
Executive Officer

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 15 copies.

NOTE: State law requires that a participant in a LAFCO proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.



**EL DORADO LAFCO**  
**LOCAL AGENCY FORMATION COMMISSION**

550 MAIN STREET SUITE E  
PLACERVILLE, CA 95667

[lafco@co.el-dorado.ca.us](mailto:lafco@co.el-dorado.ca.us)

PHONE: (530) 295-2707

FAX: (530) 295-1208

[www.co.el-dorado.ca.us/lafco](http://www.co.el-dorado.ca.us/lafco)

**ADDENDUM - AGENDA**

**June 22, 2005- 5:30 P.M.**

El Dorado County Hearing Rm. 2850 Fairlane Court, Bldg. C., Placerville, California

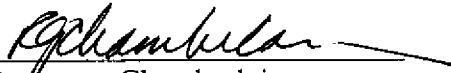
Time limits are three minutes for speakers

Speakers are allowed to speak once on any agenda item

**6A. REVISED COST ESTIMATE - EL DORADO HILLS INCORPORATION; LAFCO PROJECT NO. 03-10**

Proposal to increase the Budget to beyond the current amount.

Respectfully submitted,  
June 14, 2005

  
Roseanne Chamberlain  
Executive Officer

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 15 copies.

NOTE: State law requires that a participant in a LAFCO proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.

**STATE OF CALIFORNIA, COUNTY OF EL DORADO**

**LOCAL AGENCY FORMATION COMMISSION MINUTES OF MAY 25, 2005**

**1. CALL TO ORDER AND ROLL CALL**

The meeting of the Local Agency Formation Commission held May 25, 2005, was called to order at 5:33 p.m. by Chair Manard at the El Dorado Hills Community Services District, 1021 Harvard Way, El Dorado Hills, CA.

**COMMISSIONERS - PRESENT**

Roberta Colvin, City  
Ted Long, City  
Richard C. Paine, County  
Rusty Dupray, County  
Aldon Manard, Public  
Gary Costamagna, District  
Nancy Allen, District

**COMMISSIONERS - ABSENT**

**ALTERNATE COMMISSIONERS - PRESENT**

Francesca Loftis, Public  
Carl Hagen, City

**ALTERNATE COMMISSIONERS - ABSENT**

George Wheeldon, District  
James R. Sweeney, County

**COMMISSION STAFF - PRESENT**

Roseanne Chamberlain, Executive Officer  
Susan Stahmann, Clerk to the Commission  
Scott Browne, Special LAFCO Counsel

**COMMISSION STAFF - ABSENT**

Corinne Fratini, LAFCO Policy Analyst  
Thomas Gibson, LAFCO Counsel

Chair Manard announced the following guidelines for public comments: No outbursts from the audience, speaking within the audience to be kept to a minimum so commissioners may hear testimony and discussion, no speaking from the audience, speaker forms must be filled out and speakers must speak at the microphone for the public record. Times will be 3 minutes for individuals and 10 minutes for groups, which will be monitored by the Clerk.

**ROLL CALL - VOTING MEMBERS: Colvin, Long, Paine, Dupray, Manard, Costamagna, Allen**

Commissioner's Paine & Colvin arrived after rollcall.

**2. CONSENT CALENDAR**

**A. ADOPTION OF AGENDA**

**B. DISPOSITION OF MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION MEETING OF APRIL 27, 2005**

**C. APPROVAL OF CLAIMS**

**D. APPROVAL OF CLAIMS (ADDITIONS)**

**E. AMENDMENT TO THE LAFCO CONFLICT OF INTEREST CODE (Continued from April 18, 2005)**

Ms. Chamberlain asked that items continued from the May 18, 2005 LAFCO meeting be added to the agenda before Items 4 & 5

**MOTION**

Commissioner Paine moved to approve the consent calendar, second by Commissioner Costamagna.

**ACTION**

The motion was supported unanimously.

3. PUBLIC FORUM/PUBLIC COMMENT

Chair Manard opened the public forum.

4. INFORMATIONAL HEARING SILVER SPRINGS REORGANIZATION; LAFCO PROJECT NO. 05-03

Ms. Chamberlain gave staff report.

MOTION

Commissioner Costamagna moved to accept staff recommendation No. 3, second by Commissioner Allen.

Mr. William Wright, representing the El Dorado Union High & Rescue Union School District, stated that the school districts are in favor of this project.

ACTION

Motion Carried.	AYES:	Dupray, Paine, Costamagna, Allen, Colvin, Long, Manard
	NOES:	None
	ABSTAIN:	None
	ABSENT:	None

Agenda Item No. 3 - (Continued from May 18, 2005)

**RESOLUTION L-05-06 CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE INCORPORATION OF THE CITY OF EL DORADO HILLS**

Commissioner Costamagna asked the commission to consider the boundary issue before addressing other items on the Incorporation.

Mr. Taylor instructed the commission that certification of the EIR must be complete before any substantive action can be taken on the project.

MOTION

**Commissioner Long moved to Certify the Final Environmental Impact Report for the Incorporation of the City of El Dorado Hills, as modified with the terms defined in the Resolution, second by Commissioner Allen.**

Chair Manard opened the public hearing

Mr. Michael Cook, Attorney, representing El Dorado Hills Fire District, spoke regarding their issue with mitigation measure regarding wildland fire and the financial impact to the district. He requested that the commission replace paragraph A & B with the preferred alternative language prepared by the district. He indicated that an agreement had been reached between the districts and the Incorporation committee.

Mr. John Hidahl, Incorporation Committee & Bill Wright, Attorney for Fire Districts, confirmed that an agreement had been reached.

Mr. Browne informed the commission that the wording in the EIR Mitigation does have to word for word mirror what is in the terms and conditions. The first year money for wildland fire would flow thru the fire districts to ensure the transition is seamless. He recommended that the commission Incorporate fire districts language in "B"

Mr. Browne's concern is the time between when the city goes into effect and the time when the city council can meet, negotiate and adopt an agreement.

MOTION

**Commissioner Paine moved to adopt the language and place it in the EIR, substitute A & B as proposed.**

Mr. Justin Masters, spoke regarding procedural motions that don't deal with the EIR, language in EIR, wants to contract with CDF for services,

Art Marinaccio, asked that the EIR not be approved until other issues are addressed.

Mr. Norm Rowett, Incorporation Committee, stated he is satisfied with agreement.

Mr. Larry Brilliant, commended the fire districts and proponents for coming to an agreement.

**Commissioner Paine amended his motion to add the verbage of the May 25 letter that was received from Michael J. Cook, Page 2 of the Mitigation 2.8, use that language to insert instead of A&B as discussed, second by Commissioner Allen.**

Commissioner Dupray announced that he and Commissioner Paine's vote on this item in no way reflect the position of the BOS.

Ms. Chamberlain encouraged the commission to defering action to certify the mitigation monitoring plan and defer the act to approve the findings and overrides until after the boundary and services decision is made.

**ACTION**

<b>Motion Carried.</b>	<b>AYES:</b>	<b>Dupray, Costamagna, Colvin, Paine, Allen, Long, Manard</b>
	<b>NOES:</b>	<b>None</b>
	<b>ABSENT:</b>	<b>None</b>
	<b>ABSTAIN:</b>	<b>None</b>

**5. INCORPORATION OF THE PROPOSED CITY OF EL DORADO HILLS; LAFCO PROJECT NO. 03-10**

Mr. Taylor gave outline of boundary and service decisions to be addressed.

Chair Manard opened the public hearing

Mr. John Hidaahl, Chairman, El Dorado Hills Incorporation Committee expressed the committees strong desire to have the no island boundary excluding state recreational area and AG preserve parcel. They have a strong desire to include the Business Park.

Mr. Kirk Bone, on behalf of Marble Valley, requested to be excluded from the project. Staff verified that the County had already requested that Marvel Valley be removed.

Justin Masters, asked that protection of the CC&R's be maintained & the level of funding for fire services.

Bill Wright, representing the El Dorado County Transit Authority and Mike Cook, representing EDH Fire, asked that the the terms and conditions be postponed.

Kevin Stankiewdcz. Resident, spoke regarding the inclusion of the Bass Lake area.

Jay Dennis, Lakehills Equestrian Village. Stated that the information on the staff report is not correct, and asked that they be excluded from the city.

Shan Nejadgian, Equestrian Village Resident, asked to be included in the City. He commended staff for their research.

Ken Christinson, Lakehills, asked to be excluded from the city.

Art Marinnacio, spoke regarding items he felt were not studied in EIR document.

John Thompson, Resident, spoke regarding CC&R enforcement.

Wayne Lowery, spoke regarding CC&R enforcement, Marble Valley Specific Plan & district's support of the alternative boundary. Correction on Page 5 of the Staff Report - should say Solid Waste Services to the city.

Norb Witt, Resident, asked to have the Business Park included in the city.

Paul Raveling, Resident, asked that the CC&R enforcement be transitional for the first year, to be handled by the City when the time comes.

Chair Manard closed the public hearing at 8:19, called for a break, reconvening at 8:31 p.m.

Mr. Nat Taylor, reviewed individual Issues/Decisions regarding Boundaries for Commission action with staff clarifying action:

- 1. Should the boundary include the Promontory and Carson Creek? **Recommendation:** Modify the boundary to include the Promontory and the Carson Creek properties.

**MOTION**

**Commissioner Costamagna moved staff recommendation, second by Commissioner Paine.**

**ACTION**

**The motion was supported unanimously.**

- 2. Should the former Williamson Act "islands" be included within the city boundary? **Recommendation:** Include the islands within the city boundary.

**MOTION**

**Commissioner Dupray moved staff recommendation, second by Commissioner Costamagna.**

**ACTION**

**The motion was supported unanimously.**

- 3. Should the boundary include the entire Marble Valley project area?

**MOTION**

**Commissioner Costamagna moved to exclude Marble Valley, second by Commissioner Colvin.**

**ACTION**

**The motion carried.**

<b>AYES:</b>	<b>Dupray, Costamagna, Colvin, Allen, Manard</b>
<b>NOES:</b>	<b>Paine, Long</b>
<b>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

- 4. Should the boundary exclude the Hickok Road and Arroyo Vista CSD areas? **Recommendation:** Modify the boundary to exclude parcels in the Arroyo Vista and Hickok Road areas, including all territory east of Salmon Falls Road and north of Green Valley Road, thereby resulting in an incorporation area that would not be difficult to serve.

**MOTION**

**Commissioner Dupray moved staff recommendation, second by Commissioner Paine.**

**ACTION**

**The motion was supported unanimously.**

- 5. Which of the parcels south of the Business park should LAFCO include within the incorporation area? **Recommendation No. 1:** The southern boundary of the incorporation area should include parcels 108-050-05 through 108-050-08, plus parcels 108-050-14, 108-05017 (collectively, the "Sierra Pacific" Parcels) and 108-050-42 (the "High School Parcel". **Recommendation No 2:** The southern boundary of the incorporation area should include the industrially designated parcels and exclude the High School parcel.

**MOTION**

**Commissioner Paine moved to exclude the Mehrten parcel, second by Commissioner Costamagna.**

**ACTION**

**The motion was supported unanimously.**

**MOTION**

**Commissioner Costamagna moved to exclude the Dunlap parcel, second by Commissioner Allen.**

**ACTION**

**The motion was supported unanimously.**

**MOTION**

**Commissioner Costamagna moved to include the Sierra Pacific parcel, second by Commissioner Long.**

**ACTION**

**The motion was supported unanimously.**

**MOTION**

**Commissioner Colvin moved to include the EDUHSD parcel, second by Commissioner Allen.**

**ACTION**

**The motion was supported unanimously.**

- 6. Should the boundary be shifted north from Bass Lake Road to Green Springs Creek? **Recommendation:** Approve boundaries for the City following the existing boundary of EDHCSO

and its sphere of influence in the Bass Lake area and the area west of "New Bass Lake Road".

**MOTION**

**Commissioner Dupray moved to exclude, second by Commissioner Paine.**

**ACTION**

**The motion was supported unanimously.**

- 7. Should the boundary include the two potential school sites west of "New Bass Lake Road"?

**MOTION**

**Commissioner Dupray moved to exclude, second by Commissioner Colvin.**

**ACTION**

**The motion was supported unanimously.**

- 8. Should the boundary include the Marble Mountain Homeowners CSD?

**MOTION**

**Commissioner Costamanga moved to exclude, second by Commissioner Colvin.**

**ACTION**

**The motion was supported unanimously.**

- 9. Should the boundary include the Green Springs Ranch subdivision?

**MOTION**

**Commissioner Paine moved to include, second by Commissioner Dupray.**

**ACTION**

**The motion was supported unanimously.**

- 10. Should the boundary include the El Dorado Hills Business Park.

**MOTION**

**Commissioner Paine moved to include, second by Commissioner Costamagna.**

**ACTION**

**The motion was supported unanimously, with roll call vote.**

- 11. Should the Lakehills/Equestrian Village area be included within the incorporation boundaries?

**MOTION**

**Commissioner Dupray moved to exclude, second by Commissioner Paine.**

**Commissioner Long asked for the motion to be amended to continue this item to next week.**

**Commissioner Dupray withdrew his motion, second concurred.**

**Commissioner Long moved to carry over this item to next weeks meeting, second by Commissioner Colvin.**

**ACTION**

**The motion was supported unanimously, with roll call vote.**

Ms. Chamberlain asked the commission to approve the other staff recommended determinations other than those voted on previously.

**MOTION**

**Commissioner Paine moved to accept, second by Commissioner Long.**

**ACTION**

**The motion was supported unanimously.**

Mr. Taylor asked for action on the Service Issues:

- 1. Should LAFCO require the collection of the Fire District Improvement Fee and to provide the Fire District with the authority to determine the amount of the Fee?

Mr. Bill Wright stated that fire districts support staff recommendation.

**MOTION**

Commissioner Costamagna moved to recommend adoption, second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

- 2. What is the most effective means of continuing pre-incorporation service levels for wildland fire protection?

Ms. Chamberlain revised the staff recommendation to conform the Terms & Conditions & Determinations to the commission's prior actions in the CEQA document. (Replacement A&B)

**MOTION**

Commissioner Costamagna moved to recommend adoption, second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

- 3. Should LAFCO require the new City to administer architectural review process and enforce existing CC&Rs within its jurisdiction? **Recommendation:** With respect to architectural review and enforcement of conditions, convenets and restrictions for sub-divisions within El Dorado Hills CSD the city shall continue to provide such services at a level of not less than provided by the CSD for not less than one year following the effective date of incorporation.

**MOTION**

Commissioner Costamagna moved to approve staff recommendation, second by Commissioner Paine.

**ACTION**

The motion was supported unanimously.

- 4. Should LAFCO require the new City to adopt the park development standards and development policies of the EDH CSD? **Recommendation:** Include within the Terms and Conditions of Incorporation a provision requiring the new City to adopt the park development standards and related development impact fees for park and recreation services.

**MOTION**

Commissioner Colvin moved to approve staff recommendation, second by Commissioner Allen.

**ACTION**

The motion was supported unanimously.

Ms. Chamberlain asked the commission to approve Services-Related Determinations, Section B.

**MOTION**

Commissioner Paine moved to approve staff recommendations thru 6, second by Commissioner Costamagna.

**ACTION**

The motion was supported unanimously.

**MOTION**

Commissioner Costamagna moved to approve Number 7 (Fire District Improvement Fee) of staff recommendations, second by Commissioner Paine.

**ACTION**

The motion was supported unanimously.

There was an affirmation that #8 will be Revised and brought back to the Commission.

**MOTION**

Commissioner Costamagna moved to approve Number 9 of staff recommendations of enforcement of CC&R's, second by Commissioner Paine.

**ACTION**

The motion was supported unanimously.

**MOTION**

Commissioner Colvin moved to approve Number 10 of staff recommendations (Park Development & Maintenance Standards), second by Commissioner Costamagna.

**ACTION**

The motion was supported unanimously.

The discussion turned to the Draft Terms and Conditions.

Ms. Chamberlain suggested to revise Item K Cemetery El Dorado County and others. Air Pollution Control Services will continued to be provided by the County.

**MOTION**

Commissioner Dupray moved to approve Terms & Conditions listed as Number 1 & 2 (Services) as revised to delete 2L, Mosquito Abatement, second by Commissioner Paine.

**ACTION**

The motion was supported unanimously.

**MOTION**

Commissioner Paine moved to approve Items 3 thru 8 (Wildland Fire Protection) with revised language for 4 , second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

Item 9 - El Dorado Transit - Additional Language submitted by Transit

**MOTION**

Commissioner Dupray moved to approve Item 9 with additional language , second by Commissioner Costamagna.

Commissioner Dupray moved to defer this item, second by Commissioner Costamagna.

**ACTION**

The motion was supported unanimously.

Item 10, 11 & 12 - Conditions relating to Roads

**MOTION**

Commissioner Dupray moved to approve Items 11 & 12 and continue Item 10 , second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

Item 13 - Requirement for City to initiate a Sphere of Influence

**MOTION**

Commissioner Costamagna moved to approve Item 13 , second by Commissioner Allen.

**ACTION**

The motion was supported unanimously.

Item 14 - County to provide the same level of services for the first year.

**MOTION**

Commissioner Paine moved to approve Item 14 , second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

Item 15 - Detachment of City area from County Service Area No. 9

**MOTION**

Commissioner Dupray moved to approve Item 15 , second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

Item 16 - Prohibits agencies from doing something unlawful

**MOTION**

Commissioner Costamagna moved to approve Item 16 , second by Commissioner Colvin.

**ACTION**

The motion was supported unanimously.

Item 17 - Dissolving Districts



**MOTION**

Commissioner Costamagna moved to approve Item 17 excluding Marble Mountain Homeowners CSD and conditions A thru K , second by Commissioner Dupray.

**ACTION**

The motion was supported unanimously.

Item 18 - Payment of all LAFCO fees

**MOTION**

Commissioner Costamagna moved to approve Item 18 , second by Commissioner Allen.

**ACTION**

The motion was supported unanimously.

**MOTION**

Commissioner Paine moved to close the comment period for the fiscal analysis public hearing tonight and receive and accept additional comments on the fiscal analysis until 5p.m. on Friday, second by Commissioner Long.

**ACTION**

The motion was supported unanimously.

**6. OTHER BUSINESS**

**A. LEGISLATION**

Report will be submitted at next meeting.

**B. COMMISSIONER ANNOUNCEMENTS**

Commissioner Costamagna asked that bills affecting Vehicle Licensing Fees be presented at next meeting.

**C. COUNSEL REPORT**

None

**D. EXECUTIVE OFFICER REPORT**

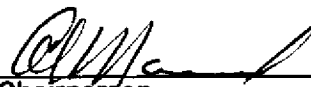
Executive Officer report will be given at the next regular LAFCO meeting.

**7. ADJOURNMENT**

Chair Manard adjourned the meeting at 9:15 p.m.  
The next regularly scheduled LAFCO meeting will be June 22, 2005  
Special Meetings will be June 1, 2005 (Bldg. C) and June 8, 2005 (EDHCSD)

**APPROVED BY THE COMMISSION  
AUTHENTICATED AND CERTIFIED**

  
\_\_\_\_\_  
Clerk to the Commission

  
\_\_\_\_\_  
Chairperson

**LAFCO**  
**APPROVAL OF CLAIMS**  
 May 20 through June 13, 2005

**APPROVED**


Memo	Amount
<b>Aldon Manard</b>	
May 18 Stipend/Mileage	-64.63
June 1 Stipend/Mileage	-64.63
Stipend/Mileage 5/25 & 6/8 LAF...	-129.26
<b>Best, Best &amp; Krieger</b>	
Legal Counsel May 2005	-285.00
<b>Caltronics Business Systems-Sacramento</b>	
Copier Lease May 2005	-130.35
<b>Carl Hagen</b>	
May 18 Stipend	-50.00
June 1 Stipend	-50.00
Stipend 5/25 & 6/8 LAFCO Mtgs.	-100.00
<b>Cingular Wireless</b>	
Cell Phone 4/18 - 5/17 2005	-58.19
<b>City of Placerville</b>	
Parking Permits Jul - Sept 2005	-280.00
<b>Corinne Fratini</b>	
Postage - Incorporation	-40.33
<b>El Dorado County- Information Technologie</b>	
Mainframe Chgs. 04/05	-1,751.66
<b>El Dorado County- Recorder</b>	
CEQA Filing	-850.00
<b>El Dorado County- Risk Management</b>	
3rd & 4th Qtr. Liability Insurance	-8,877.50
<b>El Dorado County- Surveyor's Office</b>	
Incorp. Maps May 2005	-141.00
Incorp. Maps June 2005	-71.00
GIS Maps June 2005	-99.00
<b>El Dorado County Chamber of Commerce</b>	
Workers' Comp Training June 2...	-15.00
<b>Francesca Loftis</b>	
June 1 Stipend/Mileage	-61.25
Stipend/Mileage 5/25 LAFCO Mtg.	-61.25
<b>Gary Costamagna</b>	
May 18 Stipend/Mileage	-64.63
June 1 Stipend/Mileage	-64.63
Stipend/Mileage 5/25 & 6/8 LAF...	-129.26
<b>Intuit Payroll Service</b>	
Payroll 5/20/06	-7,074.64
Payroll 6/3/05	-7,234.19
Payroll 6/17/05	-7,366.79
<b>Lamphier Gregory</b>	
Project Mgr. Incorp. 4/9 - 5/6 2005	-11,816.40
CEQA Incorp. 4/9 - 5/6 2005	-12,013.04
<b>Mountain Democrat</b>	
June 22, 2005 Legal Notice	-24.75
Legal Notices Incorporation	-38.25
Legal Notices Incorp	-20.25
<b>Nancy Allen</b>	
May 18 Stipend/Mileage	-66.88
June 1 Stipend/Mileage	-66.88
Stipend/Mileage 5/25 & 6/8 LAF...	-133.76
<b>Roberta Colvin</b>	
May 18 Stipend	-50.00
June 1 Stipend	-50.00
Stipend 5/25 & 6/8 LaFCO Mtgs.	-100.00
<b>Roseanne Chamberlain</b>	
Postage - Incorporation	-28.90
<b>SBC</b>	
DSL Line May 2005	-59.37
Phone/Equipment May 2005	-160.02
Fax Line May 2005	-16.49
<b>Scott Browne</b>	
Incorporation Legal Counsel 5/1...	-6,607.50
<b>Susan Stahmann</b>	
LTCare Reimbursement	-182.28

11:26 AM  
06/13/05

LAFCO  
APPROVAL OF CLAIMS  
May 20 through June 13, 2005

APPROVED

Memo	Amount
Susan Stahmann - Petty Cash	
Office Supplies June 2005	-21.91
Postage May 2005	-21.09
Ted Long	
May 18 Stipend/Mileage	-101.75
June 1 Stipend/Mileage	-101.75
Stipend/Mileage 5/25 & 6/8 LAF...	-212.91
Walker's Business Products	
Office Supplies 6/1/05	-7.60
Office Supplies 5/27/05	-3.54
Office Supplies May 26, 2005	-44.96
Office Supplies June 2005	-162.61
Western Sierra Bank	
Staff Workshop April 2005	-545.35
Web Hosting May 2005	-19.95

Approved:   
Chair

Date: 06-22-05

**AMENDMENT NO. 1  
TO AGREEMENT FOR LEGAL SERVICES**

This Amendment is made as of the 22 of June, 2005, by and between the El Dorado Local Agency Formation Commission, a municipal organization organized under the laws of the State of California, with its principal place of business at 2850 Fairlane Court, Placerville, California 95667 (hereinafter referred to as "LAFCO") and Best, Best & Krieger LLP, a law firm qualified to conduct business in the State of California, with its principal place of business at 400 Capitol Mall, Suite 1650, Sacramento, California 95814 (hereinafter referred to as "Attorney").

**RECITALS**

WHEREAS, LAFCO and Attorney entered into an Agreement for Legal Services, dated August 25, 2004 (the "Agreement for Legal Services"); and

WHEREAS, LAFCO and Attorney now wish to amend the Agreement for Legal Services on the terms and conditions set forth below.

**OPERATIVE PROVISIONS**

NOW, THEREFORE, in consideration of the covenants and agreements herein contained, the parties hereby amend the Agreement for Legal Services as follows:

1. The effective date of this Amendment shall be August 25, 2005.

1.1 Paragraph 3, Sections A and B of the Agreement for Legal Services are hereby deleted in their entirety and replaced with the following:

"\$175 per hour for general legal services, including matters pertaining to the Brown Act, Conflict of Interest laws, the Public Records Act, and Cortese-Knox-Hertzberg advice as well as preparation for, travel to, and attendance at LAFCO meetings."

1.2 Paragraph 3, Section C of the Agreement for Legal Services is hereby deleted in its entirety and replaced with the following:

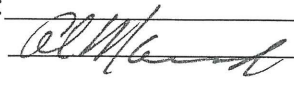
"Analysis of proposals and project work for which legal costs will be charged to the proponent or project applicant will be billed at Attorney's standard private rates. Private rates for the attorneys who will be primarily involved in LAFCO work are as follows: Thomas Gibson, \$225 per hour; Scott Smith, \$300 per hour; and Paula de Sousa, \$225 per hour."

IN WITNESS WHEREOF, Attorney and LAFCO have caused this Amendment to be duly executed as of the day and year first above written.

COPY


EL DORADO LAFCO

BEST BEST & KRIEGER LLP

By: , Chair

By:   
Thomas Gibson, Attorney

Attest:

By:   
for Susan Stahmann, Clerk  
El Dorado Local Agency Formation  
Commission

Mydocuments:GibsonContract.doc

**AGREEMENT FOR LEGAL SERVICES  
LAF 001**

**THIS AGREEMENT** (“Agreement”), made and entered into by and between the **EL DORADO LOCAL AGENCY FORMATION COMMISSION**, a political subdivision of the State of California (hereinafter referred to as “LAFCO”), and **BEST, BEST & KRIEGER, LLP**, a law firm qualified to conduct business in the State of California, whose principal place of business is 400 Capitol Mall, Suite 1650, Sacramento, California (hereinafter referred to as “Attorney”);

**WITNESSETH**

**WHEREAS**, LAFCO desires to obtain an Attorney to provide legal advice; and

**WHEREAS**, Attorney has represented to LAFCO that it is specially trained, experienced, expert and competent to perform the special services required hereunder and LAFCO has determined to rely upon such representations; and

**WHEREAS**, it is the intent of the parties hereto that such services be in conformity with all applicable state and local laws; and

**WHEREAS**, LAFCO has determined that the provision of such services provided by Attorney are in the public’s best interest, and are more economically and feasibly performed by outside independent Attorneys;

**NOW THEREFORE**, LAFCO and Attorney mutually agree as follows:

1. Scope of Services: Attorney agrees to provide service as general counsel to El Dorado LAFCO and to advise LAFCO and its Executive Officer on matters pertinent to the Cortese-Knox-Hertzberg Act, including hearings and meetings, public records, environmental quality, conflict of interest, administration, fiscal and personnel. Attorney also agrees to attend all Commission meetings and other meetings as required. This scope of work may be amended from time to time by LAFCO.

2. Term: This Agreement shall become effective when fully executed by both parties hereto and shall expire one year from the date of execution.

3. Compensation for Services: LAFCO and Attorney agree that LAFCO shall pay the costs incurred by Attorney in providing satisfactory legal services as follows:

A. \$150 per hour for basic legal services such as Brown Act, Conflict of Interest, and Public Records Act and general Cortese-Knox-Hertzberg advice as well as preparation for, travel to, and attendance at meetings.

B. \$185 per hour for specialty legal services, such as litigation, personnel, environmental and specialized Cortese-Knox-Hertzberg work.

C. Analysis of proposals and project work for which legal costs will be charged to the proponent or project applicant will be billed at Attorney's standard private rates. Private rates for the attorneys who will be primarily involved in LAFCO work are as follows: Thomas Gibson, \$205 per hour; Scott Smith, \$290 per hour; and Paula de Sousa, \$205 per hour.

D. Compensation for certain litigation related services may be paid directly though El Dorado County Risk Management. Compensation for these services may be subject to other rates as mutually agreed by Risk Management and Attorney.

4. Invoices: For services provided herein, Attorney shall submit an itemized invoice to LAFCO, not more frequently than monthly in arrears, and in compliance with Business and Professions Code section 6148. Each billing shall be in a time reporting format acceptable to LAFCO and shall include original invoices for reimbursement of expenses, if any. Payment shall be made by LAFCO based on invoice(s) received within thirty (30) days following receipt and approval of invoice(s).

Reimbursable Expenses:

The following will be reimbursed by LAFCO as applicable at rates specified below:

Court filings/Court Services - actual cost/no markup

Document delivery/messenger - actual cost/no markup

Court reporting/transcript-depo fees - actual cost/no markup

Telephone long distance (in office) - based on toll & long distance tariffs. No other markup

Copy .15 cents per page

Fax - 2.50 first page, .50 for each page thereafter

Computerized research (Lexis) - 25% of actual cost is billed to client

Public records searches billed at actual cost.

Mileage - \$.375 per mile



5. Termination: LAFCO has the option of terminating this Agreement at any time, thus ending the attorney-client relationship, for any reason upon written notice to Attorney. Attorney may terminate this Agreement upon thirty (30) days written notice to the Executive Officer of LAFCO, provided that Attorney immediately transfers all files relating to LAFCO matters to the Executive Officer.

6. Changes to Agreement: This Agreement may be amended by mutual consent of the parties hereto. Said amendments shall become effective only when in writing and fully executed by duly authorized officers of the parties hereto.

7. Fiscal Considerations: The parties to this agreement recognize and acknowledge that LAFCO is a political subdivision of the State of California. As such, LAFCO is subject to the provisions of Article XVI, section 18, of the California Constitution and other similar fiscal and procurement laws and regulations and may not expend funds for products, equipment or services not budgeted in a given fiscal year.

Notwithstanding any other provision of this Agreement to the contrary, LAFCO shall give notice of cancellation of this Agreement in the event of adoption of a proposed budget that does not provide for funds for the services, products or equipment subject herein. Such notice shall become effective upon the adoption of a final budget which does not provide funding for this Agreement. Upon the effective date of such notice, this Agreement shall be automatically terminated and LAFCO released from any further liability hereunder.

In addition to the above, should LAFCO, during the course of a given year for financial reasons reduce, or order a reduction, in the budget for which services were contracted to be performed, pursuant to this paragraph in the sole discretion of the LAFCO, this Agreement may be deemed to be canceled in its entirety subject to payment for services performed prior to cancellation.

8. Contractor to LAFCO: It is understood that Attorney is an independent contractor and shall act as Attorney only to LAFCO and shall not act as Attorney to any other individual or entity affected by this Agreement nor provide information in any manner to any party outside of this Agreement that would conflict with Attorney's responsibilities to LAFCO.

9. Assignment and Delegation: Attorney is engaged by LAFCO for its unique qualifications and skills as well as those of its personnel. Attorney shall not subcontract, delegate or assign services to be provided, in whole or in part, to any other person or entity without written consent of LAFCO.

10. Independent Contractor/Liability: Attorney is, and shall be at all times, deemed independent and shall be wholly responsible for the manner in which it performs services required by the terms of this Agreement. Attorney exclusively assumes responsibility for acts of its employees, associates and subcontractors, if any are authorized herein, as they relate to services to be provided under this Agreement during the course and scope of their employment. Attorney shall be responsible for performing the work under this Agreement in a safe, professional, skillful and workmanlike manner and shall be liable for its own negligence and negligent acts of its employees. LAFCO shall have no right of control over the manner in which work is to be done and shall, therefore, not be charged with responsibility of preventing risk to Attorney or its employees.

11. Indemnity: The Attorney shall defend, indemnify and hold LAFCO harmless against and from any and all claims, suits, losses, damages and liability for damages of every name, kind and description, including attorneys fees and costs incurred, brought for, or on account of, injuries to, or death of any person, including but not limited to workers, LAFCO employees and the public, or damage to property or any economic or consequential losses, which are claimed to or in any way arise out of, or are connected with negligent acts or omissions of the attorney's services, operations or performance hereunder. This duty of Attorney to indemnify and save LAFCO harmless includes the duties to defend set forth in California Civil Code section 2778.

12. Insurance: Attorney shall provide proof of a policy of insurance satisfactory to the El Dorado County Risk Manager and documentation evidencing that Attorney maintains insurance that meets the following requirements:

A. Full Worker's Compensation and Employer's Liability Insurance covering all employees of Attorney as required by law in the State of California.

B. Commercial General Liability Insurance of not less than \$1,000,000.00 combined single limit per occurrence for bodily injury and property damage.

C. Automobile Liability Insurance of not less than \$500,000.00 is required in the event motor vehicles are used by the Attorney in the performance of this Agreement.

D. In the event Attorney is a licensed professional, and is performing professional services under this Agreement, professional liability (for example, malpractice insurance) is required with a limit of liability of not less than \$1,000,000.00 per occurrence. For the purposes of this Agreement, professional liability is required.

E. Attorney shall furnish a certificate of insurance satisfactory to the El Dorado County Risk Manager as evidence that the insurance required above is being maintained.

F. The insurance will be issued by an insurance company acceptable to Risk Management, or be provided through partial or total self-insurance likewise acceptable to Risk Management.

G. Attorney agrees that the insurance required above shall be in effect at all times during the term of this Agreement. In the event said insurance coverage expires at any time or times during the term of this Agreement, Attorney agrees to provide at least thirty (30) days prior to said expiration date, a new certificate of insurance evidencing insurance coverage as provided for herein for not less than the remainder of term of the Agreement, or for a period of not less than one (1) year. New certificates of insurance are subject to the approval of Risk Management and Attorney agrees that no work or services shall be performed prior to the giving of such approval. In the event the Attorney fails to keep in effect at all times insurance coverage as herein provided, LAFCO may, in addition to any other remedies it may have, terminate this Agreement upon the occurrence of such event.

H. The certificate of insurance must include the following provisions stating that:

(1) The insurer will not cancel the insured's coverage without thirty (30) days prior written notice to LAFCO, and;

(2) LAFCO, its officers, officials, employees and volunteers are included as additional insured, but only insofar as the operations under this Agreement are concerned. This provision shall apply to all liability policies except worker's compensation and professional liability insurance policies.

I. The Attorney's insurance coverage shall be primary insurance as respects the LAFCO, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by LAFCO, its officers, officials, employees or volunteers shall be in excess of the Attorney's insurance and shall not contribute with it.

J. Any deductibles or self-insured retentions must be declared to and approved by LAFCO, either; the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects LAFCO, its officers, officials, employees and volunteers; or the Attorney shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

K. Any failure to comply with the reporting provisions of the policies shall not affect coverage provided to LAFCO, its officers, officials, employees or volunteers.

L. The insurance companies shall have no recourse against LAFCO, its officers and employees or any of them for payment of any premiums or assessments under any policy issued by any insurance company.

M. Attorney's obligations shall not be limited by the foregoing insurance requirements and shall survive expiration of this Agreement.

N. In the event Attorney cannot provide an occurrence policy, Attorney shall provide insurance covering claims made as a result of performance of this Agreement for not less than three (3) years following completion of performance of this Agreement.

13. Interest of Public Official: No official or employee of LAFCO who exercises any functions or responsibilities in review or approval of services to be provided by Attorney under this Agreement shall participate in or attempt to influence any decision relating to this Agreement which affects personal interest or interest of any corporation, partnership or association in which he/she is directly or indirectly interested; nor shall any such official or employee of LAFCO have any interest, direct or indirect, in this Agreement or the proceeds thereof.

14. Interest of Contractor: Attorney covenants that Attorney presently has no personal interest or financial interest, and shall not acquire same in any manner or degree in either: 1) any other contract connected with or directly affected by the services to be performed by this Agreement; or, 2) any other entities connected with or directly affected by the services to be performed by this Agreement. Attorney further covenants that in the performance of this Agreement no person having any such interest shall be employed by Attorney.

15. California Residency (Form 590): All independent Attorneys providing services to LAFCO must file a State of California Form 590, certifying their California residency or, in the case of a corporation, certify that they have a permanent place of business in California. Attorney will be required to submit a Form 590 prior to execution of an Agreement or LAFCO shall withhold seven (7%) percent payment made to Attorney during term of the Agreement. This requirement applies to any agreement/contract exceeding \$1,500.00.

16. Taxpayer Identification Number (Form W-9): Attorney shall file with LAFCO a Department of the Treasury Internal Revenue Service Form W-9, certifying their Taxpayer Identification Number.

17. Notice to Parties: All notices to be given by the parties hereto shall be in writing and served by depositing same in the United States Post Office, postage prepaid and registered. Notices to LAFCO shall be in duplicate and addressed as follows:

COUNTY OF EL DORADO  
LAFCO  
2850 FAIRLANE COURT  
PLACERVILLE, CA 95667  
ATTN: ROSEANNE CHAMBERLAIN

or to such other location as LAFCO directs.

Notices to Attorney shall be addressed as follows:

BEST BEST & KRIEGER  
400 CAPITOL MALL, SUITE 1650  
SACRAMENTO, CA 95814  
ATTN: THOMAS R. GIBSON

18. Administrator: The LAFCO Officer or employee with responsibility for administering this Agreement is Roseanne Chamberlain, Executive Officer, LAFCO, or her successor. The Attorney with responsibility for administering this Agreement is Thomas R. Gibson.

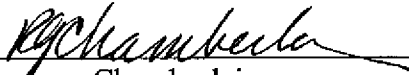
19. Authorized Signatures: The parties to this Agreement represent that the undersigned individuals executing this Agreement on their respective behalf are fully authorized to do so by law or other appropriate instrument and to bind upon said parties to the obligations set forth herein.

20. Partial Invalidity: If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will continue in full force and effect without being impaired or invalidated in any way.

21. Venue: Any dispute resolution action arising out of this Agreement, including, but not limited to, litigation, mediation or arbitration, shall be brought in El Dorado County, California, and shall be resolved in accordance with the laws of the State of California. Attorney waives any removal rights it might have under Code of Civil Procedure section 394.


22. Entire Agreement: This document and the documents referred to herein or exhibits hereto are the entire Agreement between the parties and they incorporate or supersede all prior written or oral Agreements or understandings.

**Requesting Department Concurrence:**

Dated: 7/26/04 By:   
Roseanne Chamberlain,  
Executive Officer  
El Dorado Local Agency Formation  
Commission

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first below written.

- LAFCO -

Dated: 8-25-04 By: , Chairman  
El Dorado Local Agency Formation  
Commission "LAFCO"



ATTEST:

Dated: 8-25-04

By: *Pusa Ptak*

Clerk  
El Dorado Local Agency Formation  
Commission "LAFCO"

- ATTORNEY -

Dated: 8/25/04

BEST, BEST & KRIEGER, LLP

By: *Dennis M. Cota*

Dennis M. Cota, Attorney

s:\shared\susan\contracts\BBK001

# DRAFT

## AGREEMENT FOR SERVICES #277-S9911

### AMENDMENT V

**This Amendment V** to the Agreement for Services #277-S9911, made and entered into by and between the **El Dorado Local Agency Formation Commission**, a political subdivision of the State of California (hereinafter referred to as "LAFCO"), and **P. Scott Browne**, an individual duly qualified to conduct business in the State of California, whose principal place of business is 131 South Auburn Street, Grass Valley, CA 95945-6501 (hereinafter referred to as "Attorney");

#### WITNESSETH

**WHEREAS**, Attorney has been engaged by LAFCO to act as designated alternate legal counsel to advise LAFCO pursuant to Government Code §56384(b), in accordance with Agreement for Services #277-S9911, incorporated herein and made by reference a part hereof;

**WHEREAS**, the parties hereto have mutually agreed to extend the Agreement for one additional year, hereby amending **ARTICLE 2 - Term**, and **ARTICLE III - Compensation**.

**NOW THEREFORE**, the parties do hereby agree that Agreement for Services #277-S9911 shall be amended to read as follows:

#### **ARTICLE II**

**Term:** This agreement shall become effective when fully executed by both parties hereto. The terms of this Agreement as amended shall be for a period of July 1, 2005 through July 1, 2006.

#### **ARTICLE III**

**Compensation for Services:** The total amount of this Agreement as amended shall not exceed \$60,000.00 during the term hereof.

This Fifth Amendment to Agreement #277-S9911 is also subject to all other applicable laws, regulations, and ordinances, including those of LAFCO relating to the payment of monies. Except as herein amended, all other parts and sections of Agreement #277-S9911 shall remain unchanged and in full force and effect.

# DRAFT

**\CONCURRENCE:**

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
Roseanne Chamberlain, Executive Officer  
El Dorado Local Agency Formation Commission

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment to Agreement #277-S9911 the day and year first below written.

**LAFCO**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Aldon Manard, Chairman  
El Dorado Local Agency Formation Commission (LAFCO)

**ATTEST:**  
Susan Stahmann  
Clerk to the Commission

By: \_\_\_\_\_ Dated: \_\_\_\_\_

**ATTORNEY**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
P. SCOTT BROWNE  
ATTORNEY AT LAW ("ATTORNEY")

**AGENDA NO. 4**  
**BELL RANCH ANNEXATION**  
**LAFO PROJECT NO.01-04**

# *Local Agency Formation Commission*

## *STAFF REPORT*

*Agenda of June 22, 2005*

**AGENDA ITEM 4: Bell Ranch Properties Annexation to El Dorado Irrigation District; LAFCO Project 01-04**

**PROPONENT: Bell Ranch Properties, LLC, Landowner**

---

### **DESCRIPTION OF PROJECT**

This proposal includes annexation of APNs 108-010-45 and 108-010-46, totaling approximately 117 acres, to El Dorado Irrigation District.

### **PURPOSE**

Annexation is necessary to provide water and wastewater services to a planned development consisting of 113 single family homes, nine landscape lots, one open space lot, and one park site and to EID's Bass Lake water storage tanks.

### **LOCATION**

The project is located on Morrison Road and Tierra De Dios Drive near Bass Lake Road in El Dorado Hills.

### **CEQA**

El Dorado County, as lead agency, prepared and certified a Program Environmental Impact Report and Addendum for the Bass Lake Road Study Area, including Bell Ranch, on March 17, 1992 and November 7, 1995, respectively (SCH#90020375). El Dorado County also prepared and certified a Mitigated Negative Declaration for the Bell Ranch project on May 24, 2005 (SCH#2005022144). Within the scope of this review the environmental impacts of annexation, including water supply, were addressed.

In order to approve the annexation, CEQA requires that LAFCO shall adopt the County's findings for each significant effect of the project (CCR §15096(h)). The County made findings for the development project including CEQA findings. The County's entire findings document is attached as Exhibit C to Resolution L-05-10.

The Draft MND, Final MND, and the draft Notice of Determination are also attached.

## **BACKGROUND**

The following is a brief chronological history and summary of the Bell Ranch project:

### **Bell Ranch Properties Annexation to EID, LAFCO Project 95-03**

The landowner submitted a preliminary application to LAFCO on September 13, 1995.

### **Bass Lake Hills Specific Plan (BLHSP)**

The County approved the BLHSP and certified the Bass Lake Road Study Area Program EIR and Addendum on November 7, 1995. Development of the 1,414-acre BLHSP is planned for 1,458 residential units, public facilities including a school and a fire station, 24 acres of parks, and 151 acres of open space.

### **Development Agreement**

The County originally approved the BLHSP Development Agreement by ordinance on August 20, 1996 and Bell Ranch Properties signed the agreement on September 23, 1998.

### **Bass Lake Hills Annexation to EID, LAFCO Project 97-02**

Several annexation applications in the BLHSP area, including 95-03 (Bell Ranch), were closed and a new application was opened that included a majority of the BLHSP.

LAFCO disapproved the Bass Lake Hills Annexation on August 5, 1999. Reasons for disapproval, as stated in LAFCO Resolution L-99-02, included "...insufficient water supply data to make an informed decision," "...negative impacts on the cost and adequacy of services...upon existing customers due to inadequate water supply and the cost of building infrastructure and securing new water supplies," "...an adverse impact upon the physical and economic integrity of agricultural land uses," "inadequate CEQA documentation [that] makes it infeasible to render an informed decision...", "...the project is inconsistent with...an adequate General Plan...", and "the County has not made required findings regarding affected services pursuant to the Court's Writ of Mandate particularly as it relates to project related growth inducement impacts."

Landowners immediately filed a lawsuit challenging the LAFCO action.

### **Bass Lake Area Domestic Water Storage Project (Bass Lake Tanks)**

EID approved the Bass Lake Tanks project on September 17, 2001. After the CEQA document was litigated, EID completed additional environmental review for the project in April 2003.

### **Bell Ranch Properties Annexation to EID, LAFCO Project 01-04**

The landowner submitted a new application to LAFCO on October 8, 2001.

### **EID/Bell Ranch Properties Settlement Agreement**

On June 18, 2002 EID and Bell Ranch Properties entered into a settlement agreement for the acquisition of 4.82 acres of land (now APN 108-010-46) for EID's Bass Lake Area Domestic Water Storage Project. EID guaranteed 113 EDUs of water supply for Bell Ranch (now APN 108-010-45) subject to certain conditions.

Bass Lake Hills Annexation to EID, LAFCO Project 97-02: Ruling

In the Ruling on Petition for Writ of Mandate in the matter of Williams, et al. v. El Dorado LAFCO, the Court ruled in LAFCO's favor and concluded that "LAFCO, faced with stale information, the acknowledgment by the [Bass Lake Road Study Area] EIR that it did not and could not have adequately evaluated environmental impacts associated with supplying water to Bass Lake Hills development, and the statutory mandate to determine if further environmental review was necessary acted correctly in determining that indeed it was."

BLHSP Public Facilities Financing Plan (PFFP)

The County approved the Final PFFP on June 8, 2004. The PFFP "sets forth a strategy to finance the backbone infrastructure and other public facilities required to serve the proposed land uses in the BLHSP." Build-out of the BLHSP will require \$26.8 million in developer-funded improvements within the specific plan boundaries.

Bell Ranch is included in the critical mass phase (first 300 housing units), which is responsible for Bass Lake Road improvements and the acquisition, design, and/or construction of various other access roads, parks, and public facilities. These improvements are estimated at \$14.9 million.

The PFFP proposes a combination of developer funding or construction of up-front infrastructure, existing fee programs, implementation of the Bass Lake Hills Public Facilities Fee, and the possible use of Mello-Roos Community Facilities District bond financing.

Bell Ranch Development Project

The County approved the tentative map, rezone, and development plan and adopted the Mitigated Negative Declaration for the Bell Ranch project on May 24, 2005.

**SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS**

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the following factors:

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Need for organized services, probable future needs	1 Consistent	Water and wastewater services needed for single family homes and landscape/park irrigation.
Ability to serve, level and range of service, time frames, conditions to receive service	2 Consistent	Existing and planned infrastructure have sufficient capacity; adequate water supply available.
Timely availability of adequate water supply	3 Consistent	Adequate water supply available with Bass Lake Tanks and settlement agreement.

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Alternatives to service, other agency boundaries, and local gov't structure	4 Consistent	EID is the only provider of public water and wastewater service in this area.
Significant negative service Impacts	5 Consistent	Planned infrastructure will be financed and constructed by landowner to prevent impacts.
Coordination of applications	6 Consistent	Bell Ranch has unique entitlement status; other needed services in place.
Present cost/adequacy of governmental services, including public facilities	7 Consistent	Existing services and facilities appear adequate with Bass Lake Tanks.
Effect of proposal on cost & adequacy of service in area and adjacent areas	8 Consistent	Planned infrastructure will be financed and constructed by landowner to prevent impacts.
Effect of alternative courses of action on cost & adequacy of service in area and adjacent areas	9 Consistent	No feasible alternatives were identified.
Sufficiency of revenues, per capita assessed valuation	10 Consistent	EID estimates a net annual gain of \$713,372.
Revenue producing territory	11 Consistent	Annexation needed to support residential development.
56668.3 "best interest"	12 Consistent	Landowner, EID, and County support annexation.
Boundaries: logical, contiguous, not difficult to serve, definite and certain	13 Consistent	Substantially contiguous to EID.
Topography, natural boundaries, drainage basins, land area	14 Consistent	Annexation boundary is not inconsistent with natural features.
Creation of islands, corridors, irregular boundaries	15 Consistent	Subject parcel substantially contiguous to EID; adjacent parcel will become a pinpoint island.



<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Conformance to lines of assessment, ownership	16 Consistent	Confirmed by County Assessor and Surveyor.
Spheres of influence	17 Consistent	Within EID's sphere of influence.
Effect on adjacent areas, communities of interest	18 Consistent	Development is consistent with BLHSP; within EDH incorporation boundary; Measure Y Committee objections have been addressed.
Information or comments from landowners or owners	19 Consistent	Landowners support annexation.
Effect on other community services, schools	20 Consistent	No known effect.
Other agency comments, objections	21 Consistent	EID indicates it is willing and able to provide services.
Fair share of regional housing needs	22 Consistent	Decrease in water available for RHND build-out; no significant effects anticipated.
Land use, information relating to existing land use designations	23 Consistent	BLHSP designates Low and Medium Density Residential.
Population, density, growth, likelihood of growth in, and in adjacent areas, over 10 years	24 Consistent	Currently vacant land will increase to approximately 373 persons at build-out.
Proximity to other populated areas	25 Consistent	BLHSP is located in the highly populated area of El Dorado Hills, adjacent to Cameron Park.
Consistency with general plans, specific plans, zoning	26 Consistent	Consistent with General Plan and BLHSP land uses; recently rezoned from RE-10 to R1-PD.
Physical and economic integrity of agriculture lands and open space	27 Consistent	No prime ag lands or current ag uses on property.
Optional factor: regional growth goals and policies	28 Not applicable	Not applicable.

## **DETERMINATIONS**

The Commission should review the factors summarized above and discussed below, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this annexation is made subject to Government Code §56650 et seq. by 100% of the landowners.
2. The territory proposed for annexation is within the sphere of influence of El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.
3. The Mitigated Negative Declaration prepared for this project by El Dorado County adequately addresses the environmental impacts of annexation.
4. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
5. Although there may have been past grazing uses in the annexation area, the subject territory does not contain prime agricultural lands or choice soils and there are no current agricultural uses. The annexation will not have an adverse effect on the *physical and economic integrity of agriculture*.
6. There appears to be a timely, adequate water supply available to serve the annexation area based on the guarantee of EDUs from existing supplies, operation of the Bass Lake tanks, and construction of the pumping and pressure-reducing systems and distribution lines.
7. The annexation will result in a decrease in water supply available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those needs.

## **RECOMMENDATIONS**

Staff recommends that the Commission take the following actions:

1. Adopt Resolution L-05-10 making determinations, adding conditions, making findings, including CEQA findings, and approving the Bell Ranch Properties Annexation to El Dorado Irrigation District, LAFCO Project 01-04.

2. Recognize that El Dorado County, as the lead agency in consultation with LAFCO, has prepared a Mitigated Negative Declaration that adequately addresses the environmental impacts of annexation. Make the CEQA findings for each significant effect of the project as shown on Exhibit C to Resolution L-05-10. Direct staff to prepare a Notice of Determination pursuant to Title 14, Chapter 3, Section 15096 (Responsible Agency) of the California Code of Regulations.
3. Waive the conducting authority proceedings subject to Government Code §56663 and local policies.
4. Direct staff to complete the necessary filings and transmittals as required by law.

### **DISCUSSION**

Government Code §56668 and LAFCO Policies require that the review of an annexation proposal shall consider the following factors:

**(Numbered items 1-6 relate to services)**

1. **NEED FOR ORGANIZED COMMUNITY SERVICES, PROBABLE FUTURE NEEDS::** Applicants shall demonstrate the need and/or future need for governmental services and that the proposal is the best alternative to provide service (Policies 3.1.4(b), 6.1.7; §56668(b)).

**RESPONSE:** Bell Ranch is part of the 1,414-acre BLHSP, which is planned for 1,458 residential units, public facilities including a school and a fire station, 24 acres of parks, and 151 acres of open space. On May 24, 2005 the County approved a tentative map, rezone, and development plan for Bell Ranch that consists of 113 single family homes, nine landscape lots, one open space lot, and one park site. Public water and wastewater services are needed to support development of the homes and to irrigate the landscape lots, park site, and some open space.

The annexation includes APN 108-010-46 (4.82 acres), which is owned by EID and contains the Bass Lake water storage tanks. It is logical for this parcel to annex to the district.

2. **ABILITY TO SERVE, LEVEL AND RANGE OF SERVICE, TIME FRAMES, CONDITIONS TO RECEIVE SERVICE:** Prior to annexation the applicants and proposed service providers shall demonstrate that the annexing agency(ies) will be capable of providing adequate services which are the subject of the application and shall submit a plan for providing services (Policy 3.3, §56668(j)).

**RESPONSE:** Water service is available from gravity sources including Jenkinson Lake and Project 184. This supply will be transmitted to Bell Ranch via the Gold Hill Intertie (GHI), which is currently at capacity. The two Bass Lake tanks, each with a capacity of four million gallons, were constructed to store water from the GHI and reduce water pressure impacts during peak periods, thereby eliminating constraints on the delivery of gravity water to the Bass Lake area.

A hydro-pneumatic pump system, pressure-reducing station, and water lines will distribute water from the tanks to Bell Ranch. The infrastructure for the pump system has been constructed, construction of the pressure-reducing station is nearly complete, and the water lines extending from the tanks to the Bell Ranch connection points have been constructed. The pump station and on-site distribution lines will be constructed with construction of the Bell Ranch project.

Bell Ranch will connect to existing wastewater collection lines that have adequate capacity to serve the project. The lines connect to a lift station which also has adequate capacity at this time. Wastewater from Bell Ranch will be treated at the Deer Creek Wastewater Treatment Plant (DCWWTP), which has a permitted capacity of 3.6 mgd and is currently operating at 2.5 mgd at average dry weather flows.

Recycled water was originally contemplated for Bell Ranch but is infeasible due to the elevation of the project.

See plan of service and Mitigated Negative Declaration, attached.

3. **TIMELY AVAILABILITY OF ADEQUATE WATER SUPPLY:** The Commission shall consider the timely availability of water supplies adequate for projected needs (§56668(k)).

**RESPONSE:** On June 18, 2002 EID and Bell Ranch Properties entered into a settlement agreement for the acquisition of 4.82 acres of land (now APN 108-010-46) for EID's Bass Lake Area Domestic Water Storage Project. EID guaranteed 113 EDUs of water supply for Bell Ranch (now APN 108-010-45) subject to certain conditions.

Bell Ranch is within EID's Western/Eastern Service Area. Within this service area, 113 EDUs of existing water supply are committed to Bell Ranch, leaving a net total of 1,572 available EDUs. These EDUs are available for unserved parcels within EID's boundary and for future annexations within the Western/Eastern service area. Approximately 5 additional EDUs will be needed to irrigate the park site and landscape lots due to engineering constraints on the provision of recycled water.

Bell Ranch will receive water service from gravity sources including Jenkinson Lake and Project 184. Water from these sources will be transmitted to Bell Ranch via the GHI, which is currently at capacity. The two Bass Lake tanks, each four million gallons, were constructed to store water from the GHI and reduce water pressure impacts during peak periods, thereby eliminating constraints on the delivery of gravity water to the Bass Lake area.

A hydro-pneumatic pump system, pressure-reducing station, and water lines will distribute water from the tanks to Bell Ranch. The infrastructure for the pump system has been constructed, construction of the pressure-reducing station is nearly complete, and the water lines extending from the tanks to the Bell Ranch connection points have been constructed.

There appears to be a timely, adequate water supply available to serve Bell Ranch based on the guarantee of EDUs from existing supplies, operation of the Bass Lake tanks, and construction of the pumping and pressure-reducing systems and distribution lines.

4. **ALTERNATIVES TO SERVICE, OTHER AGENCY BOUNDARIES, AND LOCAL GOVERNMENT STRUCTURE:** The Commission shall consider alternatives to the proposal, proximity of other agency boundaries and alternative courses of action. Where another agency objects to the proposal, LAFCO will determine the best alternative for service (Policies 3.3.2.2(g), 6.1.3).

**RESPONSE:** EID is the only provider of public water and wastewater services in this area. Public services, rather than private wells and septic systems, are necessitated by the type and density of development planned for Bell Ranch.

5. **SIGNIFICANT NEGATIVE SERVICE IMPACTS:** Services provided to the territory will not result in a significant negative impact on the cost and adequacy of services otherwise provided (Policy 6.2.4, §56668.3(b)).

**RESPONSE:** EID certifies that there is sufficient capacity in existing water and wastewater lines, in the sewer lift station, in the Bass Lake Tanks, and in the DCWWTP to serve Bell Ranch. Bell Ranch is responsible for financing and constructing all additional infrastructure necessary for service, including the hydro-pneumatic pump system, pressure-reducing station, and on-site distribution lines. For these reasons, LAFCO staff does not anticipate any negative service impacts as a result of annexation. See plan of service and Mitigated Negative Declaration, attached.

6. **COORDINATION OF APPLICATIONS:** If a project site can be anticipated to require additional changes of organization in order to provide complete services, the proposal shall be processed as a reorganization (§56475, Policy 3.1.9). Where related changes of organization are expected on adjacent properties, petitioners are encouraged to combine applications and LAFCO may modify boundaries, including the addition of adjacent parcels to encourage orderly boundaries (Policy 3.1.8).

**RESPONSE:** Bell Ranch first submitted an annexation proposal to LAFCO in 1995 (Project 95-03). This application was later closed and Bell Ranch was included in the new Bass Lake Hills Annexation to EID (Project 97-02). LAFCO disapproved this project in 1999, and Bell Ranch subsequently submitted a new application in 2001.

Bell Ranch has a different development entitlement status than the surrounding properties and a separate annexation is therefore logical for this property. The County approved a tentative map, rezone, and development plan and certified a Mitigated Negative Declaration for Bell Ranch in May 2005. Approved development plans and project-level CEQA review differentiate Bell Ranch from other parcels in the BLHSP, making annexation timely for this parcel.

Bell Ranch is already within the boundaries of El Dorado Hills County Water District ("Fire Department") and El Dorado Hills Community Services District.

**(Numbered items 7-12 relate to cost and revenues)**

7. **PRESENT COST/ADEQUACY OF GOVERNMENTAL SERVICES, INCLUDING PUBLIC FACILITIES:** The Commission shall consider existing governmental services and facilities and the cost and adequacy of such services and facilities (§56668(b), Policy 3.3). If service capacity and/or infrastructure will be expanded, the applicant will submit cost and financing plans (Policy 3.3.2.2).

**RESPONSE:** EID's existing facilities and services appear adequate for the Western/Eastern Service Area. The district is able to transmit gravity water to the Bass Lake Area with the Bass Lake Domestic Water Storage Project. The Bass Lake tanks mitigate water pressure problems that occurred when the Gold Hill Intertie reached capacity. The permitted capacity of the DCWWTP was recently increased to 3.6 mgd and is currently operating at 2.5 mgd.

8. **EFFECT OF PROPOSAL ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider existing and proposed governmental services and facilities, the cost and adequacy of such services and facilities, and probable effect of the proposal on the area and adjacent areas (§56668(b) and Policy 3.3). LAFCO will discourage projects that shift the cost of service and/or service benefits to others or other service areas (Policy 6.1.8).

**RESPONSE:** EID certifies that there is sufficient capacity in existing water and wastewater lines, in the sewer lift station, in the Bass Lake Tanks, and in the DCWWTP to serve Bell Ranch. Bell Ranch is responsible for financing and constructing all additional infrastructure necessary for service, including the hydro-pneumatic pump system, pressure-reducing station, and on-site distribution lines. See plan of service and Mitigated Negative Declaration, attached.

9. **EFFECT OF ALTERNATIVE COURSES OF ACTION ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider the cost and adequacy of alternative services and facilities (§56668).

**RESPONSE:** EID is the only provider of public water and wastewater services in this area. Public services, rather than private wells and septic systems, are necessitated by the type and density of development planned for Bell Ranch.

10. **SUFFICIENCY OF REVENUES, PER CAPITA ASSESSED VALUATION:** §56668(j)

**RESPONSE:** EID's cost-benefit analysis estimates a net annual gain of \$713,372. Revenues are derived from property taxes, facility capacity charges, and utility bills. Expenses are incurred from operation and treatment costs and infrastructure replacement.

11. **REVENUE PRODUCING TERRITORY:** The proposed annexation shall not represent an attempt to annex only revenue-producing territory (Policy 6.1.1).

**RESPONSE:** Public water and wastewater services are needed to support development of medium and low density homes and to irrigate landscape lots, a park site, and some open space.

12. **"BEST INTEREST:"** The Commission shall consider whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the city/district and within the territory proposed to be annexed to the city/district (§56668.3).

**RESPONSE:** The landowners, EID, and the County support the annexation. Public water and wastewater services are needed to support development of future single family homes, landscape lots, a park site, and open space.

**(Numbered items 13-17 relate to boundaries)**

13. **BOUNDARIES: LOGICAL, CONTIGUOUS, NOT DIFFICULT TO SERVE, DEFINITE AND CERTAIN:** The proposed boundary shall be a logical and reasonable expansion and shall not produce areas that are difficult to serve (§56001). Lands to be annexed shall be contiguous (Policy 3.9.3) and should not create irregular boundaries, islands, peninsulas or flags (Policy 3.9.4, §56109). The boundaries of the annexation shall be definite and certain and conform to existing lines of assessment and ownership (Policy 3.9.2, §56668(f)).

**RESPONSE:** The subject parcels are substantially contiguous to EID and the annexation boundary is not difficult to serve. It is logical to annex the Bass Lake tank site, as the parcel is owned by EID and contains EID facilities.

14. **TOPOGRAPHY, NATURAL BOUNDARIES, DRAINAGE BASINS, LAND AREA:** Natural boundary lines which may be irregular may be appropriate (Policy 3.9.6). The resulting boundary shall not produce areas that are difficult to serve (Policy 3.9.7).

**RESPONSE:** The annexation boundary follows parcel lines and is not inconsistent with natural features.

15. **CREATION OF IRREGULAR BOUNDARIES:** Islands, peninsulas, "flags", "cherry stems," or pin point contiguity shall be strongly discouraged. The resulting boundary shall not produce areas that are difficult to serve. The Commission shall determine contiguity (Policies 3.9.3, 3.9.4, 3.9.7).

**RESPONSE:** The subject parcels are substantially contiguous to EID. An adjacent parcel will become a pinpoint island as a result of this annexation. The adjacent parcel is inside the BLHSP and has a different development entitlement status, however, and is not logical for inclusion with this proposal. The adjacent parcel is within EID's sphere of influence and is likely to annex in the future.

16. **CONFORMANCE TO LINES OF ASSESSMENT, OWNERSHIP:** The Commission shall modify, condition or disapprove boundaries that are not definite and certain or do not conform to lines of assessment or ownership (Policy 3.9.2).

**RESPONSE:** The proposal follows lines of assessment and ownership as confirmed by the County Assessor and Surveyor.

17. **SPHERES OF INFLUENCE:** Commission determinations shall be consistent with the spheres of influence of affected local agencies (Policy 3.9.1).

**RESPONSE:** The subject parcels are within EID's sphere of influence.

**(Numbered items 18-21 relate to potential effect on others and comments)**



18. **EFFECT ON ADJACENT AREAS, COMMUNITIES OF INTEREST:** The Commission shall consider the effect of the proposal and alternative actions on adjacent areas, mutual social and economic interests and on the local governmental structure of the county (§56668(c)).

**RESPONSE:** The Measure Y Committee submitted comments to LAFCO in August 2002 requesting that the Bell Ranch Annexation be denied at this time (see attached comment letter). The Committee stated that the annexation was premature due to uncertainties about the timely availability of water, the lack of a General Plan, the status of the tentative map, and the status of the PFFP.

The Committee's concerns have been addressed since the date of their letter. For information about water supply, see #3, and for information about the General Plan, see #26. The County approved the PFFP on June 8, 2004 and the Bell Ranch tentative map on May 24, 2005.

The project is located within the El Dorado Hills Community Region and is within the boundary of the Incorporation of the Proposed City of El Dorado Hills (LAFCO Project 03-10.)

19. **INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS:** The Commission shall consider any information or comments from the landowner or owners.

**RESPONSE:** The landowners support the annexation.

20. **EFFECT ON OTHER COMMUNITY SERVICES, SCHOOLS:** LAFCO's review of services refers to governmental services whether or not those services are provided by local agencies subject to the Cortese-Knox-Hertzberg Act, and includes public facilities necessary to provide those services.

**RESPONSE:** Staff did not identify any significant foreseeable impacts to other community services or schools. El Dorado Hills CSD will likely be responsible for maintenance of the park site, open space, landscaping, and street lighting. El Dorado Hills CWD ("Fire Department") will serve Bell Ranch from its nearby Bass Lake Station located on Bass Lake Road.

21. **OTHER AGENCY COMMENTS, OBJECTIONS:** All affected and interested agencies are provided application related material and notified of the proposal and proposed property tax redistribution plan. Comments have been requested and shall be considered (Policy 3.1.4 (I), §56668(i)).

For district annexations and city detachments only, the Commission shall also consider any resolution objecting to the action filed by an affected agency (§56668.3(4)). The Commission must give great weight to any resolution objecting to the action which is filed by a city or a district. The Commission's consideration shall be based only on financial or service related concerns expressed in the protest (§56668.3(5b)).

**RESPONSE:** The following agencies were provided an opportunity to comment on this proposal:

El Dorado County representing County Service Areas 7, 9, and 10  
El Dorado County Water Agency  
El Dorado Irrigation District  
El Dorado Hills County Water District  
El Dorado Hills Community Services District  
El Dorado Union High School District  
Buckeye Union Elementary School District

EID indicates it is willing and able to provide service. No other substantive comments were received.

**(Numbered items 22-26 relate to land use, population and planning)**

- 22. FAIR SHARE OF REGIONAL HOUSING NEEDS:** The Commission shall review the extent to which the proposal will assist the receiving entity in achieving its fair share of regional housing needs as determined by the Sacramento Area Council of Governments (SACOG) (§56669(l)).

**RESPONSE:** The reorganization will result in a decrease in water supply available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of the county to adequately accommodate its fair share of those needs.

- 23. LAND USE, INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS:** The Commission shall consider any information relating to existing land use designations (§56669(m)).

**RESPONSE:** The 1996 and 2004 General Plans designate the subject parcels as AP (Adopted Plan). The BLHSP designates the parcels as L.2PD (Low Density Residential–0.19 units/acre), L.7PD (Low Density Residential–0.62 units/acre), and MPD (Medium Density Residential–1.5 units/acre). Bell Ranch consists of Village O and a portion of Village Q within the BLHSP.

- ) )
- 24. POPULATION, DENSITY, GROWTH, LIKELIHOOD OF GROWTH IN AND IN ADJACENT AREAS OVER 10 YEARS:** The Commission will consider information related to current population, projected growth, and number of registered voters and inhabitants in the proposal area.

**RESPONSE:** The subject parcels are currently vacant. Upon build-out, the population could increase to 373 people (113 homes times 3.3 persons per unit, as estimated by the 2000 Census for the El Dorado Hills Region).

- 25. PROXIMITY TO OTHER POPULATED AREAS:** The Commission shall consider population and the proximity of other populated areas, growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years (Policy 3.1.4 (a)).

**RESPONSE:** Bell Ranch is within the BLHSP, which could have an estimated population of 4,812 people upon build-out (1,458 units times 3.3 persons per unit, as estimated by the 2000 Census for the El Dorado Hills Region). The BLHSP is located in the highly populated area of El Dorado Hills (approximately 28,024 people) and is adjacent to Cameron Park (approximately 16,554 people).

- 26. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING:** The Commission shall consider the general plans of neighboring governmental entities (Policy 3.1.4(g)).

**RESPONSE:** The annexation is consistent with the BLHSP. Mitigation Measure K01 of the EIR requires annexation of areas outside EID's boundary. EID is the planned water and wastewater service provider for the entire specific plan area.

Annexation to a public water and wastewater service provider is consistent with the R1-PD zoning within the subject territory.

General Plan issues that were problematic at the time of the LAFCO decision on the Bass Lake Hills Annexation (Project 97-02) have been resolved and are addressed in the Mitigated Negative Declaration in the discussion on land use impacts. In approving the Bell Ranch project, the County found that the project is consistent with the General Plan and Writ of Mandate.

- 27. PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURAL LANDS AND OPEN SPACE LANDS:** LAFCO decisions will reflect its legislative responsibility to maximize the retention of prime agricultural land while facilitating the logical and orderly expansion of urban areas (Policy 3.1.4(e), §56016, 56064).

**RESPONSE:** Although there may have been past grazing uses in the annexation area, the subject territory does not contain prime agricultural lands or choice soils and there are no current agricultural uses. The Mitigated Negative Declaration contains a discussion of land use impacts that addresses the conversion of agricultural lands to urban uses. These impacts do not apply to Bell Ranch because the territory was previously zoned for residential uses (RE-10) before the density was increased to R1-PD.

Previous concerns about the use of eastern EID water for residential uses instead of agricultural uses can also be set aside. EID's eastern water supply is more secure now with the construction of new storage and delivery systems including the Bass Lake Domestic Water Storage Project. In addition, acquisition of new water rights, including Folsom Lake, have increased EID's system firm yield district-wide.

28. **OPTIONAL FACTOR: REGIONAL GROWTH GOALS AND POLICIES:** The Commission may, but is not required to, consider regional growth goals on a regional or sub-regional basis (§56668.5).

**RESPONSE:** Staff contacted both SACOG and the Sierra Planning Organization. Neither agency could provide applicable regional growth goals and policies under this provision for LAFCO consideration.

S:\susan\projects\1104\StaffReport

Online Viewing

Hard copy of any attachments available upon request.

**EL DORADO LAFCO**  
**LOCAL AGENCY FORMATION COMMISSION**

---

---

**RESOLUTION NUMBER L-05-10**

Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO PROJECT NO.01-04

**WHEREAS**, a petition for the proposed annexation of certain territory to El Dorado Irrigation District in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq. of the Government Code; and

**WHEREAS**, the Executive Officer has examined the petition and certified that it is sufficient and has accepted the proposal for filing on June 13, 2005; and

**WHEREAS**, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

**WHEREAS**, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

**WHEREAS**, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

**WHEREAS**, the Commission has fulfilled its obligations as a responsible agency as defined by the California Environmental Quality Act and has reviewed and considered the *Mitigated Negative Declaration* prepared for this project by El Dorado County and has determined that the environmental impacts of annexation have been adequately addressed and does hereby make the findings for each significant effect of the project as shown in "Exhibit C," attached and by this reference incorporated herein; and

**WHEREAS**, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this annexation is made subject to Government Code §56650 et seq. by 100% of the landowners.

2. The territory proposed for annexation is within the sphere of influence of El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.
3. The Mitigated Negative Declaration prepared for this project by El Dorado County adequately addresses the environmental impacts of annexation.
4. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
5. Although there may have been past grazing uses in the annexation area, the subject territory does not contain prime agricultural lands or choice soils and there are no current agricultural uses. The annexation will not have an adverse effect on the physical and economic integrity of agriculture.
6. There appears to be a timely, adequate water supply available to serve the annexation area based on the guarantee of EDUs from existing supplies, operation of the Bass Lake tanks, and construction of the pumping and pressure-reducing systems and distribution lines.
7. The annexation will result in a decrease in water supply available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those needs.

**NOW, THEREFORE BE IT DETERMINED AND ORDERED** as follows:

Section 1. Said annexation is approved.

Section 2. The annexation is assigned the following short form designation:

Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO Project No.01-04

Section 3. Said territory includes approximately 116.9 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code §56046.

Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.

Section 6. The annexation shall be subject to the terms and conditions specified in "Exhibit B", attached and by this reference incorporated herein.

Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.

Section 8. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.

Section 9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 10. The conducting authority proceedings are waived in accordance with Government Code §56663 (c).

Section 11. The effective date shall be the date of recordation.

Section 12. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code §56882.

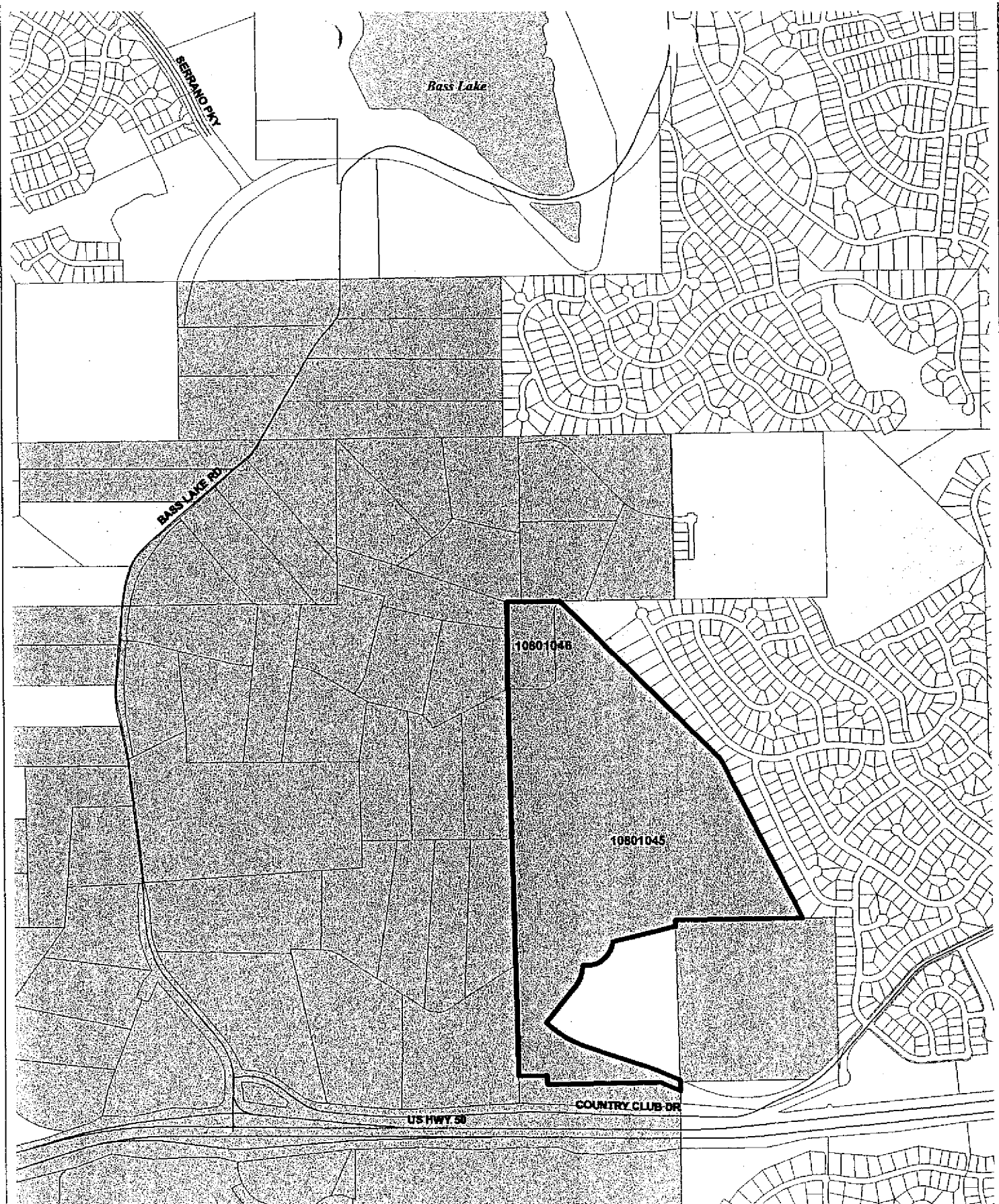
**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 22, 2005 by the following vote of said Commission.

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Clerk to the Commission

\_\_\_\_\_  
Chairperson



DISCLAIMER  
 THIS INFORMATION WAS OBTAINED FROM LANDOWNER PUBLIC AND PRIVATE RECORDS AND IS FOR INFORMATION ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THIS INFORMATION AND USER MAY BE DEPENDENT THEREFORE USER SHOULD MAKE USE TO THIS INFORMATION AT THEIR OWN RISK.  
 NOTICE  
 LAND INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE DISPLAYED AREA.  
 PREPARED AT THE REQUEST OF: LAFCO, DATE: 08/20/2009  
 MAP PREPARED BY: Frank Stone, DAVID BRONKHORST  
 CITY PROJECTED: 2009, RELATED REPORT: 04  
 EL DORADO COUNTY BUREAU OF LAND MANAGEMENT  
 PHONE: (925) 611-8971 FAX: (925) 638-8751

**BELL RANCH ANNEXATION  
 TO EL DORADO IRRIGATION DISTRICT  
 LAFCO PROJECT 01-04  
 El Dorado Hills Area  
 County of El Dorado  
 State of California**



**LEGEND**

- Annexation Area
- El Dorado Irrigation District
- El Dorado Irrigation District SCL
- Parcel Boundary
- Major Roads
- Rivers & Creeks

Scale: 0 200 400 Feet

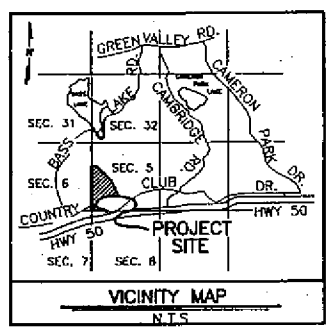
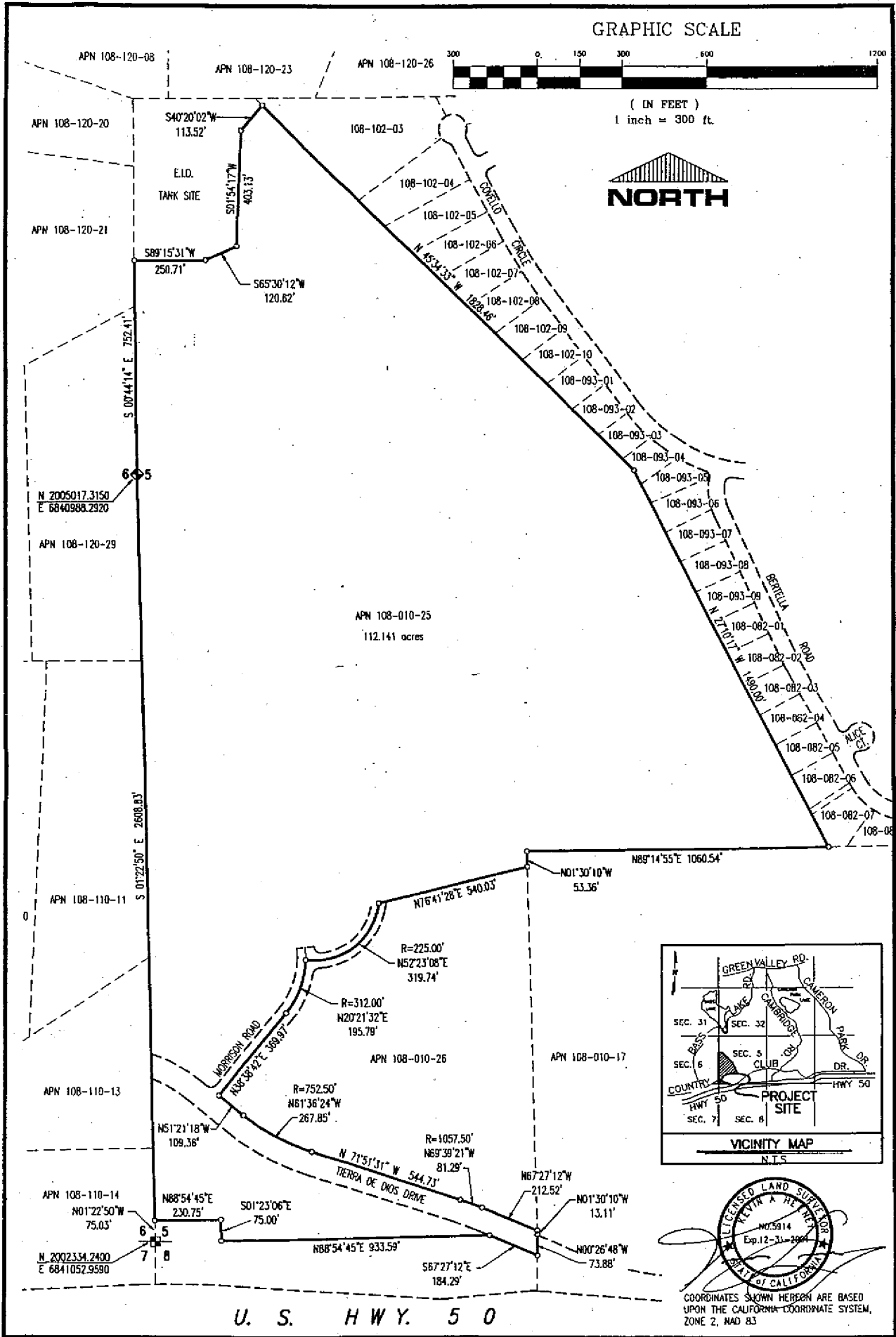
Map Displayed in State Plane, Coordinate System (NAD 1983 California Zone 2, SPC)



GRAPHIC SCALE



( IN FEET )  
1 inch = 300 ft.



COORDINATES SHOWN HEREON ARE BASED UPON THE CALIFORNIA COORDINATE SYSTEM, ZONE 2, NAD 83

U. S. H W Y. 5 0

BELL RANCH

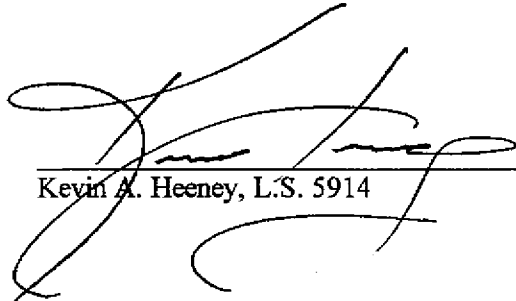
EXHIBIT 'A'

**Bell Ranch  
Annexation Boundary**

All that real property situate in the County of El Dorado, State of California, lying within the West one-half of Section 5 and the Northwest one-quarter of the Northwest one-quarter of Section 8, Township 9 North, Range 9 East, M.D.M., being a portion of Parcel 1, as shown on that certain Parcel Map filed in the office of the County Recorder of El Dorado County in Book 45 of Parcel Maps, Page 65 and being more particularly described as follows:

Beginning at a point on the West line of said Section 5, located North 01°22'50" West, 75.03 feet from the Southwest Corner of said Section 5; thence leaving said West line, North 88°54'45" East, 230.75 feet; thence South 01°23'06" East, 75.00 feet; thence North 88°54'45" East, 933.59 feet; thence South 67°27'12" East, 184.29 feet; thence North 00°26'48" West, 73.88 feet; thence North 01°30'10" West, 13.11 feet; thence North 67°27'12" West, 212.52 feet; thence along the arc of a curve to the left, having a radius of 1057.50 feet, the chord of which bears North 69°39'21" West, 81.29 feet; thence North 71°51'31" West, 544.73 feet; thence along the arc of a curve to the right, having a radius of 752.50 feet, the chord of which bears North 61°36'24" West, 267.85 feet; thence North 51°21'18" West, 109.36 feet; thence North 38°38'42" East, 369.97 feet; thence along the arc of a curve to the left, having a radius of 312.00 feet, the chord of which bears North 20°21'32" East, 195.79 feet; thence along the arc of a non-tangent curve, concave to the Northwest, having a radius of 225.00 feet, the chord of which bears North 52°23'08" East, 319.74 feet; thence North 76°41'28" East, 540.03 feet; thence North 01°30'10" West, 53.36 feet; thence North 89°14'55" East, 1060.54 feet; thence North 27°10'17" West, 1490.00 feet; thence North 45°34'33" West, 1828.46 feet; thence South 40°20'02" West, 113.52 feet; thence South 01°54'17" West, 403.13 feet; thence South 65°30'12" West, 120.62 feet; thence South 89°15'31" West, 250.71 feet to a point on the West line of said Section 5; thence South 00°44'14" East, 752.41 feet; thence South 01°22'50" East, 2608.83 feet to the Point of Beginning, containing 112.141 acres more or less.

End of Description

  
\_\_\_\_\_  
Kevin A. Heeney, L.S. 5914



**Exhibit B**  
**Terms and Conditions of Approval**

Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO Project No.01-04

1. Upon and after the effective date of said annexation, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
  - (a) shall be subject to the jurisdiction of El Dorado Irrigation District, hereafter referred to as the district;
  - (b) shall have the same rights and duties as if the affected territory has been a part of the district upon its original formation;
  - © shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the district, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the district;
  - (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
  - (e) shall be subject to all of the rules, regulations, ordinances of the district as now existing or hereafter amended.
  
2. 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 (§56886(j)). 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.
  
3. 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 this resolution.

Z96-0012/PD96-0006/TM96-1321 – As recommended by the Planning Commission on  
April 28, 2005

**Findings**

**CEQA**

1. **Findings associated with the adoption of the Bell Ranch Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program pursuant to State CEQA Guidelines Section 15074:**

**Finding:** On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. The Bell Ranch Mitigated Negative Declaration reflects the independent judgment and analysis of the County and has been prepared and completed in accordance with the CEQA.

**Evidence:** The Mitigated Negative Declaration (which included an initial study checklist and associated technical reports for the project) was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. The County distributed the Initial Study through the State Clearinghouse and at the County offices, pursuant to State CEQA Guidelines 15072. The County has considered the comments received during the public review period, and they do not alter the conclusions in the Mitigated Negative Declaration. The El Dorado County, Planning Department, located at 2850 Fairlane Court, Placerville, CA 95667 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

**Finding:** The proposed mitigation measures described in the Bell Ranch Mitigated Negative Declaration are feasible, and therefore will become binding upon the applicant. The County hereby adopts the Bell Ranch Mitigation Monitoring and Reporting Program that includes mitigation measures identified in the Bell Ranch Mitigated Negative Declaration as well as previously adopted mitigation measures from the Bass Lake Road Study Area Mitigation and Monitoring Program that are applicable to the project.

**BASS LAKE HILLS SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT  
PREVIOUS CEQA FINDINGS AND ANALYSIS**

**Introduction**

The Bell Ranch project is a subsequent project and implementation of the approved Bass Lake Hills Specific Plan. Public Resources Code Section 21083.3 and State CEQA Guidelines Section 15183 provides for focused review of residential projects consistent with a general plan

at issues particular to the proposed project and does not re-evaluate issues that were adequately addressed in the Bass Lake Road Study Area Program EIR and EIR Addendum. In accordance with State CEQA Guidelines Section 15183 and relevant case law, the Bell Ranch Mitigated Negative Declaration considers project-specific impacts as well as re-evaluates those impacts found to be significant in the prior EIR and Addendum and whether the project would result in any new or expanded impacts beyond what was addressed in the prior EIR and Addendum.

### **Previously Adopted Mitigation Measures Associated with the Approval of the Bass Lake Hills Specific Plan**

As part of the Bell Ranch Mitigated Negative Declaration, the previously adopted mitigation measures from the Bass Lake Road Study Area Program EIR and Addendum were reevaluated for appropriateness. In some cases, the previously adopted mitigation measures that still apply to the project have been clarified to include timing, implementation, enforcement, and monitoring details. Additionally, some of the mitigation measures were expanded to include additional detail or combined with other mitigation measures for clarification purposes. The previously adopted mitigation measures that are revised and clarified in Bell Ranch Mitigated Negative Declaration are included in the Mitigation Monitoring and Reporting Program for the project along with the new mitigation measures for the project.

### **Findings Associated with Previously Identified Significant and Unavoidable Impacts**

On November 7, 1995, and after the County's certification of the EIR and Addendum for the original project, the County adopted the Bass Lake Hills Specific Plan, including a new General Plan land use designation of Adopted Plan for properties within the Specific Plan area.

The Bass Lake Road Study Area Program EIR and Addendum identified significant impacts for land use, population and housing, geology, seismicity and soils, hydrology, vegetation and wildlife, recreation, traffic, air quality, noise, archaeological and historical resources, visual and aesthetic resources and public utilities (that is, water, sewer, gas and electric, police and fire services, solid waste, schools and telephone). With mitigation, all impacts were reduced to less than significant with the exception of the following impacts that remained significant and unavoidable:

- Long-term degradation of runoff water quality;
- Disruption and/or loss of natural communities;
- Adverse impacts to special status species;
- Change in land use from low intensity rural residential and agricultural use to a more urban environment;
- Increase in housing and population;
- Unacceptable Levels of Service along area roadways;
- Water supply;
- Fire protection services;
- School impacts; and
- Visual/aesthetic impacts associated with change of character from rural to urban.

The El Dorado County Board of Supervisors adopted Resolution No. 288-95 on November 7, 1995, for the Addendum to the certified Bass Lake Road Study Area Program Environmental Impact Report and the associated Findings of Fact and Statement of Overriding Considerations for significant and unavoidable impacts associated with the project. The Addendum to the Bass Lake Road Study Area Program EIR reconsidered significant and unavoidable impacts associated with the development of the project site and determined that previous significant and unavoidable impacts addressed in the Bass Lake Road Study Area Draft and Final Program EIRs would still occur and that there are no feasible mitigation measures available to fully mitigate the impacts.

The Bell Ranch Mitigated Negative Declaration re-evaluated these impacts and determined that the Bell Ranch project would still contribute to the significant and unavoidable impacts identified above associated with the implementation of the Bass Lake Hills Specific Plan, but would not result in new significant and unavoidable impacts or increase the severity of previously identified significant and unavoidable impacts under Resolution No. 288-95. The County restates and readopts its previous findings associated with the Statement of Overriding considerations provided in Resolution No. 288-95.

### **Rezone**

1. The proposed project will not have a significant effect on the environment, based on the analysis contained in the Initial Study and Mitigated Negative Declaration has been filed.
2. The proposed project is consistent with the policies in the 1996 El Dorado County General Plan and the Bass Lake Hills Specific Plan.
3. The proposed project is consistent with the land use designations and maximum allowable density as identified in the 1996 El Dorado County General Plan and the Bass Lake Hills Specific Plan.
4. The proposed project complies with the Zoning Code and is not considered detrimental to the public health, safety and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and the analysis of potential impacts in the Initial Study and Mitigated Negative Declaration.

### **Writ Findings**

1. This project may be approved subject to paragraph 5, Sub-paragraph 1 which states the county may issue permits pursuant to a development agreement, or a vesting tentative map approved prior to February 5, 1999; and subject to the following findings established in Paragraph 5, Sub-paragraph 8 in the Final Writ issued by the Court on July 19, 1999, as follows:

- a. The approval or project will not significantly impair the County's ability to adopt and implement the General Plan after complying with CEQA.
- b. The approval or project complies with all other requirements of law.
- a. The project is consistent with the land use designation of the adopted General Plan and there is no evidence that the development of the site would affect issues identified in the General Plan.

### **Planned Development**

1. The development plan is consistent with the 1996 General Plan;
2. The proposed development is so designed to provide a desirable environment within its own boundaries.
3. The exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.
4. The site is physically suited for the proposed uses.
5. Adequate services are available, or will be made available concurrently with development for the proposed uses including, but not limited to, water supply, sewage disposal, roads and utilities.
6. The proposed uses do not significantly detract from the natural land and scenic values of the site.

### **Tentative Map**

1. The proposed tentative map, including design and improvements, is consistent with the Bass Lake Hills Specific Plan policies and the applicable portion of the County General Plan as defined in the development agreement.
1. The proposed tentative map conforms to the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.
2. The site is physically suitable for the proposed type and density of development, because the tentative map as conditioned is consistent with the General Plan, Zoning, Specific Plan, and all mitigation measures of the Initial Study and Mitigated Negative Declaration.
3. The design and improvements of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**Design Waivers**

- a. All sidewalks on secondary local roads i.e. A and C Drive, D, E, and G Court, H Circle, M, L, and R Way reduced from 6 to 4 feet and meander as shown.
  1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The adjusted sidewalk width will better conform to the surrounding landforms, resulting in reduced grading and impact on the natural resources. In addition, the narrower sidewalk is consistent with the plates for 'Secondary Local Roads' as defined by the Bass Lake Hills Specific Plan.
  2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** The increased sidewalk width will require more extensive grading and drainage work with increased impacts to an area that is sensitive to soil disturbance.
  3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** The El Dorado County Department of Transportation has indicated in previous approvals that the requested sidewalk width reduction will not be detrimental to health, safety, and welfare of the public.
  4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**
- b. A 40-foot roadway right of way (Lot R) for B and C Drive, D, E, and G Court, H Circle, M and R Way.
  1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The roads will be privately owned and maintained. Most of the lots are graded allowing for reduced setback from the roadway. Some of the roadways are single loaded so the reduced roadway setback will reduce existing landform disturbance.
  2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** Wider road rights of way will increase the landform disturbance.
  3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** Minimum fire truck turning radii are not compromised.
  4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**



- c. Place Caltrans Type E and El Dorado County Type A mountable dike (where applicable) in lieu of El Dorado County Type 1 rolled curb and gutter.
1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The roads will be privately owned and maintained. The asphalt concrete mountable dike will give the project a more rural feel.
  2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** The overall project design objectives would be compromised. As noted above, the mountable dikes are integral to the overall project design.
  3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** Minimum fire truck turning radii are not compromised. The mountable dike provides the same access quality as a concrete curb.
  4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**
- ~~d. Install a short transitional 'neck down' of the secondary local roads as shown on the tentative map.~~
- ~~1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The roads will be privately owned and maintained. The short neck down segments will add interest and contribute to a more rural feel.~~
  - ~~2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** The overall project design objectives would be compromised. As noted above, the short neck down segments are integral to the overall project design.~~
  - ~~3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** Minimum fire truck turning radii are not compromised.~~
  - ~~4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**~~

e. Allow roadway decorative surfacing, at select locations, of architectural concrete over aggregate base, based on an engineered pavement design.

1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The roads will be privately owned and maintained. The decorative pavement will add interest to the project in the higher density locations.
2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** The overall project design objectives would be compromised without the waiver. As noted above, the decorative pavement is integral to the overall project design.
3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** This waiver has no impact on health and safety
4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**

f. Allow enhance raised, landscape medians in Morrison Road at the two A Drive entrances.

1. **There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or waiver.** The enhanced landscaped medians are equal to standard raised medians.
2. **Strict application of the design or improvement requirements of this article would cause extraordinary and unnecessary hardship in developing the property.** The overall project design objectives would be compromised without the waiver. As noted above, enhanced landscaped medians are equal to standard raised medians.
3. **The adjustment or waiver would not be injurious to adjacent properties or detrimental to health, safety, convenience, and welfare of the public.** This waiver has no impact on health and safety.
4. **The waiver would not have the effect of nullifying the objectives of this article or any other law or ordinance applicable to the subdivision.**

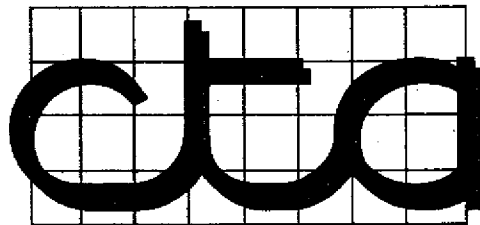
***SUPPLEMENTAL INFORMATION***

**Bell Ranch Plan of Service  
LAFCO PROJECT 01-04**

**APRIL 2005 (REVISED)**

Prepared by:

COOPER, THORNE & ASSOCIATES, INC.  
3233 Monier Circle  
Rancho Cordova, CA 95742  
(916) 638-0919



**COOPER, THORNE & ASSOCIATES, INC.**

Civil Engineering  
Land Surveying  
Land Planning

## SUPPLEMENTAL INFORMATION

### **Bell Ranch Plan of Service**

A.P.N. 108-010-45

112.1 Acres

LAFCO Project No. 01-04

**REVISED APRIL 2005**

#### Background

Bell Ranch is a proposed subdivision of 113 residential units within the Bass Lake Hills Specific Plan area. The subject land has sought annexation since 1990. The property, in fact, met all preliminary application requirements under a previous application LAFCO Project No. 95-03. At LAFCO request, the Bell Ranch Properties, Ltd., hereinafter referred to as Owner, withdrew LAFCO Project No. 95-03 and agreed to be included in the LAFCO Project No. 97-02. LAFCO Project No. 97-02 (Bass Lake Hills annexation) was denied by LAFCO on October 7, 1999.

The Owner resubmitted an annexation request to EID on January 15, 2001. The EID staff issued an initial Facility Improvement Letter on March 8, 2001. The EID Board adopted the AB 8 resolution on June 18, 2001, and approved the annexation on March 21, 2005. Subsequent application was made to LAFCO on October 8, 2001.

Between September 17, 2001 and July 9, 2002, the Owner and EID engaged in negotiations regarding EID desire to acquire a site for placement of 1) a 4-million gallon domestic water storage tank and 2) the eventual placement of a second 4-million gallon water storage tank. Negotiations emanated from the initiation of a condemnation action by EID and concluded on July 9, 2002 wherein a Stipulated Judgment (Case No. PC 20020011) was filed by El Dorado Co. Superior Court and recorded on that date. The Stipulation contained a SETTLEMENT AGREEMENT with terms and conditions namely, that "EID agrees and does hereby *guarantee from existing supplies* 113 water and wastewater connections (EDUs) for the Bell Ranch property". Furthermore, EID conditioned the described water and wastewater service upon EID final acceptance and operation *of at least one* water storage tank on the tank site property (Exhibit 1).

Other relevant actions taken include the following:

1. The BOS approved the Bass Lake Hills Specific Plan and certified the EIR addendum on November 7, 1995 by resolution No. 288-95.
2. The BOS approved the Bass Lake Hills Specific Plan Development Agreement on August 20, 1996 by Ordinance No. 4430.



3. The Owner executed the Development Agreement on September 23, 1998 and recorded October 9, 2002.
4. The El Dorado County Planning Department distributed the Bass Lake Hills Specific Plan Public Facilities Financing Plan (PFFP) to all concerned agencies, including EID, on May 10, 1999.
5. The BOS adopted Ordinance 4590 September 25, 2001 that repealed the Bass Lake Hills Specific Plan Development Agreement ordinance but *did not affect* any Development Agreement fully executed by the property owner pursuant to Ordinance 4430 before the Ordinance 4590 adoption.
6. The BOS adopted the Public Facilities Finance Plan (PFFP) for the Bass Lake Hills Specific Plan area on June 8, 2004 .
7. The Owner executed a Line Extension Agreements with EID and in 1996 constructed facilities shown on the Plan of Service Exhibit. Said facilities were sized to accommodate the Bell Ranch pursuant to approved Facility Plan Reports for Holy Trinity Church.
8. EID issued a new Facility Improvement Letter for Bell Ranch on September 27, 2004 (Exhibit 2).
9. On March 21, 2005, the EID Board of Directors passed a resolution authorizing annexation of Bell Ranch to the District (Exhibit 3).

#### Plan of Service Information

*The information provided below follows the format contained in Section 2.3 Policies, Guidelines, and procedures. The lettered responses correspond to the letters contained in the policy outline beginning with 2.32.1.*

##### a. Existing & Proposed Service Units

The Bell Ranch property is in the Western Region of EID. According to EID, the current number of EDUs available on May 1, 2003 was 1,031. The project as proposed will require 113 EDUs of water and wastewater service. EID, through the terms & conditions of the settlement agreement, has guaranteed 113 water and wastewater EDUs from *existing supplies*. (See Exhibit 4). The project will be supplied with water from Sly Park Lake delivered via the Gold Hill Intertie

##### b. Description & Size of Existing Infrastructure

The description and size of existing infrastructure is shown on Exhibit A. *Please refer to the exhibit.* EID completed construction of the two 4-MG domestic water storage tanks under **Work Order Number 8904**, referred to as the Bass Lake Tanks.

Holy Trinity Catholic Church, in conjunction with Special Use Permit Number **S95-08R**, extended a 12" water main from the church property, north in Morrison Road to the Bass Lake Tanks.

Under **Work Order Number 8904**, EID has also constructed the necessary infrastructure for a hydro-pneumatic system, to be located at the tank site, that will serve the Bell Ranch project and other lands above elevation 1344'. These improvements provide 12" water line stub-outs to the south and west of the tank site. Bell Ranch will install the hydro pneumatic system. This improvement will be classified as a Developer installed improvement. Bell Ranch will take all of its service from the hydro pneumatic system.

c. Agency Disposition Regarding Responsibility to Reserve Capacity for Un-served Property Within Agency Boundaries

The condition of service is expressed in detail in the SETTLEMENT AGREEMENT that was made a part of the Stipulation that enabled EID to take immediate possession of the Tank Site property. Please refer to the mutual promises, covenants, and conditions contained in the SETTLEMENT AGREEMENT (Exhibit 1).

d. Condition of Service

The conditions of service are also described in detail in the SETTLEMENT AGREEMENT that was made a part of the Stipulation that enabled EID to take immediate possession of the Tank Site property. Please refer to the mutual promises, covenants, and conditions contained in the SETTLEMENT AGREEMENT (Exhibit 1).

e. Intent to Provide Services

The intent to provide services are also described in detail in the SETTLEMENT AGREEMENT that was made a part of the Stipulation that enabled EID to take immediate possession of the Tank Site property. Please refer to the mutual promises, covenants, and conditions contained in the SETTLEMENT AGREEMENT (Exhibit 1) and service assurance letter (Exhibit 4).

*The information provided below continues to follow the format contained in Section 2.3 Policies, Guidelines, and procedures. The lettered responses correspond to the letters contained in the policy outline beginning with 2.32.2.*

- a. EID has identified and commenced construction of a multi-phased project that provides the necessary infrastructure expansion to service the Bell Ranch.

**Phase 1** is complete. Under this phase, the first of two four- million gallon tanks, and 12-inch onsite piping was constructed under EID Work Order #8904.

**Phase 2** is complete. Under Phase 2, a 36-inch, 30-inch, and 18-inch water line was constructed in Hollow Oak Road, from the tank site to the existing Bass Lake Road.

**Phase 3** is complete under Work Order #9600. This project provides a 24-inch waterline extension from the end of Phase 2 improvements to the Gold Hill Intertie in Serrano Parkway.

**Phase 4** is a pressure reducing station in Bass lake Road included in Work Order #9600. The PRV is expected to be on line at the beginning of May 2005.

**Phase 5** is complete. In this Phase, the second Bass Lake storage tank was constructed under Work Order #8904.

- b. EID reports that all phases are expected to be completed and operational in May 2005. (See Exhibit 5).

The earliest date that Bell Ranch anticipates requirement for service is contingent on the completion of following events.

- LAFCO approval of the annexation,
- County approval of a Tentative Map, scheduled for May 2005,
- EID approval of a Facility Plan Report (Policy 22),
- Submission of Extension of Facilities Application and Fee (Policy 22),
- Submission of Engineered Improvement Plans and associated fees (Policy 22),
- Payment of all applicable water, wastewater connection fees (Policy 22),
- All land rights conveyed or guaranteed to be conveyed to the EID District (Policy 22),
- EID approval of all engineered improvement plans (Policy 22),
- Compliance with all construction and maintenance bonding requirements (Policy 22),
- Improvement Plan approval by the County,
- Payment of all County fees and required bonding,
- County approval and recordation of Final Map.

The earliest anticipated completion date for the above project tasks, and therefore required service, is September 2006.

- c. The EID letter to CTA dated October 8, 2002 (E1002-256) (Exhibit 5) describes all of the administrative processes that EID engaged in to successfully fund and construct the multi-phase project.

- d. Planned total capacity of the five-phase project. The multi-phase project provides both operational and emergency storage for existing customers and for growth already approved by El Dorado County. Bell Ranch is wholly contained within the defined service area for the Bass Lake tanks. Bell Ranch will be served by water from *existing* EID supplies, not new supplies. The supply is currently available to Bell Ranch as a result of 'EID's final acceptance and operation of at least (1) domestic water storage tank on the Tank Site Property'.<sup>1</sup>
- e. The size and location of the needed capital improvements are detailed under EID Bass Lake Tank and Waterline Project, Project No. 94005E as described in EID letter (E1002-256) (Exhibit 5).
- f. See EID letter (E1002-256) (Exhibit 5).
- g. There are no alternative projects to be considered. Therefore, clause (g) is not applicable to this Plan of Service.

*For section 2.33, see the enclosed letter prepared by EID that provides the service assurances required by this Plan of Service. (M1102-0230)*

Other references that relate to this Plan of Service (*SUBMITTED PREVIOUSLY*) are:

**EID-Water Supply Master Plan**  
**EID-Wastewater Supply Master Plan**  
**EID-Overview of Water Supply Planning presented to El Dorado County**  
**LAFCO on 7-24-02**

**Refer to the enclosed EID letter for information required under 2.32.2 & 2.33.**

---

<sup>1</sup> SETTLEMENT AGREEMENT per Order for Immediate Possession by El Dorado Irrigation District, Case No. PC 20020011



## WASTEWATER

As previously stated in the Bell Ranch Plan of Service, the existing 8-inch sewer lines in Morrison and Bertella Roads have adequate capacity to service the Bell Ranch project. From the existing 8-inch line in Morrison Road, wastewater from the Bell Ranch project would flow south, connecting with an 8-inch line within Country Club Drive, and then flow east to the Bar J lift station. From the existing 8-inch line in Bertella Road, wastewater from the Bell Ranch project would flow south, connecting with an 8-inch line within El Norte Road, then flow southwest to the Bar J lift station. From the Bar J lift station, Bell Ranch wastewater would flow east, first through a 6-inch force main, then through an 8-inch gravity line and then through an 18-inch gravity line all within Country Club Drive.

Near Cambridge Road, the existing 18-inch gravity line separates from Country Club Drive and connects with a 24-inch pipe that travels southeast toward Highway 50. The 24-inch pipe converts to an 18-inch line under Highway 50, and converts back to a 24-inch pipe on the south side of Highway 50. The 24-inch pipe travels south along Cameron Road and crosses under Flying C Road. On the south side of Flying C Road, the 24-inch pipe converts to a 36-inch pipe that flows southeast along the east side of Deer Creek. Where Deer Creek and Old Mill Creek converge, the 36-inch pipe travels under Deer Creek to the west side of the Creek. The 36-inch pipe flows south and southwest along the alignment of Deer Creek until it splits into two 20-inch siphons that enter into the Deer Creek Wastewater Treatment Plant (DCWWTP). All of the previously described sewer lines have adequate capacity for the Bell Ranch Project.

The El Dorado Irrigation District (EID) issued its Final Updated Wastewater Master Plan (UWWMP) in November 2001. The UWWMP includes estimates of existing and projected wastewater flows from the area served by EID's sewer collection system. The UWWMP also projects wastewater treatment needs for the EID service area through 2020 and identifies system expansion and upgrades needed to meet projected increases in wastewater flows. Improvement to lift stations and sewer pipelines will be needed to handle future population and employment growth beyond 2025. Additionally, the capacity of the DCWWTP will need to be expanded to improve tertiary treatment based on future recycling demands and anticipated regulatory requirements. However, the UWWMP concludes that the DCWWTP's secondary treatment system is adequate to serve projected population growth through 2025. EID plans to prepare CEQA documentation for its UWWMP and for necessary wastewater infrastructure improvements that will be needed to accommodate the growth associated with the recently adopted El Dorado County General Plan.

The rated capacity of the DCWWTP was expanded from 2.5 to 3.6 million gallons per day (MGD) approximately 18 months ago. The DCWWTP currently (2004) treats 2.5 MGD of wastewater. The remaining 1.1 MGD of wastewater capacity is available to serve projects such as the Bell Ranch project. EID's most recent Wastewater Master Plan for the DCWWTP states that the expanded capacity is expected to accommodate anticipated increased flows until the year 2025. No additional expansion of the DCWWTP is planned at this time.

## BELL RANCH LANDSCAPE IRRIGATION ANALYSIS

Area Description	Area (Ac)	Area (Ac)
Park		
Turf		1.00
Drought Tolerant Planting	1.21	
Landscape Corridors		
Drought Tolerant Planting	3.86	
Totals	5.07	1.00

### Water Calculation

5.07 acres drought tolerant planting x .5 ac/ft/yr	2.54 acre feet per year
1.00 acres turf play area x 1.0 ac/ft/yr	1.00 acre feet per year
Total	3.54 acre feet per year

$$\frac{3.54 \text{ ac/ft/yr}}{.7} = 5.06 \text{ EDU}$$

**Bell Ranch requires approximately 5 EDU's for park and landscape corridor irrigation.**

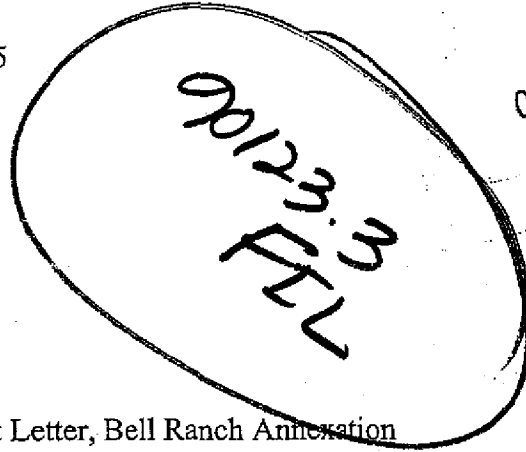


## El Dorado Irrigation District

In Reply Refer To: FIL0904-105

September 27, 2004

Dave Fletcher  
Bell Ranch Properties, LLC  
4 Upper Newport Plaza # 100  
Newport Beach, CA 92660



OCT - 8 2004

Subject: Facility Improvement Letter, Bell Ranch Annexation  
Assessor's Parcel No. 108-010-045 (Outside)

Dear Mr. Fletcher:

This letter is in response to your request dated April 19, 2004 and is written pursuant to Regulation No. 22, Service Procurement. This regulation states the procedure agreed upon between the District and the County to indicate water and sewer improvements necessary to support proposed developments. This letter is valid for a period of 2 years. If an FPR for your project has not been submitted to the District within 2 years of the date of this letter, a new Facility Improvement Letter will be required.

Design drawings for your project must be in conformance with the District's *Water, Sewer and Recycled Water Design and Construction Standards* dated July 1999.

This project is a 113 lot single family subdivision on 112 acres. Water and sewer service and fire hydrants are requested. The property is not within the District boundary and will require annexation before service can be obtained.

### Water Supply

The District manages its water supply under Regulation No. 2. In the event the District's water supply is depleted, water meters will not be sold. This letter is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve your project. In terms of water supply, as of May 31, 2003, there were 1031 equivalent dwelling units (EDUs) available in the Western Water Supply Region. Your project as proposed on this date would require 113 EDUs of water supply. As part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks, the District has reserved 113 EDUs of water and sewer connections from existing supplies/capacity.

### **Water Facilities**

The District has completed one of the two Bass Lake Water Storage Tanks. The high water surface elevation of these tanks is 1,474 feet, however an operating hydraulic grade line of 1,450 feet should be used in the Facility Plan Report analysis. Service directly from the tanks would only be available for land below elevation 1,330 feet, in order to obtain a desirable pressure of 50 psi. In order to receive water service for this project, it will be necessary to install a new hydro-pneumatic pump station at the tank site. The entire project will need to be served from this pump station. The current fire hydrants in Morrison Road may not supply the required fire flow for the immediate area.

An 8-inch water line is located near the Holy Trinity Church to the south, at the intersection of Morrison Road and Bell Ranch Road. There are also adjacent lands that must be served by the pumped system and these areas need be identified and included in the sizing of the station. District reimbursement will be available to Bell Ranch for the upsizing of the hydro-pneumatic pump station to serve these additional areas. You will need to coordinate your analysis and the location of the pump station with El Dorado Irrigation District. The El Dorado Hills Fire Department has determined that the minimum fire flow for this project is 1000 GPM for a 2-hour duration while maintaining a 20 psi residual pressure. A Facility Plan Report (FPR), as defined below, is required for this project. This report needs to include a storm drain designed to handle the storm water collected at the Bass Lake Tank site and possible tank overflow. This system must be incorporated into the storm drain system of the subdivision and must connect to the existing HDPE drains near the back of the tanks at the access road.

### **Sewer Facilities**

There is an existing 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time. In order to receive service from this line, an extension of facilities of adequate size must be constructed.

### **\* Recycled Water Facilities**

This project will be required to use recycled water for landscape irrigation. The new Bridlewood Tank to the north of the project site will need to be utilized for recycled water to your project. Service directly from the tank would only be available for land below elevation 1,280 feet in order to obtain a desirable pressure of 50 psi. A pump station will be required to deliver the desired flow rate and pressure to the areas that are above 1,280 feet. The project may require other extensions of the recycled water system to receive service. This shall be addressed in the FPR.

**\* PLEASE REFER TO E-MAIL COMMUNICATIONS WITH EID, DATED 4.19.05. EID WILL NOT REQUIRE THE BELL RANCH PROJECT TO USE RECYCLED WATER.**

The District currently supplements the supply of recycled water with potable water. The amount of potable water that is transferred each year is documented in the "El Dorado Irrigation District Water Resources & Service Reliability Report".

The following items must be provided to and/or approved by the District before delivery of recycled water:

1. Non-Residential Sites:

- a. A User Reclamation Plan (URP) prepared in accordance with the Recycled Water On-site Design and Construction Standards, and
- b. On-site recycled water plans submitted with improvement plans.

2. Residential Sites:

- a. An Engineer's Report as described in California Code of Regulations, Title 22. The District will work with the developer in obtaining State of California, Department of Health Services approval of the Engineer's Report, and
- b. On-site recycled water landscape plans submitted for each individual home lot or, standard plans to be used with production homes.

All costs will be borne by the applicant.

### **Facility Plan Report**

In accordance with District Regulation No. 22, Service Procurement, a Facility Plan Report (FPR) will be required for this project. The FPR shall address the expansion of the water, recycled water and sewer facilities and the specific fire flow requirements for all phases of the project. A meeting to discuss the content of the report will be required. Please contact this office to arrange the meeting. A preliminary utility plan prepared by your engineer must be brought to the meeting.

Two copies of the FPR will be required along with a \$2,000.00 deposit. You will be billed for actual time spent in review and processing of your FPR. Please submit the FPR and fee to our Customer Service Department. Enclosed is the FPR description and transmittal form for your use. The items listed under content in the description and the completed transmittal form must be bound in each copy of the FPR.

### **Easement Requirements**

Proposed water lines, sewer lines and related facilities must be located within an easement accessible by conventional maintenance vehicles. When the water lines or sewer lines are within

streets, they shall be located within the paved section of the roadway. No structures will be permitted within the easements of any existing or proposed facilities. The District must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.

Easements for any new District facilities constructed by this project must be granted to the District prior to District approval of water and/or sewer improvement plans, whether onsite or offsite. In addition, due to either nonexistent or prescriptive easements for some older facilities, any existing onsite District facilities that will remain in place after the development of this property must also have an easement granted to the District.

### **Environmental**

The County is the lead agency for environmental review of this project per Section 15051 of the *California Environmental Quality Act Guidelines (CEQA)*. The County's environmental document should include a review of both offsite and onsite water and sewer facilities that may be constructed by this project. You may be requested to submit a copy of the County's environmental document to the District if your project involves significant off-site facilities. If the County's environmental document does not address all water and sewer facilities and they are not exempt from environmental review, a supplemental environmental document will be required. This document would be prepared by a consultant. It could require several months to prepare and you would be responsible for its cost.

### **Annexation**

The applicant is charged for all costs associated with the annexation proposal. If you decide to proceed with the annexation, please complete the enclosed forms and return to the District along with the deposit. You will find a copy of the annexation process enclosed for your review.

### **Summary**

Service to this proposed development is contingent upon the following:

- ◆ Annexation
- ◆ The future availability of water supply,
- ◆ Approval of the County's environmental document by the District (if requested),
- ◆ Approval of a Facility Plan Report by the District,
- ◆ Approval of an extension of facilities application by the District,
- ◆ Approval of facility improvement plans by the District (based on July 1999 Design & Construction Standards),
- ◆ Construction by the developer of all onsite and offsite proposed water and sewer facilities,
- ◆ Acceptance of these facilities by the District,
- ◆ Payment of all District connection costs.

Letter No. FIL0904-105  
To: Dave Fletcher



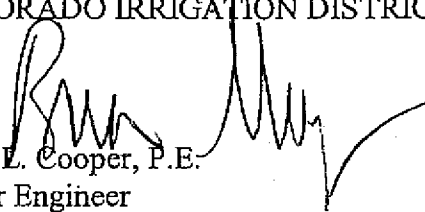
September 27, 2004  
Page 5 of 5

Services shall be provided in accordance with El Dorado Irrigation District Rules and Regulations, as amended from time-to-time. As they relate to conditions of and fees for extension of service, District Rules and Regulations will apply as of the date of a fully executed Extension of Facilities Agreement. As they relate to conditions of and charges for initiation of service and for ongoing water service provided to the customer, District Rules and Regulations will apply as adopted and amended from time-to-time by the District's Board of Directors.

If you have any questions, please contact me at (530) 642-4019.

Sincerely,

EL DORADO IRRIGATION DISTRICT



Brian L. Cooper, P.E.  
Senior Engineer  
Development Services

BC:cah

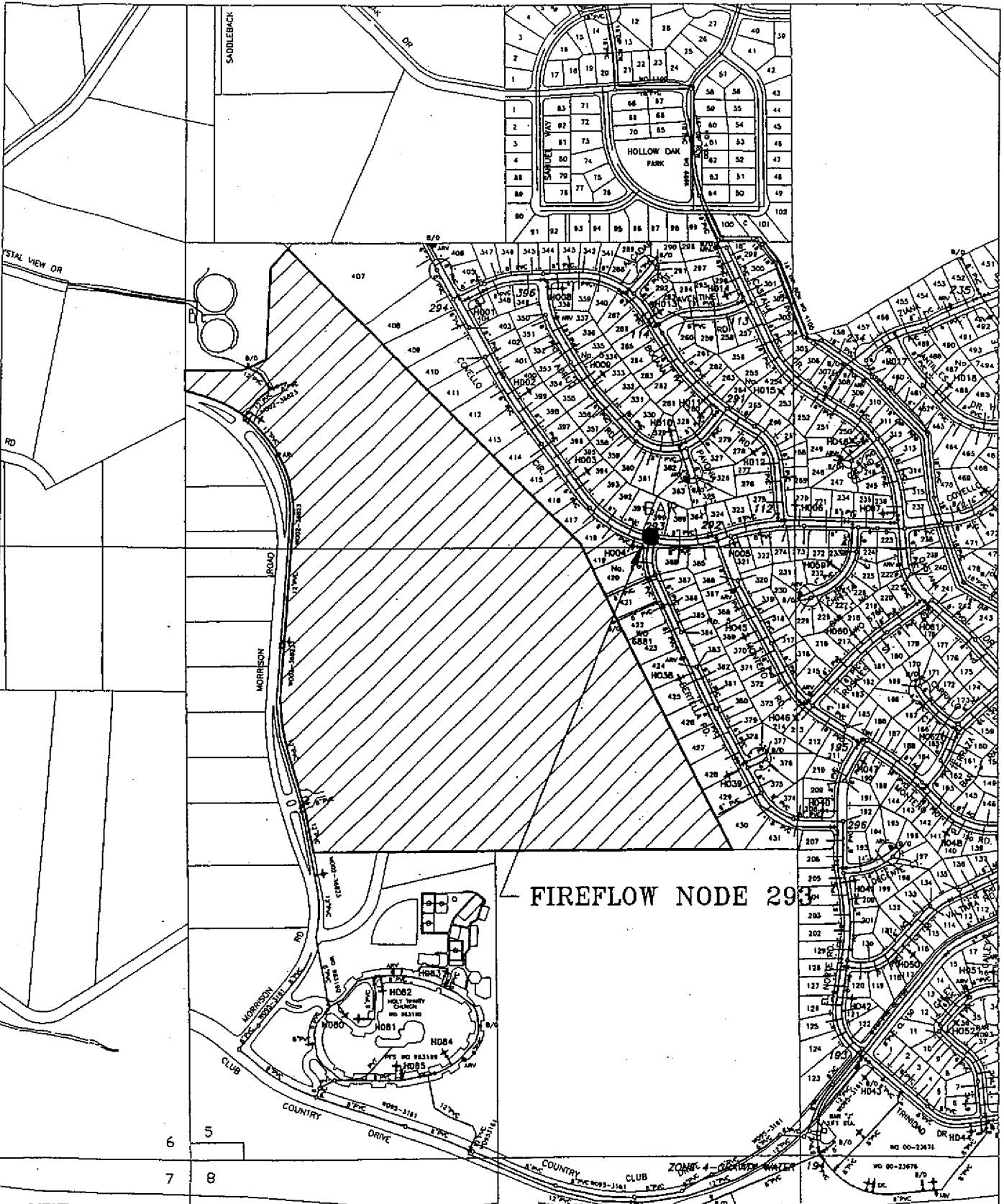
Enclosures: System Map  
Annexation Process Handout  
Annexation Application  
FPR Guidelines and transmittal

c: Fred H. Russell, Fire Marshal, El Dorado Hills Fire Department, 990 Lassen Lane, El Dorado Hills, CA 95762

Olga Sciorelli, Cooper, Thorne & Associates, Inc. 3233 Monier Circle, Rancho Cordova, CA 95742

H:\CADD\ALL\_JOBS\GUF\Cust-Svc\J-tri\Bell Ranch\Bell Ranch.dwg

20040426.113440



El Dorado Irrigation District  
System Map

DATE: April 26, 2004

WARNING: For schematic purposes only.  
Exact pipe location must be  
field verified.

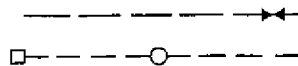
Bell Ranch

APN: 108-010-045

SYS. No.: 102-2



Scale: 1" = 600'



WATERLINE  
SEWERLINE





## El Dorado Irrigation District

In reply refer to DS0605-307

June 3, 2005

Ms. Corinne Fratini  
El Dorado LAFCO  
550 Main Street, Suite E  
Placerville, CA 95667

Re: Bell Ranch Annexation, LAFCO Project 01-04

Dear Ms. Fratini:

The El Dorado Irrigation District has reviewed the Plan for Service for the Bell Ranch Annexation and finds that it is consistent with District master planning and the settlement agreement between Bell Ranch Properties, LTD. and El Dorado Irrigation District, dated June 18, 2002. The District is capable of:

1. Providing adequate services within the time frame anticipated in the Plan of Service for the Bell Ranch Annexation.
2. Furnishing adequate services within the time frame anticipated in the Plan of Service without a significant negative fiscal, service level or other impact within the District (see Bell Ranch EID annexation resolution and staff report dated March 21, 2005).
3. Providing service for Bell Ranch without expansion of capacity.

In response to specific requests for wastewater treatment capacity information, Bell Ranch is in the Deer Creek Wastewater Treatment Plant (DCWWTP) service area. The permitted capacity of the treatment plant is 3.6 million gallons per day (MGD) authorized under Waste Discharge Permit No. RS-2002-0210 and is currently at 2.5 MGD as reported in the attached 2004 Sewer Capacity Report. Over ten years of capacity is available at the DCWWTP at current growth rates.

Sincerely,

Tracey Eden-Bishop  
Customer & Development Services Manager



CONTROL TRAFFIC CONGESTION INITIATIVE  
COMMITTEE (MEASURE Y)  
P. O. Box 618, Camino, CA 95709

---

August 26, 2002

Commissioners  
El Dorado County  
Local Agency Formation Commission  
2850 Fairlane Court (621-5322)  
Placerville, CA 95667

Dear Commissioners:

Subject:           Agenda Item 7: Preliminary Hearing Bell Ranch Properties Annexation to  
                  El Dorado Irrigation District: LAFCO PROJECT No. 01-04 (Public Hearing)

***It is requested that the Bell Ranch Annexation to EID be denied at this time.***

Timely availability of water is uncertain at this time. There is no General Plan in place within El Dorado County and LAFCO has not completed a current service review for water availability and capacity to serve.

This annexation is premature. As stated in LAFCO's own staff report, the County has determined that the tentative map application "is deemed "incomplete" pending submission of the Bass Lake Hills Specific Plan Public Facilities Financing Plan". A development agreement may have been signed by the petitioners, however, the Public Facilities Financing Plan (PFFP) has not been approved by the County. Attached is the July 24, 2002 letter sent to the County by Keith G. Wagner, Law Office of J. William Yeates on behalf of the Measure Y Committee expressing our concerns in this regards. Until these concerns are settled and the PFFP is approved, LAFCO has no guarantees that even if this annexation is approved there would be adequate funds to build the infrastructure required in the Bass Lake Hills area.

The Measure Y Committee recognizes that this is a Preliminary LAFCO Hearing and no action will be taken. However, we are requesting this letter be considered in this and any future LAFCO hearings.

Sincerely,



Sue Olmstead, Treasurer  
Measure Y Committee

Attachments

01/26/02 11:23:33

D.O.T.

**NOTICE OF DETERMINATION (LAFCO)**

FILE NO.

TO: COUNTY CLERK  
County of El Dorado  
330 Fair Lane  
Placerville, CA 95667

FROM:

EL DORADO LOCAL AGENCY  
FORMATION COMMISSION  
550 Main Street, Suite E  
Placerville, CA 95667

STATE OFFICE OF PLANNING AND RESEARCH

SUBJECT: Filing of NOTICE OF DETERMINATION in compliance with Section 21152 of the Public Resources Code for the Bell Ranch Properties Annexation to EID, LAFCO Project 01-04.

NAME OF APPLICANT: Bell Ranch Properties, LLC

ASSESSOR'S PARCEL NO.: 108-010-45 and 108-010-46

LOCATION: Morrison Road and Tierra De Dios Drive near Bass Lake Road in the El Dorado Hills area

ANNEXATION TO  DETACHMENT FROM  FORMATION OF

NAME OF DISTRICT: El Dorado Irrigation District

OTHER:

The EL DORADO LOCAL AGENCY FORMATION COMMISSION (LAFCO) has  approved  disapproved this project on June 22, 2005 and made the following determinations:

- 1) Project  will  will not, have a significant effect on the environment.
- 2)  Environmental Impact Report was prepared pursuant to provisions of CEQA.  
 Negative Declaration was prepared pursuant to provisions of CEQA.
- 3) Mitigation Measures  were  were not, adopted for this project.
- 4) A Statement of Overriding Considerations  was  was not, adopted.

LAFCO is filing this Notice of Determination acting as responsible agency.

\*The Mitigated Negative Declaration and Record of Project Approval (El Dorado County, May 24, 2005) may be obtained at the EL DORADO LOCAL AGENCY FORMATION COMMISSION office.

Prepared By

Date

FOR USE BY COUNTY CLERK

Public Resources Code Section 21152(A) requires local agencies to submit this information to the County Clerk. The filing of the Notice starts a 30-day Statute of Limitations on court challenges to the approval of the project under Public Resources Code Section 21167. Failure to file the Notice results in the Statute of Limitations being extended to 180 days.

**FISH AND GAME AB3158 FEES/RECORDING FEES**

Project is de minimis in effect; \$35 Recorder's fee required.

Negative Declaration prepared; \$1,285 fee required.

EIR filed; \$885 fee required

**FINAL MITIGATED NEGATIVE DECLARATION**

**BELL RANCH PROJECT  
EL DORADO COUNTY, CALIFORNIA**

---

**EL DORADO COUNTY  
2850 FAIRLANE COURT  
PLACERVILLE, CALIFORNIA 95667**

**APRIL 2005**

## TABLE OF CONTENTS

---

### **1.0 Introduction**

1.1	Introduction and Regulatory Guidance .....	J-1
1.2	Lead Agency.....	J-1
1.3	Purpose and Document Organization .....	J-2

### **2.0 Response to Comments**

2.1	Introduction .....	2-1
2.2	Comments Received on the Mitigated Negative Declaration .....	2-1
2.3	Response to Comments Received.....	2-1

### **3.0 Errata**

3.1	Errata to the Mitigated Negative Declaration .....	3-1
-----	--	-----

### **4.0 Mitigation Monitoring and Reporting Program**

4.1	Introduction .....	4-1
4.2	Compliance Checklist .....	4-1
4.3	Field Monitoring of Mitigation Measure Implementation .....	4-1
4.4	Plan Check.....	4-2

### **5.0 Determination**

5.1	Determination .....	5-1
-----	---------------------	-----

### **6.0 Report Preparation**

6.1	Persons Consulted During Report Preparation.....	6-1
-----	--	-----

---

FINAL MITIGATED NEGATIVE DECLARATION  
FOR  
BELL RANCH PROJECT  
EL DORADO COUNTY, CALIFORNIA

---

EL DORADO COUNTY  
2850 FAIRLANE COURT  
PLACERVILLE, CA 95667

APRIL 2005

---

2

2

---

## 1.0 INTRODUCTION

---

### 1.1 INTRODUCTION AND REGULATORY GUIDANCE

This document is a Final Initial Study/Mitigated Negative Declaration (IS/MND), which incorporates the Draft IS/MND by reference. The Final IS/MND includes comments and responses on the Draft Initial Study/Mitigated Negative Declaration circulated March 2, 2005 to March 31, 2005. The document provides justification for a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) for the proposed Bell Ranch Subdivision Project. This MND has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines 14 California Code of Regulations (CCR) Section 15000 et seq.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the State CEQA Guidelines Section 15063, an EIR must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A Negative Declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why a proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (State CEQA Guidelines Section 15371). According to State CEQA Guidelines Section 15070, a Negative Declaration shall be prepared for a project subject to CEQA when either:

- a) The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or
- b) The initial study identifies potentially significant effects, but:
  - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
  - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted into the proposed project in accordance with the State CEQA Guidelines Section 15070(b), a mitigated negative declaration (MND) is prepared.

### 1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The proposed Bell Ranch Project would require approval from the El Dorado County Board of Supervisors. Based on the criteria described above the lead agency for the proposed project is El Dorado County for CEQA compliance.



### 1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Final MND is to respond to comments raised by the agencies and the public. The Final MND includes an introduction, response to comments, errata and the Mitigation Monitoring and Reporting Program (MMRP).

This document is divided into the following sections:

- **1.0 Introduction**—provides an introduction and describes the purpose and organization of this document;
- **2.0 Response to Comments**—written comments on the MND are reproduced in this section, as well as responses to those comments;
- **3.0 Errata**—Errata, consisting of minor staff-initiated changes and corrections that do not result in new significant environmental impacts are presented in this section;
- **3.0 Mitigation Monitoring and Reporting Program**—The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, and reporting to County staff;
- **4.0 Determination** —Provides the environmental determination for the project;
- **5.0 Report Preparation** —Identifies persons contacted during the preparation of this document.

---

## 2.0 RESPONSE TO COMMENTS

---

## 2.0 RESPONSE TO COMMENTS

### 2.1 INTRODUCTION

This document consists of comments received on the proposed Bell Ranch Subdivision Mitigated Negative Declaration (Bell Ranch MND) and responses to those comments. While responding to comments on a final MND is not specifically required by CEQA, CEQA Guidelines Section 15074(b) requires that the lead agency consider any comments received on the MND prior to approving the project. This document provides evidence that the County of El Dorado considered all comments received on the MND.

### 2.2 COMMENTS RECEIVED ON THE MITIGATED NEGATIVE DECLARATION

The public comment period for the project was initiated on March 2, 2005 and closed on March 31, 2005. The following letters were received during the comment period and are addressed in this section.

Letter Number	Commentor	Affiliation
1	Rosanne Chamberlain, Executive Officer	El Dorado Local Agency Formation Commission
2	Charles R. Torrence, President	Torrence Planning
3	David R. Crosariol, President	Cooper, Thome & Associates

No new significant environmental impacts or issues, beyond those already covered in the Draft MND for the Bell Ranch project, were raised during the comment period, and El Dorado County, acting as lead agency, directed that responses to the Draft MND comments be prepared. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft MND pursuant to State CEQA Guidelines Section 15073.5.

Written comments on the Draft MND are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, each commentor and issue that has been raised has been assigned a number. Responses are coded to correspond to each issue. Comments that present opinions about the project or which raise issues not directly related to environmental issues under CEQA are noted without response. Where changes to the Draft MND text result from responding to comments, those changes are included in the response and demarcated with revision marks (underline for new text, ~~strike-out~~ for deleted text). All new and revised figures resulting from comments received or staff-initiated edits are included in Section 3.0 Errata of this Final MND.

### 2.3 RESPONSE TO COMMENTS RECEIVED

Copies of each of the three comment letters followed by responses to those comments are provided on the following pages.

## 2.0 RESPONSE TO COMMENTS

Letter 1

### EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 MAIN STREET, SUITE B  
PLACERVILLE, CA 95667  
lafco@co.el-dorado.ca.us

PHONE: (530) 295-8707  
FAX: (530) 295-1808  
www.co.el-dorado.ca.us/lafco

March 30, 2005

Steven D. Hest, Principal Planner  
El Dorado County Planning Department  
2850 Fairlane Court  
Placerville, CA 95667

05 MAR 31 10:00:35  
RECEIVED  
PLANNING DEPARTMENT

Re: Bell Ranch Draft Mitigated Negative Declaration

Dear Mr. Hest:

LAFCO has carefully reviewed the Draft Mitigated Negative Declaration for the Bell Ranch project. The landowner, Bell Ranch Properties, LLC, has an active application on file with LAFCO for annexation to El Dorado Irrigation District (LAFCO Project 01-04). Our CEQA review focuses on the potentially significant impacts related to annexation and the associated extension of water, wastewater, and recycled water services to the project. We are concerned about factual accuracy and consistency within the document. Our comments are as follows:

#### 3.15 Utilities and Service Systems: Water

1. The MND states that the water supply for the BLHSP is Folsom Lake as authorized by SWRCB Water Right Order WR2002-22 (pp. 3-109, 3-117). The MND states that although water supply impacts were found to be significant and unavoidable in the BLHSP EIR, acquisition of this new water right mitigates the impacts to a less-than-significant level (3.15d). The MND also states that Bell Ranch will be served by the Gold Hill Intertie and the Bass Lake Tanks and that water supply has been reserved from existing supplies (pp. 3-109, 3-111, 3-117). These are two totally different water supply sources, each with its own set of service constraints and potential environmental impacts. It is not clear in the MND which of these two sources will actually be the water supply for the project. In your response to this comment, please clarify whether the water supply to the project is from Folsom Lake or from the eastern part of EID.

In contrast to the MND description, information provided to LAFCO by EID and the landowner do not reference Folsom Lake water. The Bell Ranch plan of service (Dec. 2002) and EID's service assurance letter (Nov. 2002), on file with LAFCO, explain that water for Bell Ranch has been reserved from existing supplies in the Western (Cameron Park) Region and that this water is delivered from Sly Park Reservoir and will be served through the Gold

1-1

COMMUNITY: GARY CHICKLARA, TED LANE, GERRIE GILCHRIST, BARRY BOWEN, ALAN HANSEN, CHARLES PARK, MARY ALLEN  
ALTERNATE: CARL HENKE, GERRIE GILCHRIST, DEBORAH LUTZ, JAMES E. HENKE  
ADVIS: BUREAU CHAIRMAN/EXECUTIVE OFFICER, CHIEF PLANNING POLICY ANALYST,  
BUREAU STAFF/CLERK TO THE COMMISSION, THE CHIEF-LAFCO CHIEF

Letter 1 cont.

Bell Ranch MND Comments  
El Dorado LAPCO

Page 2 of 4  
March 30, 2005

Hill Intertie and the Bass Lake Tanks.

While the transmission infrastructure for the Gold Hill Intertie and the Bass Lake Tanks is already in place and the environmental impacts identified and mitigated in existing EID environmental documents, if the water supply for the project is to be Folsom Lake as suggested in the MND, please clearly describe the transmission infrastructure plan to deliver Folsom Lake water to Bell Ranch and/or reference completed or needed environmental analysis for such transmission infrastructure.

1-1 cont.

As a matter of factual accuracy, if the water supply is to be from EID's Western Region and is to be delivered via the Gold Hill Intertie and Bass Lake Tanks, the MND should indicate that water supply impacts have been mitigated to less-than-significant levels because of the construction of the Bass Lake Tanks. Water supply impacts would not be mitigated due to EID's securing of Folsom Lake water rights.

If, on the other hand, Folsom Lake water will be used to serve the project, the MND should disclose the treatment, transmission, and pumping infrastructure that is in place or will need to be constructed and provide information about the environmental effects, or reference prior environmental documents pertinent to this system, for conveying Folsom Lake water to Bell Ranch.

2. While detailed engineering specifications may not yet be available, the MND should specifically identify the existing and planned public utilities systems for the project and the environmental impacts associated with those systems. In your response to these comments, please clarify the following points:

1-2

- The MND lists several water mains adjacent to the BLESP boundary (p. 3-109). Please clarify which mains would actually be used to serve the subject project.
  - The capacity of the GEI is constrained and EID is not allowing additional tie-ins directly from the main. The MND should specify that the booster pump station and pressure-reducing station will connect to the Bass Lake Tanks, not directly to the Gold Hill Intertie (p. 3-109).
  - Are the booster pump station and pressure-reducing station operational, and if not, will they be operational before Bell Ranch is approved? (p. 3-109)
  - The MND states that "EID has also identified the location of the existing facilities that may be available to the project" (p. 3-117). Please specify which of these existing facilities will actually be used to serve Bell Ranch and discuss potential local impacts to existing EID customers.
3. The MND states that "the current fire hydrants...may not supply the required fire flow for the immediate area" (p. 3-111). Even with the nearby Bass Lake fire station, this statement suggests that there are potential environmental impacts due to the increased risk of severity of fire damage which are not identified in the document. In your response to these comments, please clarify that the fire flow problem is a potential impact and explain how the mitigation measures discussed under 3.12a might address this impact.

1-3

## 2.0 RESPONSE TO COMMENTS

Letter 1 cont.

Bell Ranch MND Comments  
El Dorado LAFCO

Page 3 of 4  
March 30, 2005

4. The MND states that "water may be available for the proposed project...on a first come, first served basis" (p. 3-111). This discussion is inconsistent with the settlement/pre-negotiation agreement for service between EID and the landowner that guarantees water from existing supplies. Please clarify whether the "first come, first served basis" criteria applies to this project. 1-4
5. The MND states that "the Board determined water and wastewater impacts to be less than significant for the BLRSP" with adopted mitigation measures (p. 3-111). Please correct this inaccurate statement. The County determined that impacts to water supply were significant and unavoidable when it certified the EIR. 1-5

### Wastewater

1. The MND generally states that "a number of system improvements...will be needed to handle future population and employment growth" (p. 3-109) but fails to specify what improvements are actually necessary for service to the Bell Ranch project. 1-6
2. The MND discusses the wastewater system and ADS facilities for properties in the El Dorado Hills WWTP service area (pp. 3-109, 3-110). Based on current information available to LAFCO, Bell Ranch is in the Deer Creek WWTP service area. Please accurately describe the wastewater system for Bell Ranch, including any necessary improvements or expansions in stations, trunk lines, and other collection lines in your response to these comments. If existing infrastructure is in place and will be used, please disclose whether service to Bell Ranch will substantially or adversely alter the delivery of service to existing EID customers. 1-7
3. The MND states that an 8-inch collection line in Country Club Drive may need upgrading (p. 3-110). The MND later states that all sewer flows would be fully accommodated by an 8-inch line in Bertella Road and Morrison Road (p. 3-111). Please clarify the wastewater collection system for Bell Ranch, including any necessary upgrades. 1-8

### Recycled Water

1. The MND states that "the capacity of the Deer Creek WWTP will need to be expanded to improve tertiary treatment" (p. 3-109). Is this expansion necessary in order to provide recycled water to Bell Ranch? What is the status of any needed expansions? Please discuss potential impacts to Bell Ranch and existing EID customers if Bell Ranch is approved before the plant capacity is expanded. 1-9
2. The MND states that "the project may require other extensions of the recycled water system to receive services" (p. 3-112). Please specify what extensions will be necessary and discuss the potential impacts to Bell Ranch and existing EID customers if Bell Ranch is approved before the extensions are completed. 1-10

LAFCO is a responsible agency for the Bell Ranch project and we will need to use the MND in our review of the annexation. We regret that the Planning Department did not consult with LAFCO during the initial study process and before the publication of this MND. Many of our concerns, especially those pertaining to factual accuracy and consistency with other known plans, could have been easily addressed by consulting with LAFCO early in the review of the



## **2.0 RESPONSE TO COMMENTS**

---

### **RESPONSE TO EL DORADO LOCAL AGENCY FORMATION COMMISSION LETTER DATED MARCH 30, 2005**

El Dorado County staff consulted with El Dorado Irrigation District (EID) during preparation of the Bell Ranch Draft MND. EID's comments and requested mitigation measures were incorporated into the Bell Ranch Draft MND.

**Response 1-1:** The commentor requests clarification concerning the water source and planned water infrastructure for the Bell Ranch project. The project site is located within the Western Region of EID. According to EID, the number of EDUs available on May 1, 2003 was 1,031. The Bell Ranch project would be served from existing supplies delivered from the Sly Park Reservoir through the Gold Hill Intertie and the Bass Lake Tanks (Cooper, 2005). Transmission infrastructure for the Gold Hill intertie and the Bass Lake Tanks is already in place and the environmental impacts have been identified and mitigated in existing EID environmental documents. Water supply impacts associated with Bell Ranch have been mitigated to a less than significant levels because of the construction of the Bass Lake Tanks.

The following revisions are made to the third paragraph on Bell Ranch Draft MND page 3-117 under the heading "3.15d: Water Supply":

"As stated in the BLHSP PFFP, in order to receive water service, participation in the construction of facilities paid for by the El Dorado Hills supplemental connection fee is necessary. If needed facilities are not in place ahead of development, affected land owners will be required to construct the required facilities and receive reimbursement credits from EID. EID has indicated that water is available for the proposed project. As part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks, EID reserved 113 EDUs of water and sewer connections from existing supplies/capacity for the Bell Ranch project (Cooper, 2004). ~~EID has also identified the location of the existing facilities that may be available to the project.~~ The Bell Ranch project would be served from existing supplies delivered from the Sly Park Reservoir through the Gold Hill Intertie and the Bass Lake Tanks. Therefore, this impact is considered less than significant."

**Response 1-2:** The commentor requests that the existing and planned public utilities systems for the project be identified and the environmental impacts associated with those systems is disclosed. Each of the commentor's bulleted questions is responded to individually below.

- The commentor requests which water main would service the project. Bell Ranch would utilize the Gold Hill Intertie transmission main. EID has completed construction of the two 4-MG domestic water storage tanks under Work Order Number 8904, referred to as the Bass lake Tanks.
- The commentor states that the MND should specify that the booster pump station and pressure-reducing station will connect to the Bass Lake Tanks and not directly to the Gold Hill Intertie. The entire Bell Ranch project would be served from the new hydro-pneumatic system and/or booster



## 2.0 RESPONSE TO COMMENTS

pump station to be installed by the developer. The project would not directly connect to the Gold Hill Intertie or any other existing water lines. The transmission infrastructure for the Gold Hill Intertie and the Bass Lake Tanks that would serve the project are currently in place. Environmental impacts associated with these facilities have been mitigated to less than significant as documented in the Bass Lake Area Domestic Water Storage Project MND, prepared by EID in 2001.

- The commenter asks whether the booster pump station and pressure reducing station are operational or, if not, whether they will be operational prior to project approval. The booster pump station and pressure-reducing station have not yet been construction. The hydro-pneumatic system and/or booster pump station is proposed to be located on the same site as the Bass Lake Tanks. Under Work Order Number 8904, EID has constructed the necessary infrastructure for the hydro-pneumatic system. These improvements provide 12-inch water line stub-outs to the south and west of the tank site. The entire Bell Ranch project will need to be served by this pump station (Cooper, 2004). If the project is the first project to be serviced by the Bass Lake Tanks that constructs structures at an elevation above 1,330 feet, Bell Ranch would be required to construct the pump station. The proposed hydro-pneumatic booster station is sized to service approximately 250 residential lots and would be located on the same property as the Bass Lake Tanks. This site was previously disturbed during construction of the Bass Lake Tanks. The Bell Ranch project consists of 113 residential lots. Timing of construction of the infrastructure necessary to service the Bell Ranch project would follow project approval and would be tied to street construction and other subdivision improvements (Cooper, 2005).
- The commenter requests identification of the existing facilities that would service the project and identification of potential impacts to existing EID customers resulting from project implementation. Water to Bell Ranch would be delivered from Sly Park Reservoir through the Gold Hill Intertie and the Bass Lake Tanks. EID has identified and commenced construction of a multi-phased project that provides the necessary infrastructure expansion to service the Bell Ranch project as described below:
  - Phase 1 is complete and in service. Under this phase, the first of two 4-MG tanks and 12-inch onsite piping was constructed under EID Work Order 8904.
  - Phase 2 is complete and in service. Under this phase, a 36-inch, 30-inch and 18-inch water lines was construction in Hollow Oak Road, from the tank site to the existing Bass Lake Road.
  - Phase 3 is complete under Work Order 9600 and in service. This phase provided a 24-inch water line extension from the end of Phase 2 improvements to the Gold Hill Intertie in Serrano Parkway.
  - Phase 4 is a pressure reducing station in Bass Lake Road included in Work Order 9600. The Pressure Reducing Station is expected to be online at the beginning of May 2005. No significant environmental effects associated with construction of the pressure reducing station

## 2.0 RESPONSE TO COMMENTS

---

would be anticipated because the station is located within the roadway.

- o Phase 5 is complete and in service. In this phase, the second Bass Lake storage tank was constructed under Work Order 8904.

The discussion under the heading "3.15b: Construction/Expansion of Wastewater Treatment Facilities" on page 3-111 of the Bell Ranch Draft MND is revised as follows to clarify water facilities for the project:

### "3.15b: Construction/Expansion of Water and Wastewater Treatment Facilities

EID has identified and commenced construction of a multi-phased project that provides the necessary infrastructure expansion for water service to the Bell Ranch project as described below;

- o Phase 1 is complete and in service. Under this phase, the first of two 4-MG tanks and 12-inch onsite piping was constructed under EID Work Order 8904.
- o Phase 2 is complete and in service. Under this phase, a 36-inch, 30-inch and 18-inch water lines was construction in Hollow Oak Road, from the tank site to the existing Bass Lake Road.
- o Phase 3 is complete under Work Order 9600 and in service. This phase provided a 24-inch water line extension from the end of Phase 2 improvements to the Gold Hill Intertie in Serrano Parkway.
- o Phase 4 is a pressure reducing station in Bass Lake Road included in Work Order 9600. The Pressure Reducing Station is expected to be online at the beginning of May 2005. No significant environmental effects associated with construction of the pressure reducing station would be anticipated because the station is located within the roadway.
- o Phase 5 is complete and in service. In this phase, the second Bass Lake storage tank was constructed under Work Order 8904 (Cooper, 2005).

EID has completed ~~ene~~ construction of both of the two Bass Lake Water Storage Tanks. The high water surface elevation of these tanks is 1,474 feet. Service directly from the tanks would only be available for land below elevation 1,330 feet, in order to obtain a desirable pressure of 50 psi. In order to receive water service for this project, it will be necessary to install a new hydro-pneumatic pump station at the tank site. The entire project will need to be served from this pump station. ~~The Current fire hydrants in Morrison Road may not supply the required fire flow for the immediate area (Cooper, 2004).~~ EID has constructed the necessary infrastructure for a hydro-pneumatic system to be located at the tank site. These improvements provide 12-inch water line stub-outs to the south and west of the tank site.

~~An 8-inch water line is located near the Holy Trinity Church to the south, at the intersection of Morrison Road and Bell Ranch Road. The proposed~~

## 2.0 RESPONSE TO COMMENTS

water system is shown in **Figure 3.15-1**. There are also adjacent lands that must be served by the pumped system and these areas need to be identified in the sizing of the station (Cooper, 2004).

The Board determined water and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measure K01 and K02 of the BLHSP EIR. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, the following Mitigation Measures are proposed, which are revisions to those previously adopted measures, made applicable to this project."

**Response 1-3:** The commentor references a statement in the Draft MND that states that the current fire hydrants in Morrison Road may not supply the required fire flow for the immediate area, requests clarification that the fire flow problem poses a potential adverse impact and asks how Bell Ranch Draft MND mitigation measure 3.12a might address this impact.

In response, EID relates that the statement concerning fire flow in the project area was likely applicable prior to construction and operation of the Bass Lake Tanks (Cooper, 2005). Therefore, construction of the Bass Lake Tanks has mitigated this potential impact to a less than significant level.

Fire flow demands will be met by the hydro-pneumatic system and/or booster pump station, in adherence to criteria established by the El Dorado Hills Fire Department. Potential impacts to fire and emergency medical services is discussed and mitigated for under Impact 3.12a of the Bell Ranch Draft MND. The Bell Ranch Draft MND does identify that impacts to fire protection are considered potentially significant unless mitigation is incorporated. Implementation of Bell Ranch Draft MND mitigation measure 3.12 would ensure that adequate fire flow as determined by the El Dorado Hills Fire Department is available for the project prior to issuance of building permits. This mitigation measure is based on fire department requirements and includes specific performance standards. The use of performance standard mitigation is allowed under CEQA Guidelines 15126.4(a) and is supported by case law (*Sacramento Old City Association v. City Council of Sacramento* [3d. Dist. 1991] 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478]).

**Response 1-4:** The commentor requests clarification on whether water service for the Bell Ranch project is guaranteed or provided on a first come, first served basis. EID has stated that 113 equivalent dwelling units (EDUs) of water and sewer connection are reserved for the Bell Ranch project as part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks (Cooper, 2005). Due to EID's determination that recycled water would not be required for the project, additional EDUs would be necessary to irrigate the landscape lots, open space lot and park site. EID has stated that the additional water would be delivered from the Sly Park Reservoir (Cooper, 2005).

## **2.0 RESPONSE TO COMMENTS**

---

The second paragraph under Impact 3.15a: Wastewater and Water Treatment Facilities on Page 3-111 of the Bell Ranch Draft MND is revised as follows to clarify water service for the project:

"No wastewater treatment impacts were identified in the EIR that conflicted with applicable Central Valley RWQCB requirements or standards. There is an 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time (Cooper, 2004); therefore, the proposed facilities (interim and long-term) would fully accommodate the sewer flows anticipated from the proposed development. EID has ~~indicated in a Facility Improvement Letter~~ stated that as part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks, EID has reserved 113 EDU's of water and sewer connection from existing supplies and capacity for the Bell Ranch project (Cooper, 2004 and 2005). ~~water may be available for the proposed project; however, water supply is determined on a first come, first served basis.~~ This impact is considered less than significant."

**Response 1-5:** The commentor requests that the statement concerning water supply on page 3-111 of the Bell Ranch Draft MND be corrected to state that water supply was found to be significant and unavoidable by the Bass Lake Hills Specific Plan (BLHSP) EIR.

The last paragraph on page 3-111 of the Bell Ranch Draft MND has been corrected as follows to accurately reflect the El Dorado County Board of Supervisor's 1995 determination on the BLHSP EIR:

"The Board determined ~~water impacts to be significant and unavoidable~~ and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measure K01 and K02 of the BLHSP EIR. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, the following Mitigation Measures are proposed, which are revisions to those previously adopted measures, made applicable to this project."

**Response 1-6:** The commentor requests information on what wastewater infrastructure improvements are necessary for service to the Bell Ranch project. As stated in the Bell Ranch Draft MND, the existing 8-inch sewer line in Bertella Road and the 8-inch sewer line in Morrison Road have adequate capacity to service the project. Wastewater infrastructure that would service the Bell Ranch project is shown in new **Figure 3.15-1a** and described below. The infrastructure described below is currently in place and would not require any improvements or expansions to accommodate flows from the Bell Ranch project (Cooper, 2005). Bell Ranch Draft MND mitigation measure 3.15.4 requires construction of extensions to these facilities from the existing points of connection at the project boundaries into the project site so that Bell Ranch can receive wastewater service. The potential environmental effects of extension of the wastewater facilities to service the project are mitigated for by the Bell Ranch Draft MND.

## 2.0 RESPONSE TO COMMENTS

Wastewater from the project would flow into the 8-inch sewer lines within Morrison and Bertella roads. From Morrison Road, wastewater would flow south connecting with an 8-inch line within Country Club Drive and would flow east to the Bar J lift station. From the 8-inch line in Bertella Road, wastewater from the project would flow south connecting with an 8-inch line within El Norte Road then would flow southwest to the Bar J lift station. From the Bar J lift station, project wastewater would flow east first through a 6-inch force main, then through an 8-inch gravity line and then through an 18-inch gravity line all within Country Club Drive. Near Cambridge Road, the 18-inch line separates from Country Club Drive and connects with a 24-inch pipe that travels southeast toward Highway 50. The 24-inch pipe converts to an 18-inch line under Highway 50 then converts to a 24-inch pipe on the south side of the highway. The 24-inch pipe travels south along Cameron Road then crosses under Flying C Road. On the south side of Flying C Road, the pipe converts to a 36-inch pipe that flows southeast along the east side of Deer Creek. Where Deer Creek and Old Mill Creek converge, the 36-inch pipe travels under Deer Creek to the west side of Deer Creek. The 36-inch pipe then flows south then southwest along the alignment of Deer Creek until it splits into two 20-inch siphons and into the Deer Creek WWTP (Yasutake, 2005).

The following paragraphs are added under the heading "3.15b: Construction/Expansion of Wastewater Treatment Facilities" on page 3-111 of the Bell Ranch Draft MND to clarify wastewater facilities available to the project:

"The existing 8-inch sewer line in Bertella Road and the 8-inch sewer line in Morrison Road have adequate capacity to service the project. Wastewater infrastructure that would service the Bell Ranch project is shown in Figure 3.15-1a and described below. The infrastructure described below is currently in place and would not require any improvements or expansions to accommodate flows from the Bell Ranch project. Construction of an extension to these facilities would be necessary for Bell Ranch to receive wastewater service.

Wastewater from the project would flow into the 8-inch sewer lines within Morrison and Bertella roads. From Morrison Road, wastewater would flow south connecting with an 8-inch line within Country Club Drive and would flow east to the Bar J lift station. From the 8-inch line in Bertella Road, wastewater from the project would flow south connecting with an 8-inch line within El Norte Road then would flow southwest to the Bar J lift station. From the Bar J lift station, project wastewater would flow east first through a 6-inch force main, then through an 8-inch gravity line and then through an 18-inch gravity line all within Country Club Drive. Near Cambridge Road, the 18-inch line separates from Country Club Drive and connects with a 24-inch pipe that travels southeast toward Highway 50. The 24-inch pipe converts to an 18-inch line under Highway 50 then converts to a 24-inch pipe on the south side of the highway. The 24-inch pipe travels south along Cameron Road then crosses under Flying C Road. On the south side of Flying C Road, the pipe converts to a 36-inch pipe that flows

## **2.0 RESPONSE TO COMMENTS**

---

southeast along the east side of Deer Creek. Where Deer Creek and Old Mill Creek converge, the 36-inch pipe travels under Deer Creek to the west side of Deer Creek. The 36-inch pipe then flows south then southwest along the alignment of Deer Creek until it splits into two 20-inch siphons and into the Deer Creek WWTP (Yasutake, 2005).

The Board determined water and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measure K01 and K02 of the BLHSP EIR. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, the following Mitigation Measures are proposed, which are revisions to those previously adopted measures, made applicable to this project."

**Response 1-7:** The commentor requests a description of the wastewater system for Bell Ranch, including any necessary improvements or expansions in stations, truck lines, and other collection lines and disclosure as to whether service to Bell Ranch will substantially or adversely alter the delivery of service to existing EID customers. See Response 1-8 above concerning wastewater infrastructure and service.

The first through third paragraphs under the heading "Wastewater" on pages 3-109 and 3-110 of the Bell Ranch Draft MND provide a description wastewater service in the project area and are revised as described below to clarify which WWTP would service the project. Please note that project-specific descriptions of wastewater facilities and service are addressed under impacts 3.15b and 3.15e of the Bell Ranch Draft MND.

"The Bell Ranch project site is located within the Deer Creek WWTP service area. EID issued its Final Updated Wastewater Master Plan (UWWMP) in November 2001. The UWWMP includes estimates of existing and projected wastewater flows from the area served by EID's sewer collection system. The UWWMP also projects wastewater treatment needs for the EID service area through 2025 and identifies system expansions and upgrades needed to meet projected increases in wastewater flows. The UWWMP concludes that a number of system improvements (including improvements to lift stations, and sewer pipelines) will be needed to handle future population and employment growth, and the capacity of the Deer Creek WWTP will need to be expanded to improve tertiary treatment based on future recycling demands and anticipated regulatory requirements. The UWWMP also concludes that the Deer Creek WWTP's secondary treatment system is adequate to serve projected population growth through 2025. ~~The UWWMP study determined that the capacity of the El Dorado Hills WWTP's secondary treatment system needs to be enlarged to handle growth after 2015, and its tertiary system also needs to be enlarged to supply increasing demands for recycled water and to meet anticipated regulatory changes.~~ EID also plans to prepare CEQA documentation for its UWWMP and for necessary wastewater infrastructure improvements that will be needed to accommodate the growth associated with the El Dorado County General Plan (El Dorado County, 2003).

## 2.0 RESPONSE TO COMMENTS

EID adopted its most recent Recycled Water Master Plan in January 2003. Use of recycled water helps reduce the amount of wastewater that needs to be discharged.

EID performs wastewater collection and treatment through AD3 facilities, future planned facilities and existing Deer Creek collection lines. EID allows "buy-ins" to its AD3 wastewater facilities. The Specific Plan contains the service boundary that separates the Deer Creek service area from the El Dorado Hill service area. The off-site collection facilities may require some limited upgrades, more specifically an 8-inch collection line, approximately 1,000 feet, in County Club Drive that may require upgrading. ~~An 18-inch sewer trunk main identified by the Sorano South Uplands Master Plan will provide sewer outfall service for the El Dorado Hills service area properties. It will service the Specific Plan with wastewater collection and treatment service for properties west of the service boundary. Properties west of the service boundary will be required to buy-in to AD3 for sewer service (BLHSP PFFP, page 47).~~

EID has expanded both the El Dorado Hills and Deer Creek wastewater treatment plants from 1.6 MGD and 2.5 MGD to 3.0 MGD and 3.6 MGD, respectively. Ultimate expansion for planning purposes caps the treatment plants at 8.6 MGD and 10.8 MGD, respectively. The Specific Plan, at buildout, is expected to contribute 0.437 MGD. As a result, payment of FCCs and AD3 buy-ins will provide the financing for all necessary off-site improvements for the collection and treatment of wastewater within the Specific Plan (BLHSP PFFP, page 47)."

**Response 1-8:** The commentor references a statement on page 3-111 of the Bell Ranch Draft MND concerning the possible need to upgrade an 8-inch collection line in Country Club Drive and requests clarification concerning the proposed wastewater collection system for Bell Ranch. To clarify, the BLHSP PFFP states that the 8-inch collection line in County Club Drive implementation of the BLHSP may need upgrading to accommodate increased flow associated with implementation of the BLHSP (BLHSP PFFP, page 47). EID has stated that adequate capacity is available for the Bell Ranch project in the sewer lines in Bertella Road and Morrison Road and in each of existing collector lines and in the lift station that convey wastewater from the sewer lines in Bertella and Morrison roads to the Deer Creek WWTP (Cooper, 2005).

**Response 1-9:** The commentor references a statement in the Bell Ranch Draft MND concerning plans for expansion of the Deer Creek Wastewater Treatment Plant (WWTP) as disclosed in the 2003 El Dorado General Plan Environmental Impact Report (State Clearinghouse No. 2001082030). The commentor asks whether the expansion is necessary to provide recycled water to Bell Ranch, what the status of the expansion is and what the potential impacts to Bell Ranch and existing EID customers would be if Bell Ranch is approved before the plant capacity is expanded.

## **2.0 RESPONSE TO COMMENTS**

---

Per EID staff, the capacity of the Deer Creek WWTP was expanded from 2.5 to 3.6 million gallons per day (MGD) approximately one and a half years ago (Sullivan, 2005). As projected by EID's most recent Master Plan for the WWTP, the expanded capacity is expected to accommodate anticipated increased flows until the year 2025. No additional expansions are planned at this time.

Since circulation of the Bell Ranch Draft MND, EID has determined that recycled water service will not be required for the Bell Ranch project due to engineering constraints. EID had previously stated that recycled water would be used for landscape irrigation. Now that the project will not be served with recycled water, the additional water needed to irrigate the nine landscape lots, one open space lot, and one park site in Bell Ranch would also come from Sly Park Reservoir. As of January 1, 2004 there were 1,966 remaining EDU's in the Western/Eastern Water Supply Region. EID has not identified any potential adverse effects to water or wastewater services resulting from use of domestic water instead of recycled water for landscaping irrigation within the project (Cooper, 2005).

Bell Ranch Draft MND mitigation measure 3.15.2 has been deleted as a result of EID's determination that recycled water service and infrastructure construction would not be required of the project.

~~"MM 3.15.2: The project shall use recycled water for landscape irrigation. The new Bridlewood Tank to the north of the project site will need to be utilized for recycled water for the project. Service directly from the tank would only be available for land below elevation 1,280 feet in order to obtain a desirable pressure of 50 psi. A pump station will be required to deliver the desired flow rate and pressure to the areas that are above 1,280 feet. The project may require other extensions of the recycled water system to receive services. This shall be addressed in the Facility Plan Report (FPR).~~

~~The following items shall be submitted to EID for review and approval prior to provision of recycled water:~~

~~1) Non-Residential Sites:~~

~~a. A User Reclamation Plan (URP) prepared in accordance with the Recycled Water On-site Design and Construction Standards, and~~

~~b. On-site recycled water landscape plans submitted with improvement plans.~~

~~2) Residential Sites:~~

~~a. An Engineer's Report as described in California Code of Regulations, Title 22. EID will work with~~



## 2.0 RESPONSE TO COMMENTS

~~the developer in obtaining State of California, Department of Health Services approval of the Engineer's Report; and~~

~~b. On-site recycled water landscape plans submitted for each individual home lot or standard plans to be used with production homes.~~

~~Timing/Implementation: Prior to approval of Improvement Plans.~~

~~Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."~~

Bell Ranch Draft MND mitigation measure 3.15.3 has been revised as follows to reflect EID's determination that recycled water service would not be required of the project.

**"MM 3.15.32:** The applicant shall submit two copies of a Facility Plan Report (FPR) and appropriate fees to El Dorado Irrigation District for review and approval. The FPR shall address the expansion of the water, recycled water and sewer facilities and the specific fire flow requirements for all phases of the project.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."

Bell Ranch Draft MND mitigation measures 3.15.4, 3.15.5 and 3.15.6 have been renumbered because mitigation measure 3.15.2 was deleted.

**"MM 3.15.43:** There is an existing 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time. In order to receive service from this line, an extension of adequate size shall be constructed.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District.

**MM 3.15.54:** Proposed water lines, sewer lines and related facilities shall be located within an easement accessible by

## **2.0 RESPONSE TO COMMENTS**

---

conventional maintenance vehicles. When the water lines or sewer lines are within streets, they shall be located within the paved section of the roadway. No structures shall be permitted within the easements of any existing or proposed facilities. EID must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District.

**MM 3.15.45:**

Easements for any new EID facilities constructed by the project shall be granted to EID prior to EID approval of water and/or sewer improvement plans, whether onsite or offsite. Due to either nonexistent or prescriptive easements for some older facilities, any existing onsite EID facilities that will remain in place after the development of this property must also have an easement granted to EID.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."

**Response 1-10:** The commentor references a statement within Bell Ranch Draft MND mitigation measure 3.15.2 that states that the project may require other extensions of the recycled water system to receive services. The commentor then requests specifically what extensions would be necessary and requests discussion of the potential impacts to current EID customer and the Bell Ranch project if the project is approved before the extensions are complete. Per EID, recycled water service will not be required for the project (Cooper, 2005). Therefore, no infrastructure expansions for recycled water service are required and impacts to current EID customers are considered less than significant.

Letter 2

**TORRENCE**  
P L A N N I N G

05 APR -4 AM 10:03  
RECEIVED  
PLANNING DEPARTMENT

31 March 2005

Mr. Steve Hust, Senior Planner  
County of El Dorado Planning Department  
2850 Fairlane Court  
Placerville, CA 95667  
Via: facsimile, email and U.S. mail

Re: Bell Ranch (APN 108-10-45)  
TM 98-1321, Z 98-0012 & PD 98-0006  
Mitigated Negative Declaration dated February 2005  
Review period 2 March through 31 March 2005

Dear Mr. Hust:

We have reviewed the above referenced Mitigated Negative Declaration and we have the following comments:

- |                   |  |                   |             |              |             |       |             |     |
|-------------------|--|-------------------|-------------|--------------|-------------|-------|-------------|-----|
| 1.                | Page 2-4, Measure Y: We believe that Bell Ranch is not an "applicable development project" for purposes of Measure Y. The BLHSP was adopted on 7 November 1995 and our Development Agreement was signed on 23 September 1998, both prior to the passage of Measure Y in November 1998. We believe that the tax should be modified so that readers are not misled.  | 2-1               |             |              |             |       |             |     |
| 2.                | Page 2-6, No. 3: Should read ....113 single family lots.... Additionally, the need for the park has been questioned by the EDHCSD. Bell Ranch Properties LLC reserves the right to pay in-lieu fees to the EDHCSD and delete the park from the tentative map if EDHCSD requires in-lieu fees.  | 2-2               |             |              |             |       |             |     |
| 3.                | Figures 3.7-1 Slope Map and 3.7-2 Grading Consistency Map are mislabeled. Figure 3.7-1 is in fact the Grading Consistency Map and figure 3.7-2 is the Slope Map.   | 2-3               |             |              |             |       |             |     |
| 4.                | Page 3-53, Table 3.3-3: The recent draft wetland delineation prepared by EGORP Consulting, Inc., dated 2 March 2005, and currently under review by the Corps, describes the potential jurisdictional waters of the U.S. as follows:<br><br><table border="0" style="margin-left: 20px;"> <tr> <td>Seasonal Wetlands</td> <td style="text-align: right;">0.067 acres</td> </tr> <tr> <td>Other Waters</td> <td style="text-align: right;">0.030 acres</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">0.097 acres</td> </tr> </table> | Seasonal Wetlands | 0.067 acres | Other Waters | 0.030 acres | Total | 0.097 acres | 2-4 |
| Seasonal Wetlands | 0.067 acres  |                   |             |              |             |       |             |     |
| Other Waters      | 0.030 acres  |                   |             |              |             |       |             |     |
| Total             | 0.097 acres  |                   |             |              |             |       |             |     |
| 5.                | Pages 3-99 and 3-100, MM 3.12.1: Bullet Item 6: We disagree with the conclusion that a hammer head turnaround is unacceptable. Page 23, B), 5) of The County of El Dorado Design and Improvement Standards Manual allows for hammerhead-shaped turnarounds.  | 2-5               |             |              |             |       |             |     |

**2.0 RESPONSE TO COMMENTS**

---

Letter 2 cont.

31 March 2005  
Mr. Steven Hunt  
Page 2

- 6. Pages 3-89 and 3-100, MM 3.12.1: Bulet item 14: We disagree with the statement that there is open space west of lots 3 through 13 and that an all weather access should be provided. The parcels west of lots 3 through 12 are not part of this project and are under separate ownership with separate access. | 2-6
- 7. Page 3-109, 2<sup>nd</sup> paragraph: As determined by the El Dorado Irrigation District, the water supply for the Bell Ranch project is Sly Park and not Folsom Lake. | 2-7
- 8. Page 3-112 MM 3.5.2: The El Dorado Irrigation District has determined that it is not feasible to provide recycled water for landscape irrigation to the Bell Ranch project. Therefore, the mitigation measure should be removed. | 2-8

Please call me if you have any questions regarding this letter.

Very truly yours,

TORRENCE PLANNING & DESIGN INC.



Charles R. Torrance  
President

c.c. Bell Ranch Properties, LLC  
James Curtis

Torrance Planning & Design Inc.

## 2.0 RESPONSE TO COMMENTS

### RESPONSE TO TORRENCE PLANNING LETTER DATED MARCH 31, 2005

**Response 2-1:** The commentor states that the project is not an applicable development project for the purposes of Measure Y. El Dorado County Planning staff concurs that the Bell Ranch Developer Agreement predated the passage of Measure Y such that the project is not an applicable development project for Measure Y. However, the County will conduct a concurrency review per the BLHSP and the BLHSP Public Facilities Financing Plan (PFFP) concerning provision of roadway facilities. It is El Dorado County staff's opinion that provisions in the BLHSP that require construction of roadway facilities concurrent with new development are more stringent than the requirements of Measure Y.

The following paragraph is added under the heading "Measure Y" below the General Plan policies referenced on page 2-5 of the Bell Ranch Draft MND. This paragraph has been added to clarify that the project is not an applicable development project for the purposes of Measure Y, as follows:

"The Bell Ranch Developer Agreement predated the passage of Measure Y such that the project is not an applicable development project for the purposes of Measure Y. However, if the project is approved, the County will conduct a concurrency review per the BLHSP and the BLHSP Public Facilities Financing Plan (PFFP) concerning provision of roadway facilities. It is El Dorado County staff's opinion that provisions in the Specific Plan that require construction of roadway facilities concurrent with new development are more stringent than the requirements of Measure Y."

The discussion under the heading "Measure Y" on page 3-106 of the Bell Ranch Draft MND has been revised to clarify that the project is not an applicable development project for the purposes of Measure Y, as follows:

"Measure Y requires supporting infrastructure (that is, roads) to be in place prior to or concurrent with development. The measure also requires traffic impact fees paid by developers to fully pay for road capacity improvements necessary to mitigate all direct and cumulative traffic impacts from new development. Under Measure Y, County tax revenues cannot be used to fund road improvements to mitigate traffic impacts of new development unless approved by the voters. This concept is built into the 1996 General Plan, the pending 2004 General Plan, the BLHSP and BLHSP PFFP.

This concept is built into the 1996 General Plan, the pending 2004 General Plan, the BLHSP and BLHSP PFFP. The Bell Ranch Developer Agreement predated the passage of Measure Y such that the project is not an applicable development project for the purposes of Measure Y. However, it is El Dorado County staff's opinion that provisions in the BLHSP that require construction of roadway facilities concurrent with initial development are more stringent than the requirements of Measure Y. One of the stated goals of the BLHSP is that major infrastructure improvements in the plan area are to be constructed concurrent with initial

## 2.0 RESPONSE TO COMMENTS

---

development. The BLHSP PFFP requires major components of the planned infrastructure to be financed and constructed with the approval of 300 or less housing units out of the total allowed 1,458 housing units. As discussed in Section 2.3, Project Characteristics, of this MND, the project would be required to implement the PFFP Phase 1A improvements. If the project is approved, the County will conduct a concurrency review per the BLHSP and the BLHSP PFFP concerning provision of roadway facilities. The critical mass and associated development/infrastructure phasing concept discussed in the PFFP is expected to exceed the requirements of Measure Y. Therefore, impacts are considered less than significant."

**Response 2-2:** The commentor states that the need for the park has been questioned by the El Dorado Hills Community Services District (EDHCSD) and that Bell Ranch Properties LLC reserves the right to pay in-lieu fees as an alternative to park provision and construction. The applicant does have the option of paying in-lieu fees or providing parkland to satisfy EDHCSD's parkland requirement. However, the BLHSP designates the Bell Ranch site as containing a proposed park location. Therefore, omission of a park site within the Bell Ranch project may be inconsistent with the BLHSP. Interpretation of the BLHSP parkland requirement for the Bell Ranch project will be made by the Planning Commission.

**Response 2-3:** The commentor states that the titles of Bell Ranch Draft MND Figures 3.7-1 and 3.7-2 are incorrect. The titles of Figures 3.7-1 and 3.7-2 have been revised, as suggested. See Section 3.0 Errata of this Final MND for the revised figures.

**Response 2-4:** The commentor states that the draft wetlands delineation prepared by ECORP Consulting, Inc. dated March 2, 2005 and currently under review by the Corps, describes the potential jurisdictional waters of the U.S. as follows: 0.067 acres of seasonal wetlands and 0.030 acres of other waters. Ecorp has provided a reduction of the wetland delineation which is included as revised **Figure 3.3-1** to the Bell Ranch Draft MND (see Section 3.0 Errata of this Final MND for the revised figure).

The first complete paragraph on page 3-23 of the Draft MND is revised to reflect the revised wetlands acreages as follows:

"ECORPS (2004) conducted a preliminary wetland assessment for the project site in 2004. A formal delineation of these resources has not been conducted by ECORPS in 2005, although the wetland delineation report indicated that approximately 0.230,097 acres of wetlands exist on site."

The first three paragraphs on page 3-44 of the Bell Ranch Draft MND under the heading "Potential Jurisdictional Waters of the U.S." is revised as shown below to reflect the revised wetlands acreages as provided by Ecorp. A new Figure 3.3-1 has been created for the wetland delineation (see Section 3.0 Errata of this Final MND).

## 2.0 RESPONSE TO COMMENTS

~~"During the~~The Bell Ranch project site preliminary wetland field assessment, delineation states that 0.230,097 acres of potentially jurisdictional waters of the U.S. were observed exist on-site (see Figure 3.3-1). ~~This assessment does not constitute a determinant level wetland delineation, and does not meet the Minimum Standards for Acceptance of Preliminary Wetland Delineations set forth by the U.S. Army Corps of Engineers.~~

Wetlands mapped on-site consist of seasonal wetlands (0.120,067 acres), ~~seasonal wetland swales (0.02 acres), and seeps/other waters (0.050,030 acres).~~ Seasonal wetlands are ephemeral wet areas where runoff accumulates within low-lying areas and/or adjacent to watercourses. These may occur as basins or linear features. The vegetative composition of the seasonal wetlands on-site is primarily comprised on non-native wetland generalist plants as well as native annual species. These include Italian ryegrass (*Lolium multiflorum*) and Mediterranean barley (*Hordeum marinum*). ~~Seasonal wetland swales are shallow, ephemeral wet areas that convey water between larger drainages or other wetland/water features during storm events. They usually occur as linear wetland features. Seeps are areas of seasonal groundwater discharge that supports hydrophytic plant species.~~

Other waters mapped on-site ~~include~~ consist of an ephemeral drainage (0.040,030 acres). Ephemeral drainages are linear features that provide a conduit to flow during storm events. In general, these drainages exhibit bed-and-bank characteristics and are largely un-vegetated due to the depth and scouring effects of flowing water. Occasionally however, some hydrophytic vegetation is present along the upper edges, and in areas where sediment accumulation provides suitable substrate for plant establishment. ~~A map of these features is provided in Appendix C of this MND."~~

The first complete paragraph on page 3-52 of the Bell Ranch Draft MND is revised as follows:

"Bell Ranch is identified in the BLHSP EIR as containing a seasonal wetland. Based on the ~~preliminary assessment~~ wetland delineation conducted by ECORP in ~~April 2004~~ March 2005 and currently under review by the Corps of Engineers, there are approximately 0.230,097 acres of seasonal wetland ~~swale, seeps, and seasonal wetlands~~ and other waters on the proposed project site (see **Table 3.3-3**). The Corps has not yet verified this wetland delineation. Implementation of the project would result in the loss of wetlands or discharge of materials into waters of the United States. The Corps, CDFG and El Dorado County have a "no net loss" policy for jurisdictional features and avoidance of impacts is recommended; without avoidance and proper management of on-site wetlands. Impacts to wetlands are considered a significant adverse impact unless mitigation is incorporated."

## 2.0 RESPONSE TO COMMENTS

Table 3.3-3 on page 3-53 of the Bell Ranch Draft MND is revised to reflect the wetlands acreages from the wetland delineation as follows:

**"TABLE 3.3-3  
COMMUNITY/HABITAT TYPES AND ACREAGES PRESENT AND PROPOSED FOR IMPACT  
AT THE BELL RANCH PROJECT**

Community/ Habitat Types	Acres Present
Annual Grasslands	27
Blue Oak Savannah Woodland	66.82
<b>Potential Corps Jurisdictional Waters of the US</b>	
Wetland swales	0.02 acres
<del>Seeps</del> Other Waters	0.050.030 acres
Seasonal Wetlands	0.120.067 acres
<b>Total Potential Jurisdictional Features</b>	<b>0.230.097 acres</b>

Source: ECORPS and El Dorado County, 2004/2005

**Response 2-5:** The commentor states that they disagree with El Dorado Hills Fire Department's requirement to replace the hammer head turnaround for 'K' Court with a cul-de-sac bulb turnaround. El Dorado County Department of Transportation (DOT) staff have determined that the proposed hammerhead turnaround for 'K' Court is consistent with County design standards and the requirement to modify the hammerhead turnaround has been deleted from the mitigation measure. This change has been accepted by the El Dorado Hills Fire Department.

**"MM 3.12.1:** The applicant shall comply with the following in order to provide the project with adequate fire and emergency medical services protection:

- The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
- This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this develop shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department.



## 2.0 RESPONSE TO COMMENTS

- To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
- In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.
- All streets within the project shall be constructed in accordance with El Dorado County and Fire Department requirements.
- ~~The turnaround for 'K' Court is a hammer head. This type of turnaround is not acceptable to the Fire Department and shall be changed to a cut-de-sac bulb turnaround."~~

**Response 2-6:** The commenter states their disagreement with references to the area west of Bell Ranch lots 3 through 13 as open space and with the Fire Department's requirement (Bell Ranch Draft MND mitigation measure 3.12.1) to provide an access roadway to those lots. The final bullet of Bell Ranch Draft MND mitigation measure 3.12.1 has been deleted because it was determined by El Dorado Hills Fire Department that the lots west of the project site have separate access and do not require access off Morrison Road.

**"MM 3.12.1:** The applicant shall comply with the following in order to provide the project with adequate fire and emergency medical services protection:

- The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
- This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this develop shall not exceed 500 feet. The exact location

## **2.0 RESPONSE TO COMMENTS**

---

of each hydrant shall be determined by the Fire Department.

- To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
- In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.
- All streets within the project shall be constructed in accordance with El Dorado County and Fire Department requirements.
- ~~The turnaround for 'K' Court is a hammer head. This type of turnaround is not acceptable to the Fire Department and shall be changed to a cul-de-sac bulb turnaround.~~
- The open space Lot 'K' between the two developments has no access for emergency personnel and equipment to suppress a wildland fire within this area. The applicant shall be required to provide not less than three all-weather access roadways into this area in accordance with Fire Department requirements.
- The lots that back up to Wildland Open Space shall be required to use non-combustible type fencing.
- During any phase of construction, this development shall be required to provide two independent, non-obstructed points of access.
- The driveways serving this project shall be designed to a maximum of 15 percent grade as required by the Uniform Fire Code.
- The applicant shall develop and implement a Wildland Fire Safe Plan that is approved by the Fire Department.
- This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway.

## 2.0 RESPONSE TO COMMENTS

---

- The construction of Morrison Road shall be completed prior to the start of any type of construction within this development.
- ~~This development shall provide an all-weather access roadway designed in accordance with Fire Department requirements that provides access to the open space to the west of Lots three through 13.~~

Timing/Implementation: Prior to issuance of building permits.

Enforcement/Monitoring: El Dorado County Building Department and El Dorado Hill Fire Department."

**Response 2-7:** The commentor confirms that the water supply for Bell Ranch is Sly Park Reservoir. See Response 1-1.

**Response 2-8:** The commentor relates that EID has determined that it is not feasible to provide recycled water for landscape irrigation to the Bell Ranch project and requests that Bell Ranch Draft MND mitigation measure 3.5.2 be removed. Per EID, recycled water service will not be required for the project (Cooper, 2005). See Response 1-9.

## 2.0 RESPONSE TO COMMENTS

### Letter 3



Civil Engineering & Land Surveying  
3233 Menlo Circle  
Rancho Cordova, CA 95742  
(916) 838-0919 / FAX 838-2479

COOPER, THORNE & ASSOCIATES, INC.

April 12, 2005

Mr. Steven D. Hust, Principal Planner  
El Dorado County Planning Department  
2850 Fairlane Court  
Placerville, CA 95667

RE: BELL RANCH DRAFT MITIGATED NEGATIVE DECLARATION

Dear Mr. Hust:

The following responses address LAFCO comments regarding the Bell Ranch Mitigated Negative Declaration, as expressed in the March 30, 2005 letter from Roseanne Chamberlain, Executive Officer of LAFCO.

#### 3.15

##### Water

1. The proposed project is in the Western Region of EID. Water service will be provided from the existing Bass Lake Tanks, which are supplied from the Gold Hill Intertie. The source of water is Sty Park Reservoir. 3-1
2. The entire Bell Ranch project will be served from a new hydro-pneumatic system and/or booster pump station, to be installed by the Developer and located at the Bass Lake Tank site. There will be no direct connection to the Gold Hill Intertie, or to other existing water lines. Elements of the proposed hydro-pneumatic system and/or booster pump station are shown on Exhibit A. These facilities will be sized to also serve areas adjacent to Bell Ranch. 3-2  

Construction of the hydro-pneumatic system and/or booster pump station, to the satisfaction of EID, is required prior to issuance of building permits.
3. Fire flow demands will be met by the hydro-pneumatic system and/or booster pump station, in adherence to criteria established by the El Dorado Hills Fire Department. 3-3
4. Under terms of the June 2002 Settlement Agreement through which EID acquired 4.83 acres of Bell Ranch Property for construction of the Bass Lake Tanks, the District guarantees 113 water EDU's to Bell Ranch. 3-4
5. The Bass Lake Tanks are already in place. Environmental impacts associated with these facilities have been mitigated to less-than-significant levels as documented in the *Mitigated Negative* 3-5

David E. Cooper, P.E.

David R. Coarival, P.E.

Ed D. Brown, L.S.

Kevin A. Heaney, L.S.

Letter 3 cont.

Declaration Bass Lake Area Domestic Water Storage Project, prepared by EID, and dated August 2001. 3-5 cont.

Wastewater

1. Bell Ranch is in the Deer Creek Wastewater Treatment Plant (DCWWTP) service area. According to the *Final Updated Wastewater Master Plan* issued by EID in November 2001, the DCWWTP secondary treatment system is adequate to serve projected population growth through 2025. Expanded tertiary treatment at DCWWTP may be necessary in order to satisfy regulatory requirements and/or to meet increased demands for recycled water. Neither of these factors is affected by development of Bell Ranch. 3-6

3. All sewer flow from Bell Ranch will be treated at the Deer Creek WWTP. Under terms of the June 2002 Settlement Agreement through which EID acquired 4.83 acres of Bell Ranch Property for construction of the Bass Lake Tanks, the District guarantees 113 sewer EDU's to Bell Ranch. Gravity flow from the project into the existing lift station on County Club Drive will utilize existing 8-inch sewer lines in Morrison Road, Tierra de Dios Drive, Country Club Drive, and Bertella Road. These lines and the lift station have adequate capacity to handle project flows. 3-7

Recycled Water

1., 2. Recycled water service within the Bass Lake Hills Specific Plan area is limited by the operating hydraulic grade line of the Bridlewood recycled water storage tank. The area of service is shown on Exhibit B. Bell Ranch is outside the area served by the tank and will not utilize recycled water. 3-8

In addition to the foregoing items that were identified in Ms. Chamberlain's letter, the following corrections to the MND document are needed: 3-9

- Page 3-112, MM 3.15.1: Timing/Implementation: *Prior to issuance of building permit.*
- Page 3-115, MM 3.15.4: Timing/Implementation: *Prior to issuance of building permit.*
- Page 3-115, MM 3.15.5: Timing/Implementation: *Prior to issuance of building permit.*
- Page 3-115, MM 3.15.6: Timing/Implementation: *Prior to issuance of building permit.*

Should you have any questions regarding the above, please do not hesitate contact me at 818-638-0819.

Sincerely,

COOPER, THORNE & ASSOCIATES, INC.

  
David R. Crosarici  
President

DRC/csp

attachments

## **2.0 RESPONSE TO COMMENTS**

---

### **RESPONSE TO COOPER, THORNE & ASSOCIATES, INC. LETTER DATED APRIL 12, 2005**

- Response 3-1:** The commentor provides responses to the March 30, 2005 LAFCo letter in regards to water service and planned infrastructure for the Bell Ranch project. These comments have been incorporated into the above response to the LAFCo letter, were appropriate.
- Response 3-2:** The commentor provides a response to LAFCo's comment 1-1. These comments have been confirmed by EID and included in Response 1-1.
- Response 3-3:** The commentor provides a response to LAFCo's comment 1-2. These comments have been confirmed by EID and included in Response 1-2.
- Response 3-4:** The commentor provides a response to LAFCo's comment 1-3. These comments have been confirmed by EID and included in Response 1-3.
- Response 3-5:** The commentor provides a response to LAFCo's comment 1-4. These comments have been confirmed by EID and included in Response 1-4.
- Response 3-6:** The commentor provides a response to LAFCo's comment 1-5 in regards to wastewater service and planned infrastructure for the Bell Ranch project. Comments noted. See Response 1-7.
- Response 3-7:** The commentor provides a response to LAFCo's comment 1-8. These comments have been confirmed by EID and included in Responses 1-6 and 1-8.
- Response 3-8:** The commentor states that the Bell Ranch project site is located outside the area served by Bridlewood Tank such that recycled water will not be utilized for the project. See Responses 1-9 and 1-10.
- Response 3-9:** The commentor states that the timing and implementation of Bell Ranch MND mitigation measures 3.15.1, 3.15.4, 3.15.5 and 3.15.6 should be changed from "prior to issuance of improvement plans" to "prior to issuance of building permits". These mitigation measures require the construction of water and wastewater infrastructure necessary to service the project. This comment is forwarded to the Planning Commission for consideration.

---

## 3.0 ERRATA

---

### 3.1 ERRATA TO THE MITIGATED NEGATIVE DECLARATION

The following are minor text changes to the Mitigated Negative Declaration as a result of comments on the document. None of the below changes would require the preparation of an EIR, recirculation of the Mitigated Negative Declaration, or are in violation of CEQA. All revised and new figures resulting from comments raised during the public review period or staff-initiated edits are included at the end of this section.

#### SECTION 2.2 BACKGROUND

- The following paragraph is added under the heading "Measure Y" below the General Plan policies referenced on page 2-5 of the Bell Ranch Draft MND. This paragraph has been added to clarify that that the project is not an applicable development project for the purposes of Measure Y, as follows:

"The Bell Ranch Developer Agreement predated the passage of Measure Y such that the project is not an applicable development project for the purposes of Measure Y. However, if the project is approved, the County will conduct a concurrency review per the BLHSP and the BLHSP Public Facilities Financing Plan (PFFP) concerning provision of roadway facilities. It is El Dorado County staff's opinion that provisions in the Specific Plan that require construction of roadway facilities concurrent with new development are more stringent than the requirements of Measure Y."

#### SECTION 3.3 BIOLOGICAL RESOURCES

- The first complete paragraph on page 3-23 of the Bell Ranch Draft MND is revised to reflect the revised wetlands acreages as follows:

"ECORPS (2004) conducted a preliminary wetland assessment for the project site in 2004. A formal delineation of these resources has not been conducted by ECORPS in 2005, although the The wetland delineation report indicated that approximately 0.230,097 acres of wetlands exist on site."

- The first three paragraphs on page 3-44 of the Bell Ranch Draft MND under the heading "Potential Jurisdictional Waters of the U.S." is revised as shown below to reflect the revised wetlands acreages as provided by Ecorp. A new Figure 3.3-1 has been created for the wetland delineation.

"During the ~~The~~ Bell Ranch project site preliminary wetland field assessment, delineation states that 0.230,097 acres of potentially jurisdictional waters of the U.S. were observed exist on-site (see Figure 3.3-1). This assessment does not constitute a determinant level wetland delineation, and does not meet the Minimum Standards for Acceptance of Preliminary Wetland Delineations set forth by the U.S. Army Corps of Engineers.

Wetlands mapped on-site consist of seasonal wetlands (0.120,067 acres), seasonal wetland swales (0.02 acres), and seep/sother waters (0.050,030 acres). Seasonal wetlands are ephemerally wet areas where runoff accumulates within low-lying areas and/or adjacent to watercourses. These may occur as basins or linear features. The vegetative composition of the seasonal wetlands on-site is primarily comprised on non-native wetland generalist plants as well as native annual species. These include Italian ryegrass (*Lolium multiflorum*) and Mediterranean





Wetland ID	Existing Acreage	Wetland ID	Existing Acreage
RW-1	0.825	11.1	0.007
RW-2	0.000	11.2	0.000
RW-3	0.000	11.3	0.000
	11.2		0.000
	11.2		0.000
<b>Total</b>	<b>0.825</b>	<b>Total</b>	<b>0.007</b>

Wetland ID	Wetland Code	Wetland Name	Wetland Area
11.1	SW	SW	0.825
11.2	SW	SW	0.000
11.3	SW	SW	0.000
<b>Total</b>			<b>0.825</b>

A  
N

Wetland Delineation, April 2005

**REVISED FIGURE 3.3-1  
WETLAND DELINEATION**

### 3.0 ERRATA

~~barley (Hordeum marinum). Seasonal wetland swales are shallow, ephemeral wet areas that convey water between larger drainages or other wetland/water features during storm events. They usually occur as linear wetland features. Seeps are areas of seasonal groundwater discharge that supports hydrophytic plant species.~~

Other waters mapped on-site ~~include~~ consist of an ephemeral drainage (0.040.030 acres). Ephemeral drainages are linear features that provide a conduit to flow during storm events. In general, these drainages exhibit bed-and-bank characteristics and are largely un-vegetated due to the depth and scouring effects of flowing water. Occasionally however, some hydrophytic vegetation is present along the upper edges, and in areas where sediment accumulation provides suitable substrate for plant establishment. ~~A map of these features is provided in Appendix C of this MND."~~

- The first complete paragraph on page 3-52 of the Bell Ranch Draft MND is revised as follows:

"Bell Ranch is identified in the BLHSP EIR as containing a seasonal wetland. Based on the ~~preliminary assessment wetland delineation~~ conducted by ECORP in April 2004 March 2005 and currently under review by the Corps of Engineers, there are approximately ~~0.230.097~~ acres of seasonal wetland swale, seeps, and seasonal wetlands ~~and other waters~~ on the proposed project site (see **Table 3.3-3**). The Corps has not yet verified this wetland delineation. Implementation of the project would result in the loss of wetlands or discharge of materials into waters of the United States. The Corps, CDFG and El Dorado County have a "no net loss" policy for jurisdictional features and avoidance of impacts is recommended; without avoidance and proper management of on-site wetlands. Impacts to wetlands are considered a significant adverse impact unless mitigation is incorporated."

- **Table 3.3-3** on page 3-53 of the Bell Ranch Draft MND is revised to reflect the wetlands acreages from the wetland delineation as follows:

**"TABLE 3.3-3  
COMMUNITY/HABITAT TYPES AND ACREAGES PRESENT AND PROPOSED FOR IMPACT  
AT THE BELL RANCH PROJECT**

Community/ Habitat Types	Acres Present
Annual Grasslands	27
Blue Oak Savannah Woodland	66.82
<b>Potential Corps Jurisdictional Waters of the US</b>	
Wetland swales	0.02-acre
<del>Seeps</del> <b>Other Waters</b>	0.050.030 acres
Seasonal Wetlands	0.120.067 acres
<b>Total Potential Jurisdictional Features</b>	<b>0.230.097 acres</b>

*Source: ECORPS and El Dorado County, 20042005"*

- Due to insertion of the wetland delineation as Bell Ranch Draft MND Figure 3.3-1, Bell Ranch Draft MND Figure 3.3-1: Tree Preservation Plan has been renumber to Figure 3.3-2.

Tree Preservation Plan, January 25, 2005

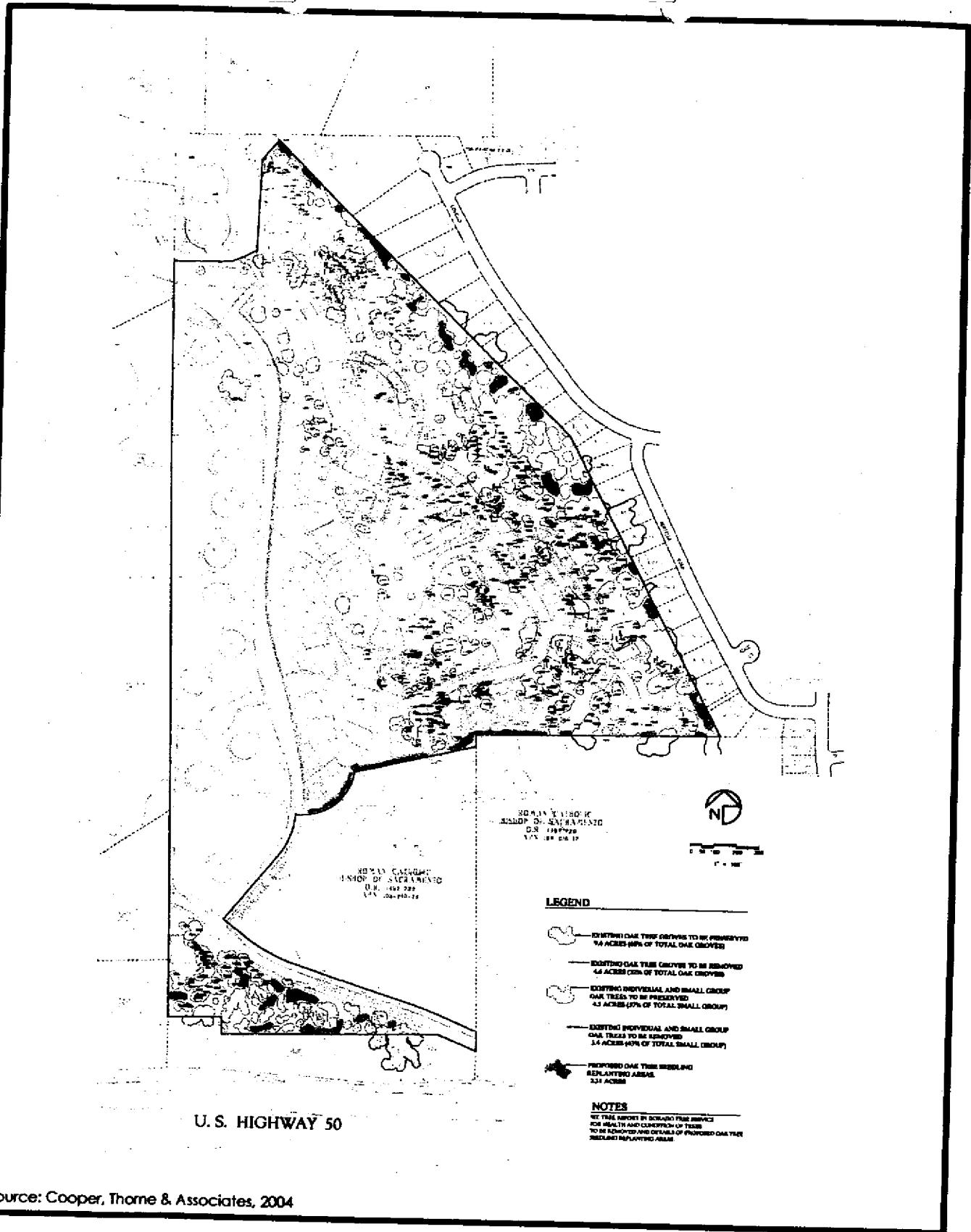


FIGURE 3.3-2  
TREE PRESERVATION PLAN

**SECTION 3.7 HYDROLOGY AND WATER QUALITY**

Bell Ranch Draft MND Figures 3.7-1 and 3.7-2 were revised to reflect the correct figure titles.

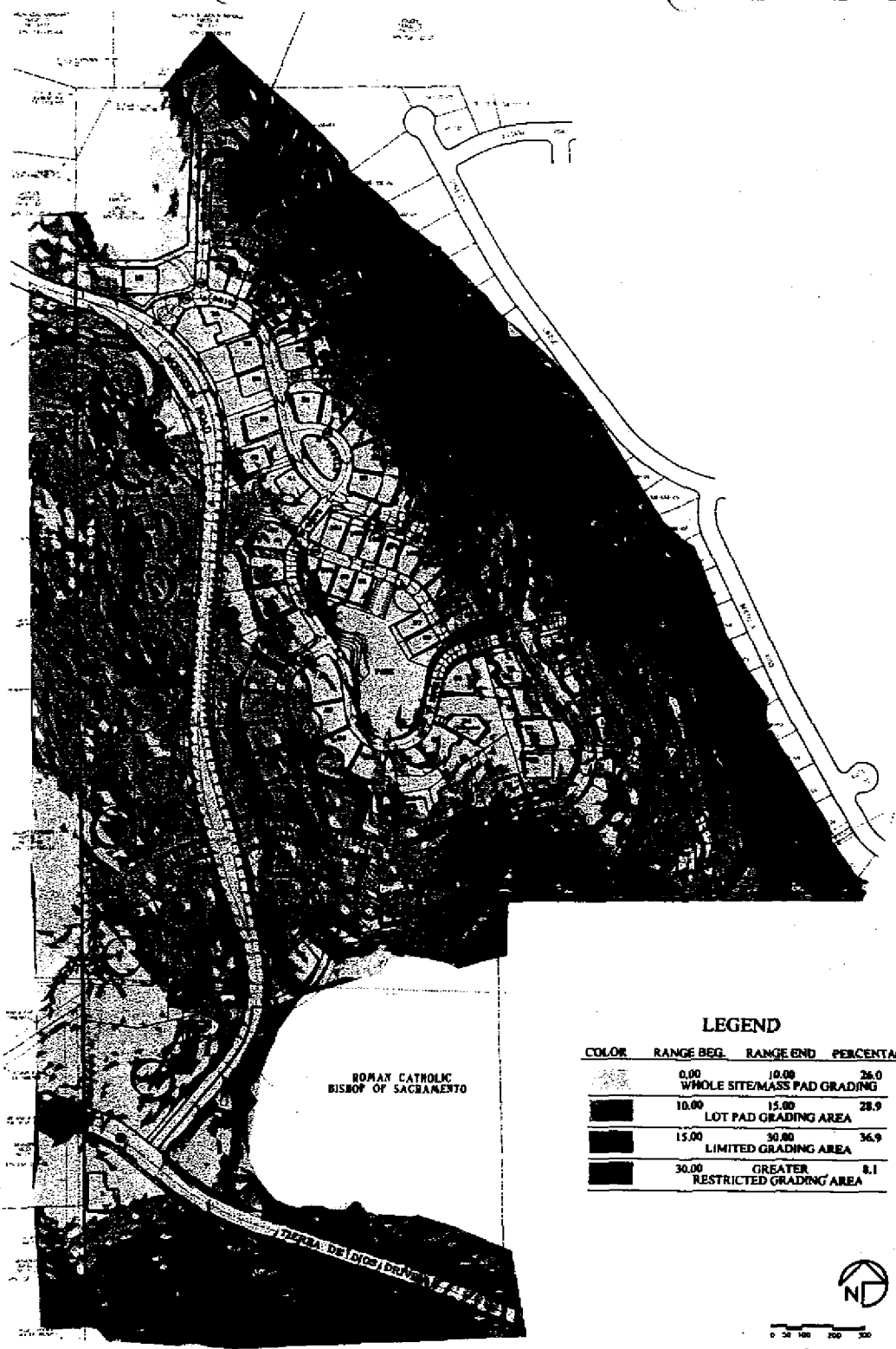
**SECTION 3.12 PUBLIC SERVICES**

- The following changes to Bell Ranch Draft MND mitigation measure 3.12.1 are made to reflect staff-initiated changes. El Dorado County Department of Transportation (DOT) staff have determined that the proposed hammerhead turnaround for 'K' Court is consistent with County design standards. This change has been accepted by the El Dorado Hills Fire Department and the requirement to modify the hammerhead turnaround has been deleted from the mitigation measure. The tenth bullet has been revised to promote consistency with El Dorado County code. The thirteenth bullet has been revised to require construction of Morrison Road to be substantially complete prior to building permit issuance. The final bullet has been deleted because it was determined that the lots west of the project site have separate access and do not require access off Morrison Road. Also requested by El Dorado County DOT, the timing of the mitigation measure has been moved forward to prior to approval of improvement plans.

**"MM 3.12.1:** The applicant shall comply with the following in order to provide the project with adequate fire and emergency medical services protection:

- The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.
- This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this develop shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department.
- To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
- In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.
- All streets within the project shall be constructed in accordance with El Dorado County and Fire Department requirements.

Slope Maps, January 25, 2005



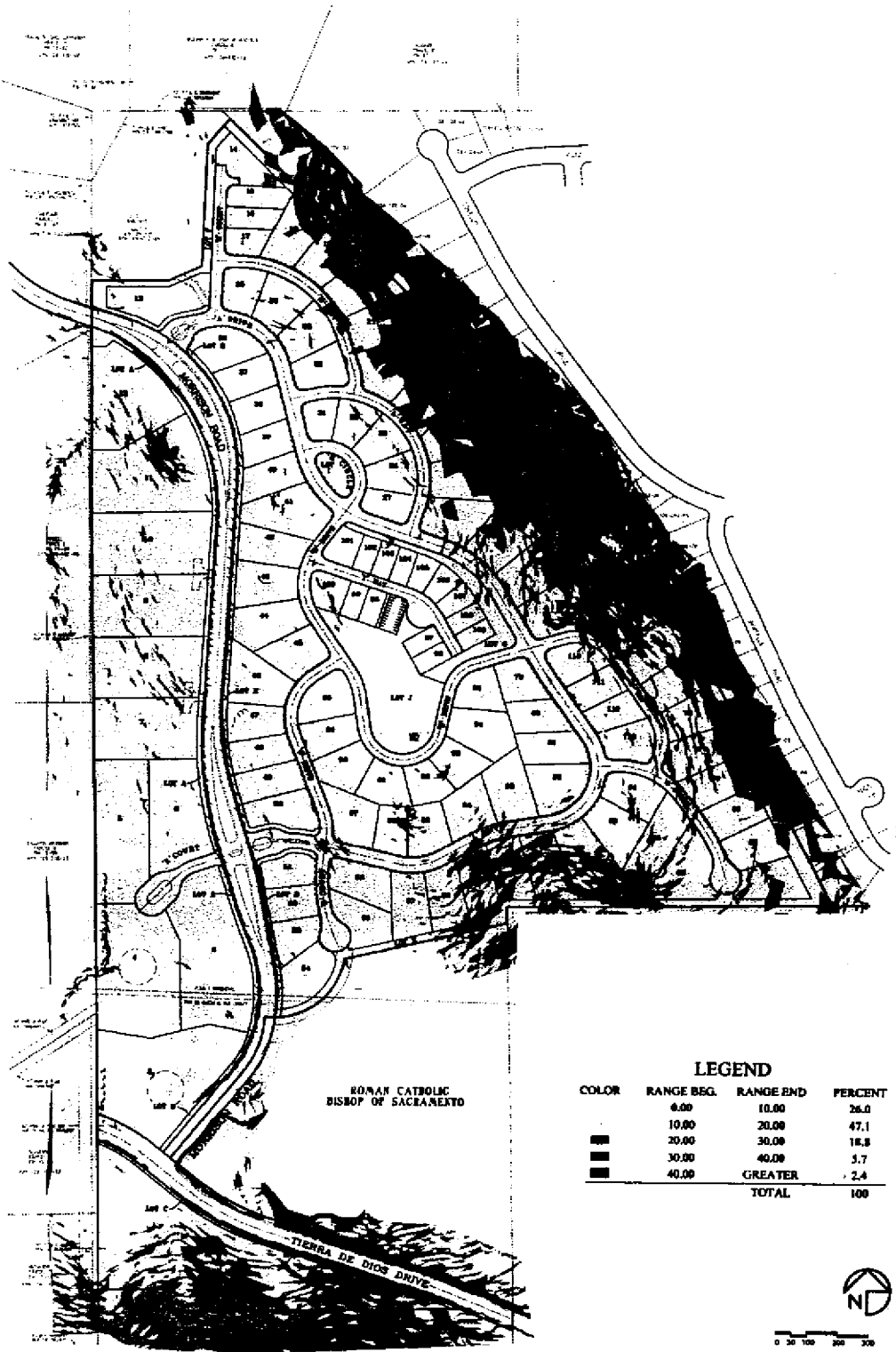
Source: Cooper, Thorne & Associates, 2004

No Scale



FIGURE 3.7-1  
GRADING CONSISTENCY MAP

Grading Consistency Map, January 25, 2005



Source: Cooper, Thorne & Associates, 2004

No Scale



**FIGURE 3.7-2**  
**SLOPE MAP**

### 3.0 ERRATA

---

- ~~The turnaround for 'K' Court is a hammer head. This type of turnaround is not acceptable to the Fire Department and shall be changed to a cul-de-sac bulb turnaround.~~
- The open space Lot 'K' between the two developments has no access for emergency personnel and equipment to suppress a wildland fire within this area. The applicant shall be required to provide not less than three all-weather access roadways into this area in accordance with Fire Department requirements.
- The lots that back up to Wildland Open Space shall be required to use non-combustible type fencing.
- During any phase of construction, this development shall be required to provide two independent, non-obstructed points of access.
- The driveways serving this project shall be designed to a maximum of 15 percent grade as required by the Uniform Fire Codes should be redesigned to be in compliance with the El Dorado County code.
- The applicant shall develop and implement a Wildland Fire Safe Plan that is approved by the Fire Department.
- This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway.
- The construction of Morrison Road shall be completed prior to the start of any type of construction within this development deemed substantially complete by the El Dorado County Department of Transportation prior to issuance of building permits, other than for model homes that shall be left unoccupied.
- ~~This development shall provide an all-weather access roadway designed in accordance with Fire Department requirements that provides access to the open space to the west of Lots three through 13.~~

Timing/Implementation: ~~Prior to issuance of building permits~~approval of improvement plans (except for final bulleted item).

Enforcement/Monitoring: El Dorado County Building Department and El Dorado Hill Fire Department."

### SECTION 3.14 TRANSPORTATION AND TRAFFIC

- The discussion under the heading "Measure Y" on page 3-106 of the Bell Ranch Draft MND has been revised to clarify that that the project is not an applicable development project for the purposes of Measure Y, as follows:

"Measure Y requires supporting infrastructure (that is, roads) to be in place prior to or concurrent with development. The measure also requires traffic impact fees paid by developers to fully pay

for road capacity improvements necessary to mitigate all direct and cumulative traffic impacts from new development. Under Measure Y, County tax revenues cannot be used to fund road improvements to mitigate traffic impacts of new development unless approved by the voters. This concept is built into the 1996 General Plan, the pending 2004 General Plan, the BLHSP and BLHSP PFFP.

~~This concept is built into the 1996 General Plan, the pending 2004 General Plan, the BLHSP and BLHSP PFFP. The Bell Ranch Developer Agreement predated the passage of Measure Y such that the project is not an applicable development project for the purposes of Measure Y. However, it is El Dorado County staff's opinion that provisions in the BLHSP that require construction of roadway facilities concurrent with initial development are more stringent than the requirements of Measure Y. One of the stated goals of the BLHSP is that major infrastructure improvements in the plan area are to be constructed concurrent with initial development. The BLHSP PFFP requires major components of the planned infrastructure to be financed and constructed with the approval of 300 or less housing units out of the total allowed 1,458 housing units. As discussed in Section 2.3, Project Characteristics, of this MND, the project would be required to implement the PFFP Phase 1A improvements. If the project is approved, the County will conduct a concurrency review per the BLHSP and the BLHSP PFFP concerning provision of roadway facilities. The critical mass and associated development/infrastructure phasing concept discussed in the PFFP is expected to exceed the requirements of Measure Y. Therefore, impacts are considered less than significant."~~

### SECTION 3.15 UTILITIES AND SERVICE SYSTEMS

- The second paragraph under Impact 3.15a: Wastewater and Water Treatment Facilities on Page 3-111 of the Bell Ranch Draft MND is revised as follows to clarify water service for the project:

~~"No wastewater treatment impacts were identified in the EIR that conflicted with applicable Central Valley RWQCB requirements or standards. There is an 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time (Cooper, 2004); therefore, the proposed facilities (interim and long-term) would fully accommodate the sewer flows anticipated from the proposed development. EID has indicated in a Facility Improvement Letter stated that as part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks, EID has reserved 113 EDU's of water and sewer connection from existing supplies and capacity for the Bell Ranch project (Cooper, 2004 and 2005). water may be available for the proposed project; however, water supply is determined on a first come, first served basis. This impact is considered less than significant."~~

- The last paragraph on page 3-111 of the Bell Ranch Draft MND has been revised as follows:

~~"The Board determined water impacts to be significant and unavoidable and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measure K01 and K02 of the BLHSP EIR. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, the following Mitigation Measures are proposed, which are revisions to those previously adopted measures, made applicable to this project."~~



### 3.0 ERRATA

---

- The first through third paragraphs under the heading "Wastewater" on pages 3-109 and 3-110 of the Bell Ranch Draft MND provide a description wastewater service in the project area and are revised as described below to clarify which WWTP would service the project. Please note that project-specific descriptions of wastewater facilities and service are addressed under impacts 3.15b and 3.15e of the Bell Ranch Draft MND.

~~"The Bell Ranch project site is located within the Deer Creek WWTP service area. EID issued its Final Updated Wastewater Master Plan (UWWMP) in November 2001. The UWWMP includes estimates of existing and projected wastewater flows from the area served by EID's sewer collection system. The UWWMP also projects wastewater treatment needs for the EID service area through 2025 and identifies system expansions and upgrades needed to meet projected increases in wastewater flows. The UWWMP concludes that a number of system improvements (including improvements to lift stations, and sewer pipelines) will be needed to handle future population and employment growth, and the capacity of the Deer Creek WWTP will need to be expanded to improve tertiary treatment based on future recycling demands and anticipated regulatory requirements. The UWWMP also concludes that the Deer Creek WWTP's secondary treatment system is adequate to serve projected population growth through 2025. The UWWMP study determined that the capacity of the El Dorado Hills WWTP's secondary treatment system needs to be enlarged to handle growth after 2015, and its tertiary system also needs to be enlarged to supply increasing demands for recycled water and to meet anticipated regulatory changes. EID also plans to prepare CEQA documentation for its UWWMP and for necessary wastewater infrastructure improvements that will be needed to accommodate the growth associated with the El Dorado County General Plan (El Dorado County, 2003).~~

EID adopted its most recent Recycled Water Master Plan in January 2003. Use of recycled water helps reduce the amount of wastewater that needs to be discharged.

EID performs wastewater collection and treatment through AD3 facilities, future planned facilities and existing Deer Creek collection lines. EID allows "buy-ins" to its AD3 wastewater facilities. The Specific Plan contains the service boundary that separates the Deer Creek service area from the El Dorado Hill service area. The off-site collection facilities may require some limited upgrades, more specifically an 8-inch collection line, approximately 1,000 feet, in County Club Drive that may require upgrading. ~~An 18-inch sewer trunk main identified by the Serrano South Uplands Master Plan will provide sewer outfall service for the El Dorado Hills service area properties. It will service the Specific Plan with wastewater collection and treatment service for properties west of the service boundary. Properties west of the service boundary will be required to buy-in to AD3 for sewer service (BLHSP PFFP, page 47).~~

EID has expanded both the El Dorado Hills and Deer Creek wastewater treatment plants from 1.6 MGD and 2.5 MGD to 3.0 MGD and 3.6 MGD, respectively. Ultimate expansion for planning purposes caps the treatment plants at 8.6 MGD and 10.8 MGD, respectively. The Specific Plan, at buildout, is expected to contribute 0.437 MGD. As a result, payment of FCCs and AD3 buy-ins will provide the financing for all necessary off-site improvements for the collection and treatment of wastewater within the Specific Plan (BLHSP PFFP, page 47)."

- The discussion under the heading "3.15b: Construction/Expansion of Wastewater Treatment Facilities" on page 3-111 of the Bell Ranch Draft MND is revised as follows to clarify water facilities for the project:

"3.15b: Construction/Expansion of Water and Wastewater Treatment Facilities

EID has identified and commenced construction of a multi-phased project that provides the necessary infrastructure expansion for water service to the Bell Ranch project as described below:

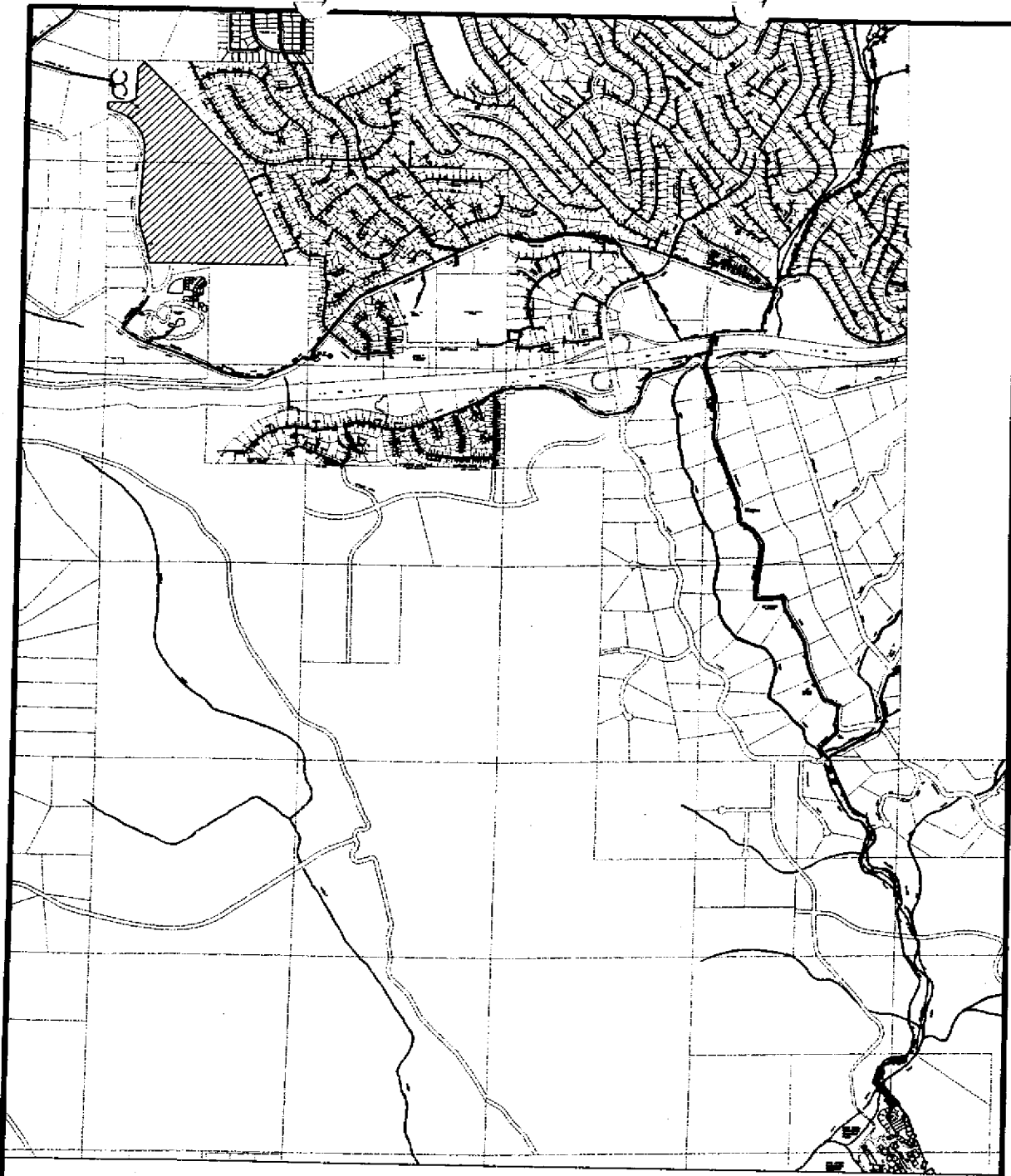
- o Phase 1 is complete and in service. Under this phase, the first of two 4-MG tanks and 12-inch onsite piping was constructed under EID Work Order 8904.
- o Phase 2 is complete and in service. Under this phase, a 36-inch, 30-inch and 18-inch water lines was construction in Hollow Oak Road, from the tank site to the existing Bass Lake Road.
- o Phase 3 is complete under Work Order 9600 and in service. This phase provided a 24-inch water line extension from the end of Phase 2 improvements to the Gold Hill Intertie in Serrano Parkway.
- o Phase 4 is a pressure reducing station in Bass Lake Road included in Work Order 9600. The Pressure Reducing Station is expected to be online at the beginning of May 2005. No significant environmental effects associated with construction of the pressure reducing station would be anticipated because the station is located within the roadway.
- o Phase 5 is complete and in service. In this phase, the second Bass Lake storage tank was constructed under Work Order 8904 (EID, 2005).

EID has completed ~~one~~ construction of both of the two Bass Lake Water Storage Tanks. The high water surface elevation of these tanks is 1,474 feet. Service directly from the tanks would only be available for land below elevation 1,330 feet, in order to obtain a desirable pressure of 50 psi. In order to receive water service for this project, it will be necessary to install a new hydro-pneumatic pump station at the tank site. The entire project will need to be served from this pump station. ~~The Current fire hydrants in Morrison Road may not supply the required fire flow for the immediate area (Cooper, 2004).~~ EID has constructed the necessary infrastructure for a hydro-pneumatic system to be located at the tank site. These improvements provide 12-inch water line stub-outs to the south and west of the tank site.

~~An 8-inch water line is located near the Holy Trinity Church to the south, at the intersection of Morrison Road and Bell Ranch Road. The proposed water system is shown in Figure 3.15-1. There are also adjacent lands that must be served by the pumped system and these areas need to be identified in the sizing of the station (Cooper, 2004).~~

The existing 8-inch sewer line in Bertella Road and the 8-inch sewer line in Morrison Road have adequate capacity to service the project. Wastewater infrastructure that would service the Bell Ranch project is shown in Figure 3.15-1a and described below. The infrastructure described below is currently in place and would not require any improvements or expansions to accommodate flows from the Bell Ranch project. Construction of an extension to these facilities would be necessary for Bell Ranch to receive wastewater service.

Wastewater from the project would flow into the 8-inch sewer lines within Morrison and Bertella roads. From Morrison Road, wastewater would flow south connecting with an 8-inch line within Country Club Drive and would flow east to the Bar J lift station. From the 8-inch line in Bertella Road, wastewater from the project would flow south connecting with an 8-inch line within El Norte Road then would flow southwest to the Bar J lift station. From the Bar J lift station, project wastewater would flow east first through a 6-inch force main, then through an 8-inch gravity line and then through an 18-inch gravity line all within Country Club Drive. Near Cambridge Road, the 18-inch line separates from Country Club Drive and connects with a 24-inch pipe that travels



**El Dorado Irrigation District  
System Map**

**WARNING:** For schematic purposes only.  
Exact pipe location must be  
field verified.

**DATE:** April 15, 2005  
**Bell Ranch**

**APN:** 108-010-045

**SYS. No.:** 102-2

—○— SEWERLINE



Wastewater System, April 2005

Source: El Dorado Irrigation District, 2005

**FIGURE 3.15.1A  
WASTEWATER SYSTEM**

### 3.0 ERRATA

---

southeast toward Highway 50. The 24-inch pipe converts to an 18-inch line under Highway 50 then converts to a 24-inch pipe on the south side of the highway. The 24-inch pipe travels south along Cameron Road then crosses under Flying C Road. On the south side of Flying C Road, the pipe converts to a 36-inch pipe that flows southeast along the east side of Deer Creek. Where Deer Creek and Old Mill Creek converge, the 36-inch pipe travels under Deer Creek to the west side of Deer Creek. The 36-inch pipe then flows south then southwest along the alignment of Deer Creek until it splits into two 20-inch siphons and into the Deer Creek WWTP (Yasutake, 2005).

The Board determined water and wastewater impacts to be less than significant for the BLHSP with implementation of mitigation measure K01 and K02 of the BLHSP EIR. To ensure, however, that the mitigation measures adopted for the Specific Plan are carried out at this project level, the following Mitigation Measures are proposed, which are revisions to those previously adopted measures, made applicable to this project."

- Bell Ranch Draft MND mitigation measure 3.15.2 has been deleted as a result of EID's determination that recycled water service and infrastructure construction would not be required of the project.

~~"MM 3.15.2: The project shall use recycled water for landscape irrigation. The new Bridlewood Tank to the north of the project site will need to be utilized for recycled water for the project. Service directly from the tank would only be available for land below elevation 1,280 feet in order to obtain a desirable pressure of 50 psi. A pump station will be required to deliver the desired flow rate and pressure to the areas that are above 1,280 feet. The project may require other extensions of the recycled water system to receive services. This shall be addressed in the Facility Plan Report (FPR).~~

~~The following items shall be submitted to EID for review and approval prior to provision of recycled water:~~

~~1) Non-Residential Sites:~~

- ~~a. A User Reclamation Plan (URP) prepared in accordance with the Recycled Water On-site Design and Construction Standards, and~~
- ~~b. On-site recycled water landscape plans submitted with improvement plans.~~

~~2) Residential Sites:~~

- ~~a. An Engineer's Report as described in California Code of Regulations, Title 22. EID will work with the developer in obtaining State of California, Department of Health Services approval of the Engineer's Report; and~~
- ~~b. On-site recycled water landscape plans submitted for each individual home lot or standard plans to be used with production homes.~~

~~Timing/implementation: Prior to approval of Improvement Plans.~~

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."

- Bell Ranch Draft MND mitigation measure 3.15.3 has been revised as follows to reflect EID's determination that recycled water service would not be required of the project.

**"MM 3.15.32:** The applicant shall submit two copies of a Facility Plan Report (FPR) and appropriate fees to El Dorado Irrigation District for review and approval. The FPR shall address the expansion of the water, ~~recycled water~~ and sewer facilities and the specific fire flow requirements for all phases of the project.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."

- Bell Ranch Draft MND mitigation measures 3.15.4, 3.15.5 and 3.15.6 have been renumbered because mitigation measure 3.15.2 was deleted.

**"MM 3.15.43:** There is an existing 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time. In order to receive service from this line, an extension of adequate size shall be constructed.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District.

**MM 3.15.54:** Proposed water lines, sewer lines and related facilities shall be located within an easement accessible by conventional maintenance vehicles. When the water lines or sewer lines are within streets, they shall be located within the paved section of the roadway. No structures shall be permitted within the easements of any existing or proposed facilities. EID must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District.

**MM 3.15.65:** Easements for any new EID facilities constructed by the project shall be granted to EID prior to EID approval of water and/or sewer improvement plans, whether onsite or offsite. Due to either nonexistent or prescriptive easements for some older facilities, any existing onsite EID facilities that will remain in place after the development of this property must also have an easement granted to EID.

Timing/Implementation: Prior to approval of Improvement Plans.

Enforcement/Monitoring: El Dorado County and El Dorado Irrigation District."

### **3.0 ERRATA**

---

- The following revisions are made to the third paragraph on Bell Ranch Draft MND page 3-117 under the heading "3.15d: Water Supply":

"As stated in the BLHSP PFFP, in order to receive water service, participation in the construction of facilities paid for by the El Dorado Hills supplemental connection fee is necessary. If needed facilities are not in place ahead of development, affected land owners will be required to construct the required facilities and receive reimbursement credits from EID. EID has indicated that water is available for the proposed project. As part of the June 2002 Settlement Agreement to acquire the property for the Bass Lake Tanks, EID reserved 113 EDUs of water and sewer connections from existing supplies/capacity for the Bell Ranch project (Cooper, 2004). EID has also identified the location of the existing facilities that may be available to the project. The Bell Ranch project would be served from existing supplies delivered from the Sly Park Reservoir through the Gold Hill Intertie and the Bass Lake Tanks. Therefore, this impact is considered less than significant."

---

## **4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

---

### 4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15074(d), requires public agencies, as part of the adoption of a mitigated negative declaration, to adopt a reporting and monitoring program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Bell Ranch project. The MMRP is intended to be used by County staff, project contractors, and mitigation monitoring personnel during implementation of the project.

The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, and reporting to County staff. The MMRP will consist of the components described below.

### 4.2 COMPLIANCE CHECKLIST

**Table 4.0-1** contains a compliance-monitoring checklist that provides a synopsis of all adopted mitigation measures, a suggested monitoring action, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

### 4.3 FIELD MONITORING OF MITIGATION MEASURE IMPLEMENTATION

During construction of the project facilities, El Dorado County's designated construction inspector will be responsible for monitoring the implementation of mitigation measures. The inspector will report to the El Dorado County Planning Department, and will be thoroughly familiar with all plans and requirements of the project. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. Aided by **Table 4.0-1**, the inspector will typically be responsible for the following activities:

- On-site, day to day monitoring of construction activities;
- Reviewing construction plans to ensure conformance with adopted mitigation measures;
- Ensuring contractor knowledge of and compliance with all appropriate conditions of project approval;
- Evaluating the adequacy of construction impact mitigation measures, and proposing improvements to the contractors and County staff;
- Requiring correction of activities that violate project mitigation measures, or that represent unsafe or dangerous conditions. The inspector shall have the ability and authority to secure compliance with the conditions or standards through El Dorado County, if necessary;
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project mitigation measures, or unsafe or dangerous conditions. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in



## **4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

---

consultation with the construction representative and the El Dorado County Department of Transportation;

- Maintaining prompt and regular communication with County staff;
- Obtaining assistance as necessary from technical experts such as archaeologists and wildlife biologists to develop site-specific procedures for implementing the mitigation measures adopted by the County for the project. For example, it may be necessary at times for a wildlife biologist to work in the field with the inspector and construction contractor to explicitly identify and mark areas to be avoided during construction; and
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

### **4.4 PLAN CHECK**

Many mitigation measures will be monitored via plan check during project implementation. County staff will be responsible for monitoring plan check mitigation measures.

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

**TABLE 4.0-1  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
<b>3.2 Air Quality</b>				
<b>MM 3.2.1</b> (Bell Ranch MND)	<p>The applicant shall ensure that its construction contracts include the following dust control measure:</p> <ul style="list-style-type: none"> <li>▪ Pre-wet work area and immediately follow with fine spray application on the immediate area being worked to eliminate visible dust to the greatest extent possible. Enough water should be applied to prevent visible emissions from crossing the project boundaries.</li> <li>▪ Keep material transfers of stockpiles of loose material adequately wet, and sealed by an approved palliative or covered with conditions warrant;</li> <li>▪ Limit construction vehicle speed at the work site to 15 miles per hour or less;</li> <li>▪ Wash equipment down before moving from the property onto a paved public road;</li> <li>▪ Revegetate all disturbed areas as rapidly as possible; and</li> <li>▪ Adhere to all elements of this plan throughout the duration of the construction activity.</li> </ul>	<i>During construction activities</i>	<i>El Dorado County APCD</i>	<i>To be incorporated into construction contracts</i>
<b>MM 3.2.2</b> (Bell Ranch MND)	<p>Prior to any construction or earthworks, each contractor shall submit a list of all diesel equipment to be used during construction to the El Dorado County Air Pollution Control District (El Dorado County APCD) for review and approval. The project applicant shall ensure that toxics best available control technology (T-BACT) is applied to reduce emissions of Toxic Air Contaminant (TAC) from off-road diesel equipment used during project construction. T-BACT is defined as the use of 1996 or later model year engines in</p>	<i>Review plans for compliance</i>	<i>El Dorado County APCD</i>	<i>To be incorporated into construction contracts</i>

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
	all diesel equipment. Consequently, the project applicant must ensure that all diesel powered equipment used on-site during construction is equipped with engines of 1996 or later model year.			
<b>MM 3.2.3</b> (Bell Ranch MND)	<p>Prior to approval of the final map, the applicant shall provide development feature information to demonstrate to the satisfaction of El Dorado County APCD that the project will not exceed the El Dorado County APCD ROG operational significance threshold of 82 lbs/day. These development features may include, but are not limited to, the following:</p> <p>1) Use of only natural gas/LPG fireplaces, pellet stoves or EPA-Certified Phase II wood-burning fireplaces or stoves within the project. Prohibition of conventional open-hearth fireplaces.</p> <p>2) Prohibition of open burning of trash, leaves, vegetation or other material within the project.</p>	<i>Review development features for compliance</i>	<i>El Dorado County AQMD</i>	<i>Prior to final map approval</i>
<b>MM G01</b> (BLHSP EIR)	Sprinkling of graded or similarly exposed areas will be performed at least twice a day during construction. EPA estimates indicate that this action can reduce dust emissions by up to 50% (EPA450/3-74-036a:1974).	<i>Monitor construction activities for compliance</i>	<i>DOT engineering staff</i>	<i>During construction</i>
<b>MM G02</b> (BLHSP EIR)	Consistent with County Ordinance 3983, grading will not be permitted during periods of high winds.	<i>Monitor construction activities</i>	<i>DOT engineering staff</i>	<i>During construction</i>
<b>MM G03</b> (BLHSP EIR)	In order to mitigate potentially adverse impacts to air quality, projects within the Bass Lake study area will be required to demonstrate compliance with the requirements of the El Dorado County Air Quality Attainment Plan.	<i>Review plans for compliance</i>	<i>Planning Department staff</i>	<i>Prior to approval of improvement plans</i>
<b>MM G04</b> (BLHSP EIR)	Individual projects will provide turnout lane(s), bus stop shelters, or other infrastructure necessary to facilitate extension of transit services to the study area. The location, number, and design of these facilities will be established based on consultation with RT and the El Dorado County Department of Transportation. The required facilities will be identified on tentative maps and	<i>Review plans for compliance</i>	<i>Planning staff and DOT engineering staff</i>	<i>Prior to approval of improvement plans</i>

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
Identified as conditions of approval of the various projects.				
<b>3.3 Biological Resources</b>				
<b>MM 3.3.1</b> <b>(Bell Ranch MND)</b> If construction is expected to occur during the nesting season (February-August) for raptors and (March to August) for songbirds, the applicant shall submit to the El Dorado County Planning Department a pre-construction raptor survey to determine if any active nests occur on the project site. The survey shall be conducted by a qualified biologist no more than 30 days prior to the initiation of construction. If nests are found and considered to be active, construction activities shall not occur within 500 feet of the nests until the young have fledged or until a biologist determines that the nests are no longer active. If construction activities are proposed to occur during non-breeding season (August-January) for raptors and (August to February) for songbirds, a survey for raptors is not required and no further studies are necessary.	<i>Review survey and monitor construction activities for compliance</i>	El Dorado County Planning Department	<i>Prior to any site disturbance</i>	
<b>MM 3.3.2</b> <b>(Bell Ranch MND)</b> The applicant shall submit to the El Dorado County Planning Department a burrowing owl survey conducted no more than 30 days prior to the onset of construction. Burrowing owls can be present during all times of the year in California, so this survey is recommended regardless of the time construction activities occur.  If active burrows are located during the preconstruction survey, a 250-foot buffer zone shall be established around each burrow until the young have fledged and are able to exit the burrow. If occupied burrows are found without nesting activity or active burrows are found after the young have fledged, or if development commences after the breeding season (typically February-August), passive relocation of the birds shall be performed. Passive relocation involves installing a one-way door at the burrow entrance, which encourages the owls to move from the occupied burrow. CDFG shall be consulted for guidelines for passive relocation of any owls found onsite. Mitigation acreage may be required for project impacts that result in impacts to active owl burrows and foraging habitat. CDFG	<i>Review survey and monitor construction activities for compliance</i>	El Dorado County Planning Department	<i>Prior to any site disturbance</i>	

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
<p>recommends 6.5 acres of foraging habitat be preserved for each active burrow impacted by project activities.</p> <p>These mitigation measures would only apply in the event that active owl burrows were encountered during the preconstruction survey.</p>				
<p><b>MM 3.3.3</b> (Bell Ranch MND)</p> <p>A qualified biologist shall conduct a focused survey for western spadefoot toad during the breeding season (January-May). If the species is identified, measures will be taken to protect it during breeding and to conduct removal of soil and ground during the time of year when this species is active mobile enough to escape harm.</p>	<p><i>Review survey and monitor during construction</i></p>	<p><i>El Dorado County Planning Department</i></p>	<p><i>Prior to initiation of site disturbance and all construction activities in grassland areas</i></p>	
<p><b>MM 3.3.4</b> (Bell Ranch MND)</p> <p>A preconstruction survey by a qualified biologist shall be conducted prior to construction activities to determine the presence of absence of roosting bats. If the survey does not identify the presence of these species onsite, no further mitigation is required.</p> <p>However, if roosts occupied by special status bat species are identified within the construction area, the bats shall be safely flushed from the sites where roosting habitat is planned to be remove prior to the maternity roosting periods.</p>	<p><i>Review survey and monitor during construction</i></p>	<p><i>El Dorado County</i></p>	<p><i>Prior to any site disturbance</i></p>	
<p><b>MM 3.3.5<sup>1</sup></b> (Bell Ranch MND)</p> <p>The Applicant shall retain qualified personnel approved by the County to perform a formal wetland delineation following published Corps guidelines to establish actual acreage of potential impacts to jurisdictional wetlands and other Waters of the United States. This delineation shall then be submitted to the Corps for verification. This measure is in accordance with County policy 7.3.3.1.</p>	<p><i>Consult with Corps to determine compliance</i></p>	<p><i>El Dorado County Planning Department</i></p>	<p><i>Prior to initiation of site disturbance and all construction activities</i></p>	
<p><b>MM 3.3.6</b> (Bell Ranch)</p> <p>If impacts to "waters of the U. S." are not avoidable, and on-site preservation is not possible, then habitat compensation shall be required at a 1:1 impact: preservation ratio. This measure is in accordance with</p>	<p><i>Consult with Corps and project proponent to determine compliance</i></p>	<p><i>El Dorado County Planning Department</i></p>	<p><i>Prior to initiation of site disturbance and</i></p>	

<sup>1</sup> Mitigation measures 3.3.5 through 3.3.7 supersede mitigation measure F03 from the Bass Lake Road Study Area Program EIR and Addendum.

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure		Implementation and Monitoring Action	Enforcement/Monitoring Agency	Timing	Mitigation Completed
MND)	County policy 7.3.3.2.			<i>all construction activities</i>	
MM 3.3.7 (Bell Ranch MND)	In order to comply with federal regulations regarding impacts to "waters of the United States" (as defined in the Clean Water Act Section 404) the Applicant shall comply with required Army Corps of Engineers Section 404 permit conditions including maintenance of minimum protective buffer/set back areas surrounding wetlands. A mitigation and monitoring plan shall be required that will identify impacts on all jurisdictional features and mitigation measures that will be implemented to achieve the "no net loss" policy. Evidence of compliance shall be submitted to El Dorado County prior to site disturbance.	<i>Consult with Corps to determine compliance</i>	<i>El Dorado County Planning Department</i>	<i>Prior to initiation of site disturbance and all construction activities</i>	
MM 3.3.8 (Bell Ranch MND)	The Applicant shall also comply with required Section 1602 Streambed Alteration Agreement issued by CDFG for projects that substantially divert, obstruct natural flow or substantially change the bed, channel, or bank of river, stream, or lake designated by CDFG. Evidence of compliance shall be submitted to El Dorado County prior to site disturbance.	<i>Consult with CDFG to determine compliance</i>	<i>El Dorado County Planning Department</i>	<i>Prior to initiation of site disturbance and all construction activities</i>	
MM 3.3.9 <sup>2</sup> (Bell Ranch MND)	The project applicant shall mitigate for the removal of 298 native oak trees 6-inches dbh or larger by planting 596 replacement trees on site using a two to one mitigation ratio, as recommended in the CTA arborist report. Acorn seedlings shall be planted in areas of open space or landscape easements on site, as shown on the Tree Preservation Plan map for the Bell Ranch project. The following Tree Replacement Mitigation Guidelines shall be implemented, as described in the CTA arborist report:  <ul style="list-style-type: none"> <li>• Re-seed with quality acorns harvested from the various species within the general area where the mitigation is to be performed. If it is not possible to collect acorns on</li> </ul>	<i>Review project plans for compliance and monitor during construction</i>	<i>El Dorado County Planning Department</i>	<i>Prior to project plan approval, and during and following construction</i>	

<sup>2</sup> Mitigation measures 3.3.9 and 3.3.10 supersede mitigation measure F01 of the Bass Lake Road Study Area Program EIR and Addendum.

**4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
<p>site then they must be purchased from a wholesale distributor such as the CDF nursery in Davis, California. Seeds must be ordered a year in advance.</p> <ul style="list-style-type: none"> <li>• Each planting site will be prepared and receive five acorns. Each site will include a protective device to discourage damage from birds, rodents, and deer brows. This device must remain in place for the first two years after planting. No more than one inch of organic mulch will be spread over the soil surface within the fenced enclosure. No organic except natural humus that may contain Mycorrhiza will be allowed inside the protective device.</li> <li>• An application for an approved pre-emergent for weed control will be necessary once the groups have been planted and the cones are in place. No pre-emergent can be used inside the cones. Future weed control will be determined on as needed basis.</li> <li>• The planting will be done in groups of ten to thirty planting sites of mixed species. Environments where only valley oaks can grow will be the only exception to planting a mix of species. Each planting site within the group must not be closer than six feet to any adjacent site. To promote normal root development, no irrigating or fertilizing will be allowed. Commercial Mycorrhiza is okay.</li> <li>• When the tree's crown emerges from the top of the cone it will be necessary to spray it at least three times a season to control deer brows. The first application shall be made when the foliage is over fifty percent developed. Reapply if there has been heavy rain. The year after the foliage has emerged from the protective cone it must be pulled. Arrangements shall be made in the contract for the disposal of these devices. This is a good time to thin out the weaker trees if more than one</li> </ul>				

**4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
<p>seedling survives.</p> <ul style="list-style-type: none"> <li>• The tree replacement mitigation shall comply with General Plan Policy 7.4.4.4 regarding canopy coverage standards.</li> <li>• As an alternative to acorn planting as described above, the project proponent may mitigate for tree loss by reverting to the measures identified in the Bass Lake Hills Specific Plan or preservation of existing offsite oak woodlands, or a combination of both.</li> <li>• The tree replacement mitigation guidelines shall include maintenance and inspection of tree replanting areas, including a schedule for inspection and maintenance over a five-year period and an annual reporting program to the County on the progress of the mitigation. Tree plantings shall have a minimum survival rate of 80 percent at the end of the five-year monitoring and maintenance period. If this rate is not met, the program will require replanting and continual monitoring for five additional years.</li> </ul>				

2

2



**4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

	<b>Mitigation Measure</b>	<b>Implementation and Monitoring Action</b>	<b>Enforcement/ Monitoring Agency</b>	<b>Timing</b>	<b>Mitigation Completed</b>
<p><b>MM 3.3.10</b> <b>(Bell Ranch MND)</b></p>	<p>The project applicant shall comply with the following tree protection requirements and employ best management practices and measures (established in the BLHSP and County ordinances and design and improvement standards) to minimize for potential impacts to any protected trees. In addition, the following measures shall be incorporated into the project improvement plans and implemented during construction:</p> <ul style="list-style-type: none"> <li>• Construction within 50 feet of an oak tree requires placement of a 6 foot tall temporary fence (chain link, ski fencing, or other suitable material) to serve as a physical barrier to alert construction workers and property owns of the protection. The fencing shall be installed one foot outside the dripline of any single tree or grove (defined as the root protection zone or RPZ) that is within 50 feet of any potential construction. A sign shall be posted which describes the trees as protected and subject to forfeiture of a security deposit.</li> <li>• Perform a field inspection prior to site grading to ensure that trees to be preserved, in areas affected by grading activities, are fenced at the dripline.</li> <li>• Any activities within the RPZ, either above or below the soil surface, must be supervised by a qualified arborist.</li> <li>• Underground utilities installed within the temporary fence must be hand dug so not to cut any roots over 2". Roots 2" or larger must be cleanly cut with pruning equipment. While working around roots they must be protected by wrapping with foam or burlap to prevent drying.</li> <li>• Only dead or weakened branches may be removed by a licensed arborist.</li> <li>• Oak tree foliage must be hosed off weekly during</li> </ul>	<p><i>Review project plans for compliance and monitor during construction</i></p>	<p><i>El Dorado County Planning Department</i></p>	<p><i>Prior to project plan approval, and during construction</i></p>	

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed	
<p>construction.</p> <ul style="list-style-type: none"> <li>• If root loss is extensive it may be necessary to establish a supplemental irrigation program to provide the tree with adequate moisture during summer months.</li> <li>• Avoid stripping of the surface of natural organic layers if it is not necessary. If the natural organic layer has been removed within the RPZ, each injured tree must have three to four inches of quality organic mulch reinstalled.</li> <li>• If it is necessary to cross over the RPZ of a protected tree with a vehicle a road can be constructed using eight to ten inches of shredded mulch as a driving surface. When the project is completed that material can be used as a top dressing where needed.</li> <li>• Loss or damage of protected trees shall be compensated for in the form of a cash settlement based on the diameter at diameter breast height (DBH) of the lost or damaged tree in the dollar amounts specified on page 9 of the CTA Arborists Report for the Bell Ranch project.</li> <li>• A replacement bond of \$40,000.00 (equal to twice the compensation rate for a 40-inch diameter tree) for the cost of current mitigation work or remedial tree care shall be submitted to El Dorado County.</li> </ul>					
<b>3.4 Cultural Resources</b>					
<b>MM N02</b> <b>(BLHSP EIR)</b>	Construction workers will be informed of the archaeological history of the study area, and instructed as to the types of materials and/or artifacts which would be indicative of sensitive sites. If any presently unknown artifacts or sites are discovered during construction, all work in the immediate vicinity of the find should be halted until a qualified archaeologist has an opportunity to evaluate the	<i>Monitor construction activities for compliance</i>	<i>Planning Department staff</i>	<i>During construction activities</i>	

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
find and recommend appropriate action.				
<b>3.5 Geology and Soils</b>				
<b>MM D01 (BLHSP EIR)</b>	Each project within the Bass Lake Road study area will retain a geotechnical engineer to identify soil constraints and make recommendations regarding development of roadways, foundations, and other structures. Each engineer will be required to submit documentation of field evaluation of facilities to the Department of Transportation.	<i>Review plans for compliance</i>	<i>DOT Engineering Staff</i>	<i>To be submitted with subdivision improvement plans</i>
<b>MM D02 (BLHSP EIR)</b>	El Dorado County requires that structures be constructed to the standards of the Uniform Building Code (UBC). The required strength of these structures is intended to be adequate to withstand a seismic event of the probable maximum expectable intensity predicted for the region. To this end, the County requires that each structure be approved prior to construction and inspected prior to occupation.	<i>Review plans for compliance</i>	<i>El Dorado County Building Department Staff</i>	<i>Prior to approval of Building Permits</i>
<b>MM D03 (BLHSP EIR)</b>	The necessity for blasting will be determined on a project-by-project basis. In instances where blasting is required, the affected project will obtain appropriate permits from the County. Blasting will be performed only by professional firms in accordance with pertinent regulations.	<i>Review blasting permit application, if necessary</i>	<i>DOT Engineering Staff</i>	<i>Issuance of appropriate permits, if blasting is proposed</i>
<b>MM D04 (BLHSP EIR)</b>	Prior to development, each project will submit a grading plan to the El Dorado County Planning Department and Department of Transportation for review and approval.	<i>Review plans for compliance</i>	<i>DOT Engineering Staff and Planning Department Staff</i>	<i>Prior to approval of Grading Plans</i>
<b>MM D05 (BLHSP EIR)</b>	Grading, trenching, and similar construction activities which involve disturbance of the soil will be performed in accordance with the provisions of County Ordinance 3983. The ordinance specifies that such activities be restricted to the summer season and/or extended periods of dry weather. Filter berms, sandbags or hay bale barriers, culvert risers, filter inlets, and/or sediment detention basins will be utilized as appropriate during construction to protect the area waterways from siltation and debris. All intermittent streams will be appropriately vegetated or lined	<i>Field inspection to ensure installation of required erosion control measures</i>	<i>DOT Engineering Staff</i>	<i>Prior to approval of Improvement Plans</i>

**4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed	
with coarse rock.					
<b>3.7 Hydrology and Water Quality</b>					
<b>MM 3.7.1<sup>3</sup></b> <b>(Bell Ranch MND)</b>	<p>The applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices (BMPs) to contain pollutants on the project site and prevent pollutants from entering stormwater runoff. BMPs shall be incorporated into the construction contract documents. The BMPs shall include, but not be limited to, the following measures:</p> <ol style="list-style-type: none"> <li>1. Drop Inlet Protection               <ol style="list-style-type: none"> <li>A. Straw Bales</li> <li>B. Gravel Traps and Filters</li> <li>C. Burlap Filter</li> <li>D. Sandbag Protection</li> <li>E. Fencing</li> </ol> </li> <li>2. Erosion Control Measures               <ol style="list-style-type: none"> <li>A. Vegetative Stabilization                   <ol style="list-style-type: none"> <li>i. Seeding and Planting</li> <li>ii. Mulching</li> <li>iii. Grassy Swales and Buffers</li> </ol> </li> <li>B. Physical Stabilization                   <ol style="list-style-type: none"> <li>i. Jute Netting</li> <li>ii. Dust Control</li> <li>iii. Outlet Protection</li> </ol> </li> </ol> </li> <li>3. Sediment Control Measures               <ol style="list-style-type: none"> <li>A. Silt Fence</li> <li>B. Check Dams</li> <li>C. Straw Bale Barrier</li> <li>D. Sandbag Barrier</li> <li>E. Rock Filter Berm</li> <li>F. Sediment Traps</li> <li>G. Sediment Basins</li> </ol> </li> <li>4. Oil and grease separators to control driveway and parking lots contaminants</li> <li>5. Labeling of storm drain inlets to educate the public of the adverse impacts associated with dumping</li> </ol>	<p><i>Monitor BMPs during construction activities</i></p>	<p><i>El Dorado County</i></p>	<p><i>Prior to approval of improvement plans</i></p>	

<sup>3</sup> Mitigation measure 3.7.1 supersedes mitigation measure E03 from the Bass Lake Road Study Area Program EIR and Addendum.

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
	<p>contaminants in receiving waters.</p> <p>6. Efficient irrigation systems (i.e. automatic irrigation systems) installed in landscaped areas to minimize irrigation runoff from areas and maximize the water that will reach plant roots.</p> <p>Grading, excavation and site preparation activities shall be timed, to the maximum extent possible, to avoid the rainy season or months with high precipitation levels if possible.</p>			
<p><b>MM 3.7.2</b> (Bell Ranch MND)</p>	<p>Demonstration of compliance with the provisions of the Central Valley Regional Water Quality Control Board's (Central Valley RWQCB's) General Permit for Dewatering and Other Low Threat Discharges to Surface Waters shall be required for dewatering activities. Compliance shall include preparation of a monitoring and reporting program and implementation of Best Management Practices (BMPs) associated with the dewatering activities.</p>	<p><i>Receive copy of permit</i></p>	<p><i>El Dorado County; Central Valley Regional Water Quality Control Board</i></p>	<p><i>Prior to issuance of grading permits</i></p>
<p><b>MM 3.7.3</b> (Bell Ranch MND)</p>	<p>Subdivision improvements shall include rough grading of driveways for all lots with street cuts or fills along the frontage of six feet or more difference in elevation, or as found necessary for reasonable access by the County Engineer. Construction of said driveways shall conform to the Design and Improvements Standards Manual and the Encroachment Ordinance.</p>	<p><i>Review plans for compliance</i></p>	<p><i>El Dorado County Department of Transportation</i></p>	<p><i>Prior to approval of grading plans</i></p>
<p><b>MM 3.7.4</b> (Bell Ranch MND)</p>	<p>Grading plans shall be prepared in substantial conformance with the preliminary grading plans submitted for Bell Ranch and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation for review and approval. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.</p>	<p><i>Review plans for compliance</i></p>	<p><i>El Dorado County Resource Conservation District and El Dorado County Department of Transportation</i></p>	<p><i>Prior to approval of grading plans</i></p>
<p><b>MM 3.7.5</b></p>	<p>The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource</p>	<p><i>Review plans for</i></p>	<p><i>El Dorado County Resource</i></p>	<p><i>Prior to approval</i></p>

## **6.0 REPORT PREPARATION**

---

### **6.1 REFERENCES**

Cooper, Brian. Senior Engineer, Development Services, El Dorado Irrigation District. Personal Correspondence. April 8, 2005 and April 21, 2005.

Sullivan, Tim. Project Engineer, El Dorado Irrigation District. Personal Correspondence. April 12, 2005.

Yasutake, Marcus. Assistant Engineer, Development Services. El Dorado Irrigation District. Personal Correspondence. April 15, 2005.

---

6.0 REPORT PREPARATION

---

**5.0 DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the Project. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed Project **MAY** have a significant effect(s) on the environment, but one or more of such significant effects: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, all potentially significant effects: (a) have been analyzed and adequately addressed in an earlier EIR pursuant to applicable standards, or (b) have been avoided or mitigated pursuant to that earlier EIR, previous Mitigated Negative Declaration, or this Subsequent Mitigated Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project.

Signature Steven D. Hust Date: 4/22/05

Printed name: Steven Hust



---

5.0 DETERMINATION

---

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

<b>3.15 Utilities and Service Systems</b>					
<b>MM 3.15.1<sup>5</sup></b> (Bell Ranch MND)	The Bell Ranch project shall construct water infrastructure to service the project to the satisfaction the EID.	<i>Consult with EID to determine compliance</i>	<i>El Dorado County and El Dorado Irrigation District</i>	<i>Prior to approval of Improvement Plans</i>	
<b>MM 3.15.2</b> (Bell Ranch MND)	The applicant shall submit two copies of a Facility Plan Report (FPR) and appropriate fees to El Dorado Irrigation District for review and approval. The FPR shall address the expansion of the water and sewer facilities and the specific fire flow requirements for all phases of the project.	<i>Consult with EID to determine compliance</i>	<i>El Dorado County and El Dorado Irrigation District</i>	<i>Prior to approval of Improvement Plans</i>	
<b>MM 3.15.3</b> (Bell Ranch MND)	There is an existing 8-inch sewer line in Bertella Road in the Bar J subdivision and there is an existing 8-inch sewer line in Morrison Road. This sewer line has adequate capacity at this time. In order to receive service from this line, an extension of adequate size shall be constructed.	<i>Consult with EID to determine compliance</i>	<i>El Dorado County and El Dorado Irrigation District</i>	<i>Prior to approval of Improvement Plans</i>	
<b>MM 3.15.4</b> (Bell Ranch MND)	Proposed water lines, sewer lines and related facilities shall be located within an easement accessible by conventional maintenance vehicles. When the water lines or sewer lines are within streets, they shall be located within the paved section of the roadway. No structures shall be permitted within the easements of any existing or proposed facilities. EID must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.	<i>Consult with EID to determine compliance</i>	<i>El Dorado County and El Dorado Irrigation District</i>	<i>Prior to approval of Improvement Plans</i>	
<b>MM 3.15.4</b> (Bell Ranch MND)	Easements for any new EID facilities constructed by the project shall be granted to EID prior to EID approval of water and/or sewer improvement plans, whether onsite of offsite. Due to either nonexistent or prescriptive easements for some older facilities, any existing onsite EID facilities that will remain in place after the development of this property must also have an easement granted to EID.	<i>Consult with EID to determine compliance</i>	<i>El Dorado County and El Dorado Irrigation District</i>	<i>Prior to approval of Improvement Plans</i>	

<sup>5</sup> Mitigation measures 3.15.1 through 3.15.5 superseded mitigation measure K02 from the Bass Lake Road Study Area Program EIR and Addendum.

**4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

<b>Mitigation Measure</b>	<b>Implementation and Monitoring Action</b>	<b>Enforcement/ Monitoring Agency</b>	<b>Timing</b>	<b>Mitigation Completed</b>
<p>shall be required to provide two independent, non-obstructed points of access.</p> <ul style="list-style-type: none"> <li>▪ The driveways serving this project should be redesigned to be in compliance with the El Dorado County code.</li> <li>▪ The applicant shall develop and implement a Wildland Fire Safe Plan that is approved by the Fire Department.</li> <li>▪ This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump section of roadway.</li> <li>▪ The construction of Morrison Road shall be deemed substantially complete by the El Dorado County Department of Transportation prior to issuance of building permits, other than for model homes that shall be left unoccupied.</li> </ul>				

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/Monitoring Agency	Timing	Mitigation Completed
<p>development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.</p> <ul style="list-style-type: none"> <li>▪ This development shall install Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this develop shall not exceed 500 feet. The exact location of each hydrant shall be determined by the Fire Department.</li> <li>▪ To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.</li> <li>▪ In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by El Dorado Hills Fire Department Standard 103.</li> <li>▪ All streets within the project shall be constructed in accordance with El Dorado County and Fire Department requirements.</li> <li>▪ The open space Lot 'K' between the two developments has no access for emergency personnel and equipment to suppress a wildland fire within this area. The applicant shall be required to provide not less than three all-weather access roadways into this area in accordance with Fire Department requirements.</li> <li>▪ The lots that back up to Wildland Open Space shall be required to use non-combustible type fencing.</li> <li>▪ During any phase of construction, this development</li> </ul>				

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
appended hydrologic analysis indication that construction of a detention facility with +40 acre-feet of capacity will provide adequate mitigation to prevent exacerbation of the potential flooding situation created by the substandard channel segment located downstream of the study area.				
<b>3.10 Noise</b>				
<b>MM 3.10.1<sup>4</sup></b> (Bell Ranch MND)	In noise sensitive areas, construction equipment, compressors, and generators, shall be fitted with heavy duty mufflers specifically designed to reduce noise impacts.	<i>Review plans for compliance and monitor during construction</i>	<i>El Dorado County</i>	<i>Include as a note on all grading and improvement plans</i>
<b>MM 3.10.2</b> (Bell Ranch MND)	Construction contractors shall conduct construction activities in such a manner in order to not exceed 70 dB noise levels at residential facades during nighttime construction activities, except where existing noise conditions already exceed 70 dB at residential façade. In those cases, construction activities shall not increase existing noise conditions by more than 5 dB. Nighttime construction is defined as 9:00 p.m. until 7:00 a.m. during the weekdays and 7:00 p.m. to 8:00 a.m. on the weekends. Construction work may occur on the holidays if in compliance with these standards.	<i>Review plans for compliance and monitor during construction</i>	<i>El Dorado County</i>	<i>Include as a note on all grading and improvement plans</i>
<b>3.12 Public Services</b>				
<b>MM 3.12.1</b> (Bell Ranch MND)	<p>The applicant shall comply with the following in order to provide the project with adequate fire and emergency medical services protection:</p> <ul style="list-style-type: none"> <li>• The potable water system for the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gpm with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a single family dwelling 3,600 square feet or less in size. This fire flow rate shall be in excess of the maximum daily consumption rate for this</li> </ul>	<i>Review plans for compliance</i>	<i>El Dorado County Building Department and El Dorado Hills Fire Department</i>	<i>Prior to approval of improvement plans (except for final bulleted item which is due at building permit issuance)</i>

<sup>4</sup> Mitigation measures 3.10.1 and 3.10.2 supersede mitigation measure H01 of the Bass Lake Road Study Area Program EIR and Addendum.

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

	<b>Mitigation Measure</b>	<b>Implementation and Monitoring Action</b>	<b>Enforcement/ Monitoring Agency</b>	<b>Timing</b>	<b>Mitigation Completed</b>
	plan.				
<b>MM 3.7.11</b> <b>(Bell Ranch MND)</b>	Cross lot drainage shall be avoided wherever possible. When cross lot drainage does occur, it shall be contained within dedicated drainage easements. This drainage shall be conveyed via closed conduit of v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway.	<i>Review plans for compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of improvement plans</i>	
<b>MM 3.7.12</b> <b>(Bell Ranch MND)</b>	The applicant shall be required to form a County Service Area Zone of Benefit (ZOB) to fund the drainage facility maintenance and improvement services. The funding mechanism for these services must be established prior to approval of the final map and shall include a provision for future increased funding requirements. It is recommended that a special tax with an escalator clause be used as the funding mechanism.	<i>Consult with project proponent to determine compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of the final map</i>	
<b>MM 3.7.13</b> <b>(Bell Ranch MND)</b>	The final map shall show all drainage easements consistent with the County of El Dorado Drainage Manual, the project final drainage plan, and the project improvement plans.	<i>Review final map for compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of the final map</i>	
<b>MM 3.7.14</b> <b>(Bell Ranch MND)</b>	The applicant shall obtain Irrevocable Offers of Dedication to the County for public drainage purposes, and shall process same through the County, for offsite easement rights across properties subject to the Specific Plan Development Agreement, to the satisfaction of the Department of Transportation, to accommodate any offsite storm water facilities needed to convey concentrated storm water from the project boundary down gradient to an existing established waterway. The applicant shall design and install said offsite stormwater facilities as necessary to the satisfaction of the Department of Transportation.	<i>Consult with project proponent to determine compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of final map</i>	
<b>MM E02</b> <b>(BLHSP EIR)</b>	Each project will provide detention adequate to maintain pre-project flow conditions. Although individual projects in the Bass Lake study area may elect to provide individual detention facilities, it is recommended that a single facility serving the entire study area be constructed. The	<i>Review plans for compliance</i>	<i>DOT Engineering Staff</i>	<i>Prior to approval of improvement plans</i>	

#### 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
(Bell Ranch MND) Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.	<i>compliance</i>	<i>Conservation District and El Dorado County Department of Transportation</i>	<i>of grading plans</i>	
MM 3.7.6 (Bell Ranch MND) Improvement plans shall incorporate protective measures toward existing oak trees pursuant to Volume IV, Design and Improvement Standards Manual, Oak Tree and Wetlands Preservation Requirements and Specifications (County Resolution #199-91).	<i>Review plans for compliance</i>	<i>El Dorado County Resource Conservation District</i>	<i>Prior to approval of grading plans</i>	
MM 3.7.7 (Bell Ranch MND) Erosion control and drainage design from residential areas into the open space areas shall employ natural appearing methods. The use of native plant material is required where revegetation is proposed.	<i>Review plans for compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of improvement plans</i>	
MM 3.7.8 (Bell Ranch MND) The applicant shall construct the detention facilities as identified in the project drainage analysis prior to issuance of building permits. Detention facilities shall be designed in accordance with the County of El Dorado Drainage Manual, including provisions for maintenance and vehicular access.	<i>Review plans for compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of building permits</i>	
MM 3.7.9 (Bell Ranch MND) An irrevocable offer of dedication of drainage easement shall be made for the project detention facilities. A homeowner's agreement and association, or other entity, shall be established in order to provide for ownership in fee title to the detention facility.	<i>Consult with project proponent to determine compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of building permits</i>	
MM 3.7.10 (Bell Ranch MND) A final drainage plan shall be prepared in accordance with County of El Dorado Drainage Manual, subject to review and approval by the Department of Transportation. Drainage facilities shall be designed and shown on the project improvement plans consistent with the final drainage plan, the Bass Lake Hills Specific Plan and the County's Storm Water Management Plan. The developer shall install said drainage facilities with the respective phase of construction, or as specified in the final drainage	<i>Review plans for compliance</i>	<i>El Dorado County Department of Transportation</i>	<i>Prior to approval of improvement plans</i>	

**Subject:** Packet for June 22, 2005

**From:** Roseanne Chamberlain <roseanne@co.el-dorado.ca.us>

**Date:** Mon, 13 Jun 2005 16:38:34 -0700

**To:** Al Manard <amanard@sanjuan.edu>, Gary Costamagna <pnjcosta@jps.net>, Nancy <wyomom@webtv.net>, "Robby Colvin" <robbycolvin@hotmail.com>, tedtahoe@hotmail.com, chagan@d-webb.com, bosthree@co.el-dorado.ca.us, bosone@co.el-dorado.ca.us, bosfour@co.el-dorado.ca.us, floftis@CWnet.com

**CC:** Lafco <lafco@co.el-dorado.ca.us>

The packet for June 22, AGenda Item 4 does not contain all of the County's CEQA documents. The County Planning Department was unable to locate and provide final version CEQA documents for the Bell Ranch project. LAFCO staff included materials which we obtained from the applicant and the Board Clerks's office. Hopefully the Planning Department documents will be provided to us and forwarded to the Commission soon. If possible, we will provide either an email or CD version for your review.

Roseanne



# EL DORADO LAFCO

APPROVED

## LOCAL AGENCY FORMATION COMMISSION

---

---

### RESOLUTION NUMBER L-05-11

Menton/Robinson Reorganization  
LAFCO PROJECT NO.04-12

**WHEREAS**, a petition for the proposed annexation of certain territory to the City of Placerville with concurrent detachment from County Service Area 9 in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq., of the Government Code; and

**WHEREAS**, the Executive Officer has examined the petition and certified that it is sufficient and has accepted the proposal for filing on May 24, 2005; and

**WHEREAS**, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

**WHEREAS**, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

**WHEREAS**, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

**WHEREAS**, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.
2. The territory proposed for reorganization is within the sphere of influence of the City of Placerville and is contiguous to the existing boundary. The reorganization will provide a more logical and orderly boundary.
3. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

4. The reorganization will not have an adverse effect on agriculture and open space lands. While the soils in the reorganization area are potentially suitable for agricultural uses, existing adjacent commercial uses, the presence of municipal services to support development, the parcel size, and the zoning and land use designations on and around the parcel make agricultural uses infeasible.
5. The reorganization will result in a decrease in residential land available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

**NOW, THEREFORE BE IT DETERMINED AND ORDERED** as follows:

Section 1. Said reorganization is approved.

Section 2. The reorganization is assigned the following short form designation:

Menton/Robinson Reorganization  
LAFCO Project No.04-12

Section 3. Said territory includes approximately 4.99 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code §56046.

Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.

Section 6. The reorganization shall be subject to the terms and conditions specified in Exhibit "B", attached and by this reference incorporated herein.

Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.

Section 8. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.

Section 9. The conducting authority proceedings are waived in accordance with Government Code §56663(c).

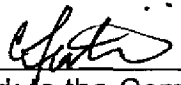
Section 10. The effective date shall be the date of recordation.

Section 11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code §56882.

**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 22, 2005 by the following vote of said Commission.

AYES: DUPRAY, ALLEN, COLVIN, COSTAMAGNA, MANARD, LONG  
NOES: NONE  
ABSTENTIONS: NONE  
ABSENT: PAINE

ATTEST:

  
\_\_\_\_\_  
Clerk to the Commission

  
\_\_\_\_\_  
Chairperson

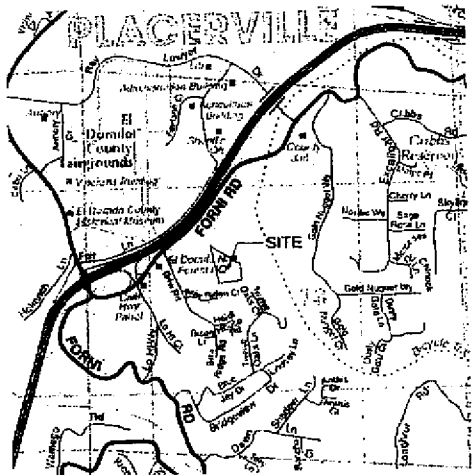
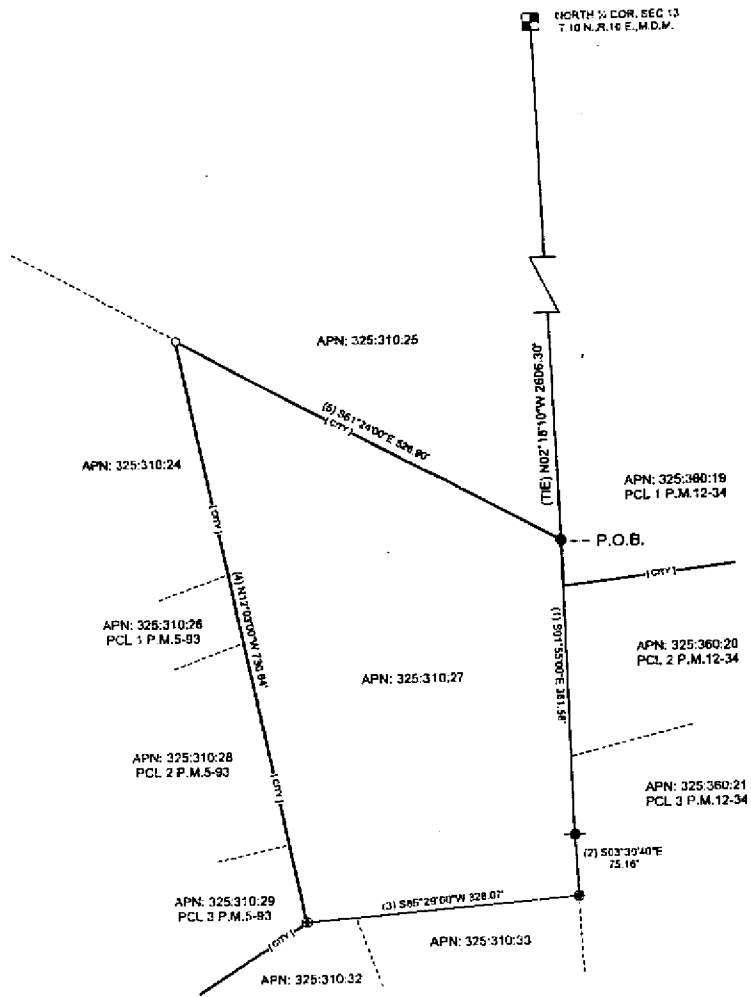
# BOUNDARY MAP L.A.F.C.O. PROJECT 04-12

Menton / Robinson Annexation to City of Placerville

A PORTION OF THE SE¼ OF THE NW¼ & THE NE¼ OF THE SW¼ OF  
SEC. 13, T. 10 N., R. 10 E., M.D.M.  
COUNTY OF EL DORADO ~ STATE OF CALIFORNIA  
JANUARY 2005 ~ SCALE 1" = 100'  
SWEENEY LAND SURVEYING

APPROVED

EXHIBIT A



- LEGEND**
- Computation point (rolling find or set)
  - 1/4" C.I.P. Stamped L.S. 1820 per PM 12-34 & PM 5-33
  - 1/2" I.P. Tagged R.C.E. 14747 per PM 12-34
  - 1/4" C.I.P. Stamped R.C.E. 14747 per PM 12-34
  - As noted per Doc. # 2004-0078731
  - (CITY)--- Existing City boundary

APPROVED BY  
LOCAL AGENCY FORMATION COMMISSION  
EL DORADO COUNTY CA 95667  
DATE: 6/22/05

ATTEST: *[Signature]*  
EXECUTIVE OFFICER

COUNTY SURVEYORS STATEMENT  
THIS EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF  
EQUALIZATION, THE EL DORADO COUNTY RECORDERS OFFICE AND  
CONFORMS TO THE LINES OF ASSESSMENT.  
DATED \_\_\_\_\_

RICHARD L. BRINER PLS 5084  
DEPUTY SURVEYOR  
COUNTY OF EL DORADO  
LICENSE EXPIRES JUNE 30, 2007

SURVEYORS STATEMENT  
THIS EXHIBIT WAS PREPARED  
ON JANUARY 18, 2005.

*[Signature]*  
JAMES R. SWEENEY PLS 3864  
LICENSE EXPIRES JUNE 30, 2006



APPROVED

BOUNDARY DESCRIPTION

EXHIBIT A

L.A.F.C.O. PROJECT 04-12

Menton / Robinson Annexation to the City of Placerville


All that certain real property situated and being in the County of El Dorado, State of California described as follows:

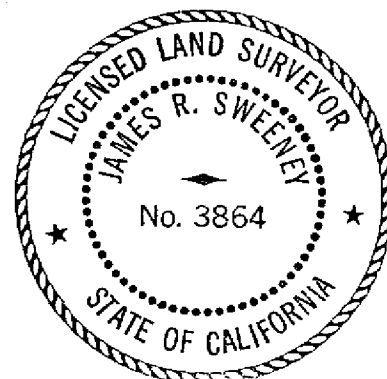
Being all that portion of the Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter of Section 13, Township 10 North, Range 10 East, M.D.M.

More particularly described as follows:

Beginning at the Northeast corner of the property herein described, a 3/4" iron pipe tagged R.C.E. 14747 from which the North quarter corner of said Section 13 bears North 02° 18' 10" East 2606.30 feet; thence from Point of Beginning the following 5 courses:  
(1) South 01° 55' East 361.58 feet to a 3/4" Capped Iron Pipe stamped R.C.E. 14747; thence (2) South 03° 30' 40" East 75.16 feet to a 3/4" Capped Iron Pipe stamped L.S. 1820; thence (3) South 85° 29' West 328.07 feet to a similar pipe; thence (4) North 12° 03' West 730.64 feet; thence (5) South 61° 24' East 526.90 feet, to the True Point of Beginning, the Area being 4.985 Acres, more or less.

This description was prepared by James R. Sweeney, P.L.S. 3864 in February 2005.

  
James R. Sweeney P.L.S. 3864  
License expires June 30, 2006



APPROVED

**Exhibit B**  
**Terms and Conditions of Approval**

Menton/Robinson Reorganization  
LAFCO Project No.04-12

1. 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:
  - (a) shall be subject to the jurisdiction of the City of Placerville, hereafter referred to as the city;
  - (b) shall have the same rights and duties as if the affected territory has been a part of the city upon its original formation;
  - (c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the city, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the city;
  - (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
  - (e) shall be subject to all of the rules, regulations, ordinances of the city as now existing or hereafter amended.
  
2. 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 this resolution.

**AGENDA NO.5  
MENTON/ ROBINSON REORGANIZATION  
LAFCO PROJECT NO. 01-04**

# *Local Agency Formation Commission*

## *STAFF REPORT*

### *Agenda of June 22, 2005*

**AGENDA ITEM 5:   Menton/Robinson Reorganization; LAFCO Project 04-12**

**PROPOSERS:       Gwen Menton and Sandra Robinson, Landowners**

---

#### **DESCRIPTION OF PROJECT**

This proposal includes annexation of APN 325-310-27, consisting of approximately 4.99 acres, to the City of Placerville with concurrent detachment from County Service Area 9.

#### **PURPOSE**

The reorganization is necessary to obtain city services for future commercial development.

#### **LOCATION**

The project is located on Briw Ridge Court near Briw Ridge Road and Forni Road in the Placerville area.

#### **CEQA**

The project is exempt from the provisions of the California Environmental Quality Act under §15061(b)(3) of the California Code of Regulations because it will have no foreseeable significant environmental impacts. The City of Placerville, as lead agency, filed a Notice of Exemption for the project that includes LAFCO's action (attached).

#### **BACKGROUND**

The subject parcel is currently designated MDR (Medium Density Residential) in the 1996 and 2004 County General Plans and is zoned R1A (One-Acre Residential) under the County Zoning Ordinance. The parcel is designated Commercial in the 1989 City General Plan and is pre-zoned Commercial by the city. The parcel currently contains one abandoned single family dwelling with some outbuildings. The landowners seek eventual commercial development although they have not submitted any formal development plans to the county or the city.

According to city staff, the city council has identified the annexation of unincorporated areas capable of supporting commercial development as a high priority (Steve Calfee, Memo 04-05-05). The parcel is already within the boundaries of El Dorado Irrigation District and El Dorado County Fire Protection District and the city indicates it is willing and able to extend city services immediately. The parcel will detach from County Service Area 9 which provides road and drainage maintenance. These services will be transferred to the city.



The County Agricultural Commissioner commented that the majority of the parcel contains choice soils important to agricultural operations and that the property should not be used for development. However, the parcel is contiguous to the city on three sides and is wedged between existing commercial development within the city (see aerial map, attached).

**SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS**

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the following factors:

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Need for organized services, probable future needs	1 Consistent	City services needed for future commercial development.
Ability to serve, level and range of service, time frames, conditions to receive service	2 Consistent	Full range of city services available immediately.
Timely availability of adequate water supply	3 Consistent	Already within EID boundary; adequate supply currently available.
Alternatives to service, other agency boundaries, and local gov't structure	4 Consistent	Territory is pre-zoned; city is logical provider of municipal services to commercial development.
Significant negative service Impacts	5 Consistent	None identified.
Coordination of applications	6 Consistent	Other needed services in place. No nearby proposals.
Present cost/adequacy of governmental services, including public facilities	7 Consistent	City services appear adequate.
Effect of proposal on cost & adequacy of service in area and adjacent areas	8 Consistent	No known effect.

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Effect of alternative courses of action on cost & adequacy of service in area and adjacent areas	9 Consistent	Future development could have negative impacts on city if not annexed (use of roads, other services without sufficient revenues).
Sufficiency of revenues, per capita assessed valuation	10 Consistent	City will receive property tax revenues, development fees, etc. to support services.
Revenue producing territory	11 Consistent	Territory is pre-zoned; city is logical service provider.
56668.3 "best interest"	12 Not applicable	Not applicable to city annexations.
Boundaries: logical, contiguous, not difficult to serve, definite and certain	13 Consistent	Contiguous to city on three sides; boundary is consistent with circulation.
Topography, natural boundaries, drainage basins, land area	14 Consistent	No significant natural features.
Creation of islands, corridors, irregular boundaries	15 Consistent	Contiguous to city on three sides; creates a more orderly boundary.
Conformance to lines of assessment, ownership	16 Consistent	Confirmed by County Assessor and Surveyor.
Spheres of influence	17 Consistent	Within city's sphere of influence.
Effect on adjacent areas, communities of interest	18 Consistent	No known effect.
Information or comments from landowners or owners	19 Consistent	Landowners support reorganization.
Effect on other community services, schools	20 Consistent	No known effect.
Other agency comments, objections	21 Subject to Commission determination.	Ag Commissioner notes choice soils, objects to development.

<b>FACTOR TO CONSIDER</b>	<b>POLICY / STATUTE CONSISTENCY</b>	<b>COMMENT</b>
Fair share of regional housing needs	22 Consistent	County will lose 5 acres of residentially-zoned land; no significant foreseeable effect on ability to meet RHND.
Land use, information relating to existing land use designations	23 Consistent	Designated Commercial in City General Plan; consistent with Commercial pre-zoning.
Population, density, growth, likelihood of growth in, and in adjacent areas, over 10 years	24 Consistent	Will remain uninhabited.
Proximity to other populated areas	25 Consistent	Wedged between two existing commercial areas within city boundary.
Consistency with general plans, specific plans, zoning	26 Consistent	Reorganization is consistent with City General Plan and pre-zoning.
Physical and economic integrity of agriculture lands and open space	27 Subject to Commission determination	County Ag Commissioner notes choice soils and objects to development.
Optional factor: regional growth goals and policies	28 Not applicable	Not applicable.

## **DETERMINATIONS**

The Commission should review the factors summarized above and discussed below, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.
2. The territory proposed for reorganization is within the sphere of influence of the City of Placerville and is contiguous to the existing boundary. The reorganization will provide a more logical and orderly boundary.

3. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
4. The reorganization will not have an adverse effect on agriculture and open space lands. While the soils in the reorganization area are potentially suitable for agricultural uses, existing adjacent commercial uses, the presence of municipal services to support development, the parcel size, and the zoning and land use designations on and around the parcel make agricultural uses infeasible.
5. The reorganization will result in a decrease in residential land available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

### **RECOMMENDATIONS**

Staff recommends that the Commission take the following actions:

1. Adopt Resolution L-05-11 making determinations, adding conditions, and approving the Menton/Robinson Reorganization, LAFCO Project No. 04-12.
2. Waive the conducting authority proceedings subject to Government Code §56663 and local policies.
3. Direct staff to complete the necessary filings and transmittals as required by law.

### **DISCUSSION**

Government Code §56668 and LAFCO Policies require that the review of a reorganization proposal shall consider the following factors:

**(Numbered items 1-6 relate to services)**

1. ***NEED FOR ORGANIZED COMMUNITY SERVICES, PROBABLE FUTURE NEEDS::*** Applicants shall demonstrate the need and/or future need for governmental services and that the proposal is the best alternative to provide service (Policies 3.1.4(b), 6.1.7; §56668(b)).

***RESPONSE:*** The subject parcel is currently designated MDR (Medium Density Residential) in the 1996 and 2004 County General Plans and is zoned R1A (One-Acre Residential) under the County Zoning Ordinance. The site contains one abandoned single family dwelling and some outbuildings.

The landowners anticipate future commercial development although they have not submitted any formal development plans to the county or the city. The parcel is designated Commercial in the 1989 City General Plan and is pre-zoned Commercial by the city.

The parcel is wedged between two existing commercial areas within city boundaries and circulation leads to city roads. The city is the logical provider of high level municipal services necessitated by future commercial growth. Other needed services (water, sewer, fire protection) are already in place to support development.

2. **ABILITY TO SERVE, LEVEL AND RANGE OF SERVICE, TIME FRAMES, CONDITIONS TO RECEIVE SERVICE:** Prior to annexation the applicants and proposed service providers shall demonstrate that the annexing agency(ies) will be capable of providing adequate services which are the subject of the application and shall submit a plan for providing services (Policy 3.3, §56668(j)).

**RESPONSE:** According to city staff, the city council has identified the annexation of unincorporated areas capable of supporting commercial development as a high priority (Steve Calfee, Memo 04-05-05). The plan of service indicates that the city will provide the following services to the subject parcel and to future development: road maintenance, sewer, storm drainage, police, fire protection and emergency (under contract with El Dorado County FPD), city manager/attorney, community development, parks and recreation, and administrative services.

All services are available immediately or concurrently with development of the parcel. Conditions to receive service, if any, would be determined by city staff with review of a development proposal (i.e., construction/expansion of public works infrastructure.) The city has sufficient capacity in its wastewater treatment plant and there is reserve capacity in a 10-inch sewer line located along the northern edge of the parcel. (Please see plan of service, attached.)

The parcel will detach from County Service Area 9 concurrently with annexation to the city. CSA 9 provides road and drainage maintenance and responsibility for provision of these services will be transferred to the city.

3. **TIMELY AVAILABILITY OF ADEQUATE WATER SUPPLY:** The Commission shall consider the timely availability of water supplies adequate for projected needs (§56668(k)).

**RESPONSE:** The subject territory is already within the boundary of El Dorado Irrigation District. The landowners can request a water meter at any time. EID provides water service on a first come, first served basis and does not reserve capacity for unserved parcels within its boundary.

The parcel is located in EID's Western/Eastern Service Area. EID's 2005 Water Resources and Service Reliability Report states that there are 1,572 net available EDUs in this area (net total accounts for contractual commitments.) There appears to be an adequate water supply available to serve the parcel at this time. The status of the water supply availability could change with time depending on when the landowners submitted a development plan to the city.

4. **ALTERNATIVES TO SERVICE, OTHER AGENCY BOUNDARIES, AND LOCAL GOVERNMENT STRUCTURE:** The Commission shall consider alternatives to the proposal, proximity of other agency boundaries and alternative courses of action. Where another agency objects to the proposal, LAFCO will determine the best alternative for service (Policies 3.3.2.2(g), 6.1.3).

**RESPONSE:** El Dorado County is the alternative service provider to the subject parcel. The county has designated and zoned the parcel for residential use. The landowners anticipate future commercial development consistent with the city's general plan and pre-zoning.

The city is the logical provider of high level municipal services to commercial development including road maintenance, sewer, storm drainage, police, fire protection and emergency, parks and recreation, and other services as outlined in the plan of service. Road access to the parcel is by city roads. Future development on this parcel will likely access city services.

5. **SIGNIFICANT NEGATIVE SERVICE IMPACTS:** Services provided to the territory will not result in a significant negative impact on the cost and adequacy of services otherwise provided (Policy 6.2.4, §56668.3(b)).

**RESPONSE:** The city states in the plan of service that it has sufficient capacity to provide the full range of city services to the subject territory once annexed. LAFCO staff did not identify any significant negative service impacts as a result of the proposal.

6. **COORDINATION OF APPLICATIONS:** If a project site can be anticipated to require additional changes of organization in order to provide complete services, the proposal shall be processed as a reorganization (§56475, Policy 3.1.9). Where related changes of organization are expected on adjacent properties, petitioners are encouraged to combine applications and LAFCO may modify boundaries, including the addition of adjacent parcels to encourage orderly boundaries (Policy 3.1.8).

**RESPONSE:** The subject parcel is already within the boundary of El Dorado Irrigation District and El Dorado County FPD. There are no nearby proposals and there are no nearby parcels that appear to need annexation at this time.

**(Numbered items 7-12 relate to cost and revenues)**

7. **PRESENT COST/ADEQUACY OF GOVERNMENTAL SERVICES, INCLUDING PUBLIC FACILITIES:** The Commission shall consider existing governmental services and facilities and the cost and adequacy of such services and facilities (§56668(b), Policy 3.3). If service capacity and/or infrastructure will be expanded, the applicant will submit cost and financing plans (Policy 3.3.2.2).

**RESPONSE:** Existing city services appear adequate, as described in the plan of service.

8. **EFFECT OF PROPOSAL ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider existing and proposed governmental services and facilities, the cost and adequacy of such services and facilities, and probable effect of the proposal on the area and adjacent areas (§56668(b) and Policy 3.3). LAFCO will discourage projects that shift the cost of service and/or service benefits to others or other service areas (Policy 6.1.8).

**RESPONSE:** The city states in the plan of service that it has sufficient capacity to provide the full range of city services to the subject territory once annexed. LAFCO staff did not identify any significant negative impacts on the cost and adequacy of existing city services as a result of the proposal.

9. **EFFECT OF ALTERNATIVE COURSES OF ACTION ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider the cost and adequacy of alternative services and facilities (§56668).

**RESPONSE:** Future development on the parcel could have negative impacts on the city if not annexed. The use of city roads and other services without sufficient revenues to support the cost of providing services could cause negative impacts to existing city services and existing service users. These potential impacts are substantially mitigated by annexation.

10. **SUFFICIENCY OF REVENUES, PER CAPITA ASSESSED VALUATION:** §56668(j)

**RESPONSE:** City services will be funded by property tax revenues, gasoline tax revenues, capital facilities fees, and development fees/permit fees. The city indicates in the plan of service that these revenues are sufficient to support services to future development on the parcel.

11. **REVENUE PRODUCING TERRITORY:** The proposed annexation shall not represent an attempt to annex only revenue-producing territory (Policy 6.1.1).

**RESPONSE:** The parcel is wedged between two existing commercial areas within the city and road access to the parcel is by city roads. The territory is pre-zoned for commercial development and the city is the logical service provider.

12. **"BEST INTEREST:"** The Commission shall consider whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the city/district and within the territory proposed to be annexed to the city/district (§56668.3).

**RESPONSE:** This factor does not apply to city annexations.

**(Numbered items 13-17 relate to boundaries)**

13. **BOUNDARIES: LOGICAL, CONTIGUOUS, NOT DIFFICULT TO SERVE, DEFINITE AND CERTAIN:** The proposed boundary shall be a logical and reasonable expansion and shall not produce areas that are difficult to serve (§56001). Lands to be annexed shall be contiguous (Policy 3.9.3) and should not create irregular boundaries, islands, peninsulas or flags (Policy 3.9.4, §56109). The boundaries of the annexation shall be definite and certain and conform to existing lines of assessment and ownership (Policy 3.9.2, §56668(f)).

**RESPONSE:** The subject parcel is contiguous to the city on three sides and the boundary is consistent with circulation.

14. **TOPOGRAPHY, NATURAL BOUNDARIES, DRAINAGE BASINS, LAND AREA:** Natural boundary lines which may be irregular may be appropriate (Policy 3.9.6). The resulting boundary shall not produce areas that are difficult to serve (Policy 3.9.7).

**RESPONSE:** During a site visit, staff did not identify any significant natural features on the parcel.

15. **CREATION OF IRREGULAR BOUNDARIES:** Islands, peninsulas, "flags", "cherry stems," or pin point contiguity shall be strongly discouraged. The resulting boundary shall not produce areas that are difficult to serve. The Commission shall determine contiguity (Policies 3.9.3, 3.9.4, 3.9.7).

**RESPONSE:** The subject parcel is contiguous to the city on three sides. The proposal creates a more orderly boundary by closing in a wedge surrounded by the city. The boundary is also consistent with circulation.

16. **CONFORMANCE TO LINES OF ASSESSMENT, OWNERSHIP:** The Commission shall modify, condition or disapprove boundaries that are not definite and certain or do not conform to lines of assessment or ownership (Policy 3.9.2).

**RESPONSE:** The reorganization boundary conforms to lines of assessment and ownership as confirmed by the County Assessor and Surveyor.



17. ***SPHERES OF INFLUENCE:*** Commission determinations shall be consistent with the spheres of influence of affected local agencies (Policy 3.9.1).

***RESPONSE:*** The subject parcel is within the city's sphere of influence.

**(Numbered items 18-21 relate to potential effect on others and comments)**

18. ***EFFECT ON ADJACENT AREAS, COMMUNITIES OF INTEREST:*** The Commission shall consider the effect of the proposal and alternative actions on adjacent areas, mutual social and economic interests and on the local governmental structure of the county (§56668(c)).

***RESPONSE:*** Staff did not identify any potential effects on adjacent areas or communities of interest. The parcel is contiguous to the city boundary and development is consistent with surrounding commercial areas.

19. ***INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS:*** The Commission shall consider any information or comments from the landowner or owners.

***RESPONSE:*** The landowners support the reorganization.

20. ***EFFECT ON OTHER COMMUNITY SERVICES, SCHOOLS:*** LAFCO's review of services refers to governmental services whether or not those services are provided by local agencies subject to the Cortese-Knox-Hertzberg Act, and includes public facilities necessary to provide those services.

***RESPONSE:*** Staff did not identify any potential effects on other community services or schools.

21. ***OTHER AGENCY COMMENTS, OBJECTIONS:*** All affected and interested agencies are provided application related material and notified of the proposal and proposed property tax redistribution plan. Comments have been requested and shall be considered (Policy 3.1.4 (I), §56668(i)).

For district annexations and city detachments only, the Commission shall also consider any resolution objecting to the action filed by an affected agency (§56668.3(4)). The Commission must give great weight to any resolution objecting to the action which is filed by a city or a district. The Commission's consideration shall be based only on financial or service related concerns expressed in the protest (§56668.3(5b)).

**RESPONSE:** The following agencies were provided an opportunity to comment on this proposal:

El Dorado County representing CSAs 7, 9, 9 Zone 18, 10, and 10 Zone H  
City of Placerville  
El Dorado County Fire Protection District  
El Dorado Irrigation District  
Los Rios Community College District  
El Dorado Union High School District  
Placerville Union Elementary School District  
El Dorado County Water Agency

The County Agricultural Commissioner submitted a comment noting the presence of choice soils on the property and objecting to development (attached). However, the parcel is wedged between two existing commercial areas within the city and the parcel is pre-zoned for commercial development. The parcel is within the boundary of other municipal service providers (EID, El Dorado County FPD) and is therefore suited for development. See aerial map, attached.

**(Numbered items 22-26 relate to land use, population and planning)**

- 22. FAIR SHARE OF REGIONAL HOUSING NEEDS:** The Commission shall review the extent to which the proposal will assist the receiving entity in achieving its fair share of regional housing needs as determined by the Sacramento Area Council of Governments (SACOG) (§56669(l)).

**RESPONSE:** The reorganization will result in a decrease in residential land available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of the county to adequately accommodate its fair share of those needs.

- 23. LAND USE, INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS:** The Commission shall consider any information relating to existing land use designations (§56669(m)).

**RESPONSE:** The subject parcel is currently designated MDR (Medium Density Residential) in the 1996 and 2004 County General Plans and is zoned R1A (One-Acre Residential) under the County Zoning Ordinance. The parcel is designated Commercial in the 1989 City General Plan and is pre-zoned Commercial by the city.

According to the city's general plan, allowable uses within Commercial designations include professional or business offices, banks, studios, retail sales, eating and drinking establishments, commercial recreation, motels and hotels, retail services (excluding fast food restaurants and automobile sales or service), public and quasi-public uses, and similar and compatible uses.

- 24. POPULATION, DENSITY, GROWTH, LIKELIHOOD OF GROWTH IN AND IN ADJACENT AREAS OVER 10 YEARS:** The Commission will consider information related to current population, projected growth, and number of registered voters and inhabitants in the proposal area.

**RESPONSE:** The parcel is currently uninhabited and will remain uninhabited commercial land.

- 25. PROXIMITY TO OTHER POPULATED AREAS:** The Commission shall consider population and the proximity of other populated areas, growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years (Policy 3.1.4 (a)).

**RESPONSE:** The parcel is contiguous to the City of Placerville with an approximate population of 10,000. Future development of the parcel is consistent with the surrounding urban area.

- 26. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING:** The Commission shall consider the general plans of neighboring governmental entities (Policy 3.1.4(g)).

**RESPONSE:** The reorganization is consistent with the city's general plan and pre-zoning, both of which designate the subject parcel for future commercial development.

- 27. PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURAL LANDS AND OPEN SPACE LANDS:** LAFCO decisions will reflect its legislative responsibility to maximize the retention of prime agricultural land while facilitating the logical and orderly expansion of urban areas (Policy 3.1.4(e), §56016, 56064).

**RESPONSE:** The County Agricultural Commissioner submitted a comment noting the presence of choice soils on the property and objecting to development (attached). The parcel is wedged between two existing commercial areas within the city and the parcel is pre-zoned for commercial development. The parcel is within the boundary of other municipal service providers (EID, El Dorado County FPD) and is therefore suited for development. See aerial map, attached.

- 28. OPTIONAL FACTOR: REGIONAL GROWTH GOALS AND POLICIES:** The Commission may, but is not required to, consider regional growth goals on a regional or sub-regional basis (§56668.5).

**RESPONSE:** Staff contacted both SACOG and the Sierra Planning Organization. Neither agency could provide applicable regional growth goals and policies under this provision for LAFCO consideration.

S:\susan\projects\412StaffReport

Online Viewing

Hard copy of any attachments available upon request.

**RESOLUTION NUMBER L-05-11**

Menton/Robinson Reorganization  
LAFCO PROJECT NO.04-12

**WHEREAS**, a petition for the proposed annexation of certain territory to the City of Placerville with concurrent detachment from County Service Area 9 in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq., of the Government Code; and

**WHEREAS**, the Executive Officer has examined the petition and certified that it is sufficient and has accepted the proposal for filing on May 24, 2005; and

**WHEREAS**, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

**WHEREAS**, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

**WHEREAS**, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

**WHEREAS**, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.
2. The territory proposed for reorganization is within the sphere of influence of the City of Placerville and is contiguous to the existing boundary. The reorganization will provide a more logical and orderly boundary.
3. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

4. The reorganization will not have an adverse effect on agriculture and open space lands. While the soils in the reorganization area are potentially suitable for agricultural uses, existing adjacent commercial uses, the presence of municipal services to support development, the parcel size, and the zoning and land use designations on and around the parcel make agricultural uses infeasible.
5. The reorganization will result in a decrease in residential land available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of the County to adequately accommodate its fair share of those needs.

**NOW, THEREFORE BE IT DETERMINED AND ORDERED** as follows:

Section 1. Said reorganization is approved.

Section 2. The reorganization is assigned the following short form designation:

. Menton/Robinson Reorganization  
LAFCO Project No.04-12

Section 3. Said territory includes approximately 4.99 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code §56046.

Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.

Section 6. The reorganization shall be subject to the terms and conditions specified in Exhibit "B", attached and by this reference incorporated herein.

Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.

Section 8. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.

Section 9. The conducting authority proceedings are waived in accordance with Government Code §56663(c).

Section 10. The effective date shall be the date of recordation.

Section 11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code §56882.

**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 22, 2005 by the following vote of said Commission.

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Clerk to the Commission

\_\_\_\_\_  
Chairperson

**Exhibit B**  
**Terms and Conditions of Approval**

**DRAFT**

Menton/Robinson Reorganization  
LAFCO Project No.04-12

1. 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:
  - (a) shall be subject to the jurisdiction of the City of Placerville, hereafter referred to as the city;
  - (b) shall have the same rights and duties as if the affected territory has been a part of the city upon its original formation;
  - (c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the city, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the city;
  - (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
  - (e) shall be subject to all of the rules, regulations, ordinances of the city as now existing or hereafter amended.
  
2. 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 this resolution.



# BOUNDARY MAP L.A.F.C.O. PROJECT 04-12

Menton / Robinson Annexation to City of Placerville

A PORTION OF THE SE¼ OF THE NW¼ & THE NE¼ OF THE SW¼ OF  
SEC. 13, T. 10 N., R. 10 E., M.D.M.

COUNTY OF EL DORADO ~ STATE OF CALIFORNIA

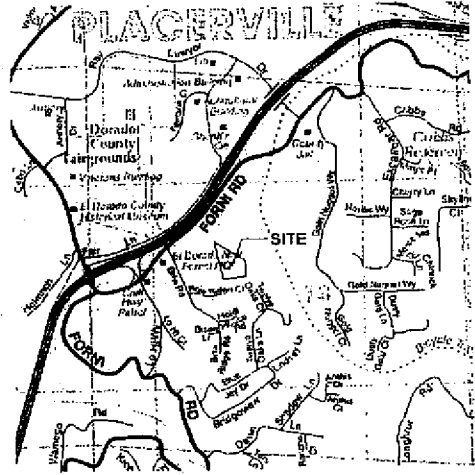
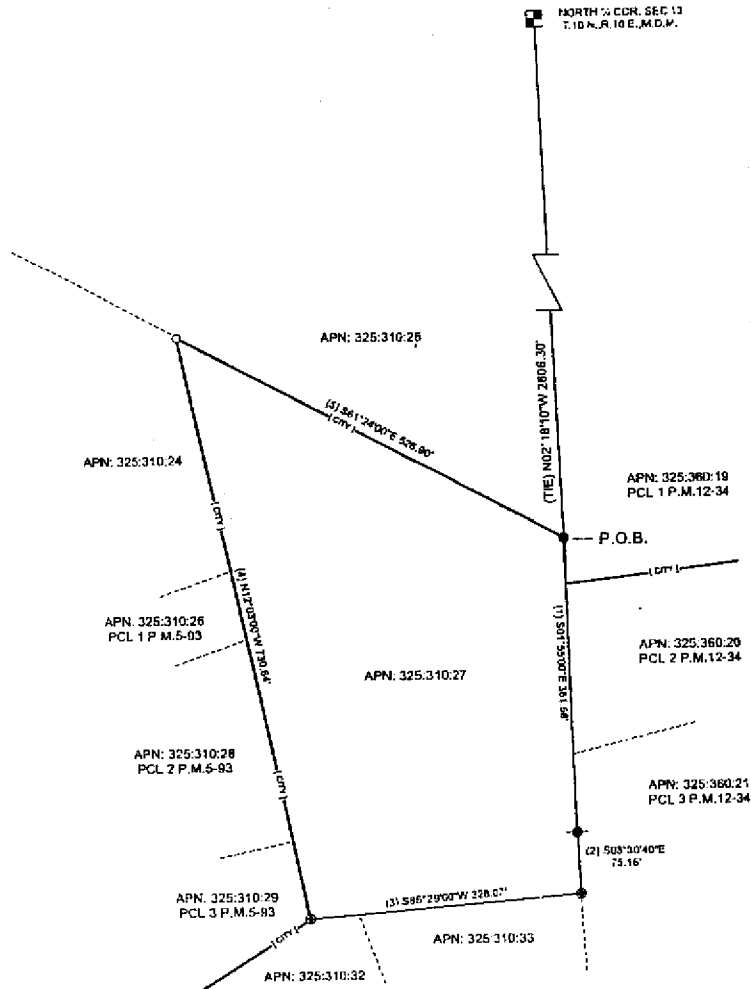
JANUARY 2005 ~ SCALE 1" = 100'

SWEENEY LAND SURVEYING



## EXHIBIT A

## DRAFT



- LEGEND**
- Computation point (rubbing find or set)
  - "C.I.P. Stamped L.S. 1820 per PM 12-34 & PM 5-83
  - "I.P. Tagged R.C.E. 14747 per PM 12-34
  - "C.I.P. Stamped R.C.E. 14747 per PM 12-34
  - As noted per Doc. # 2004-0076751
  - [CITY]- Existing City boundary

APPROVED BY  
LOCAL AGENCY FORMATION COMMISSION  
EL DORADO COUNTY CA 95667  
DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
EXECUTIVE OFFICER

**COUNTY SURVEYORS STATEMENT**

THIS EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION, THE EL DORADO COUNTY RECORDERS OFFICE AND CONFORMS TO THE LINES OF ASSESSMENT.  
DATED \_\_\_\_\_

RICHARD L. BRINER PLS 5084  
DEPUTY SURVEYOR  
COUNTY OF EL DORADO  
LICENSE EXPIRES JUNE 30, 2007

**SURVEYORS STATEMENT**  
THIS EXHIBIT WAS PREPARED  
ON JANUARY 18, 2005.

*James R. Sweeney*  
JAMES R. SWEENEY PLS 3864  
LICENSE EXPIRES JUNE 30, 2006



# Menton/Robinson Reorg: LAFCC No. 04-12



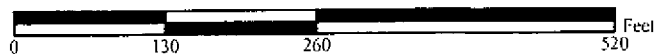
AirPhoto USA: Circa Apr. 2004



State Plane, CA Zone 2, Nad 83, Feet

This depiction was compiled from unverified public and private sources and is illustrative only. No representation is made as to the accuracy of this information and none may be inferred. Therefore users make use of this information at their own risk. Layer information may cover additional areas outside of the displayed area.

Map Prepared By: Kim Wilson, GIS Analyst  
El Dorado County GIS Division  
Date Prepared: 02 Feb. 2005  
Project No. G1  
(530) 621-7418



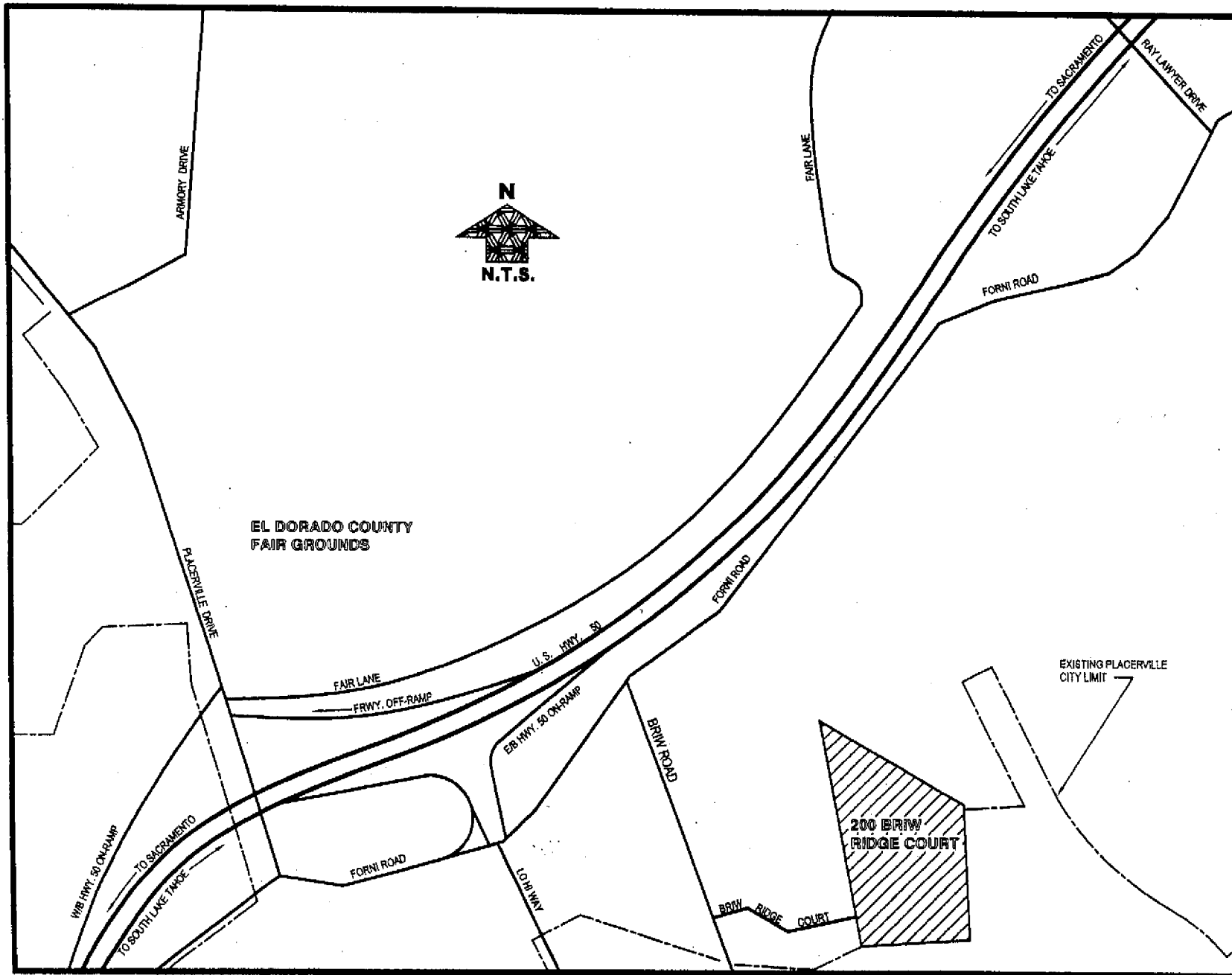
- HWY
- MAJOR
- MINOR
- Parcels



## El Dorado County Agricultural Commission

# ROBINSON-MENTON ANNEXATION

## 200 BRIW RIDGE COURT



## PLAN FOR SERVICES

### Reorganization Robinson-Menton Annexation

#### **BACKGROUND**

As required by Government Code Section 56653, a Plan for Services is required for annexations/reorganizations for review by the LAFCO. Section 56653 identifies five issues that require response. These are listed below. Prior to specific issue, the following is a summary of the governmental structure of the City of Placerville and the services it provides. The City of Placerville consists of six different departments: City Manager/City Attorney; Police; Community Development; Public Works; Recreation and Parks; and, Administrative Services.

City Manager/City Attorney: Provides administration oversight of the affairs of the City, particularly as they relate to the other departments and answers directly to the City Council. The City Manager/City Attorney oversees public affairs and legal duties.

Police: Provides police protection and other law enforcement services to citizens of the City.

Community Development: The department consists of three divisions: Planning, Building, and Grant Administration. Duties of the department include reviewing proposed development projects, implementing the City's General Plan and Zoning Regulations, review construction plans and issue building permits, and provide grant management for economic development and the City's Housing Rehabilitation Program.

Public Works: This department includes several divisions including Sewer, Water, Streets and Engineering. Sewer and Water functions are enterprise functions and are separate from the City's General Fund. The divisions oversee water treatment and distribution and sewer collection and treatment. The City Street Division maintains public streets and drainage facilities in the City.

Recreation and Parks: The City of Placerville Recreation & Parks Department is responsible for the planning, development and maintenance of park facilities within the City of Placerville. Existing park and open space facilities are available to residents of this area. The City has approximately 100 acres of existing park/open space, with approximately 50% undeveloped. The City has several neighborhood parks, a community size park and a regional size park.

New development is required to pay a Park Development Fee at the time a building permit is issued. These funds assist in the development/renovation of park facilities. In general, the proposed development may have some impact on the existing park facilities. Park Development Fees and/or the development of a neighborhood park in the service area will offset these impacts.

The Recreation & Parks Department is also currently responsible for the delivery of leisure services to the community. These services will be available to the residents of the proposed service area. The Recreation & Parks Department offers a variety of traditional programs meeting the needs of youth and adults within the community. All recreation programs are designed to be 100% financially supported by the users. The proposed development will not impact the City's ability to continue the delivery of leisure services to the community.

Administrative Services: The City Administrative Services Department administers the financial affairs of the City including water and sewer billings, budget administration and the City Clerk's duties. The City Clerk is responsible for City Council agendas, ordinance and resolution filings, minutes and other legal affairs as they pertain to the Administrative Services Department and the City Council. Administrative Services also provides personnel management.

The City services outlined above will be available for all properties included in the Robinson-Menton Reorganization. The exception includes fire protection and water service. Fire protection is presently provided to the City and its surrounding area by the El Dorado County Fire Protection District. Fire protection services to the area will not change and the Fire Protection District will continue to provide fire protection services to the Robinson-Menton area.

The following are the five areas requiring specific response pursuant to Section 56653 of the Government Code:

1. A list of the type and extent of services which will be provided to the parcels.

Roads: Access to the subject area is currently via Briw Ridge Road (public) and Briw Ridge Court (private).

There are no public roadways within the area subject to the reorganization. As the area develops, roads may be developed consistent with the City's standards and criteria established in the General Plan. The City accepts roadways associated with new development projects upon completion of the project and certification that the roadway has been installed in conformance with City standards and specifications. General and Gasoline Tax revenues offset the cost of new roadway maintenance to the City.

Water: Water is provided to the area by the El Dorado Irrigation District. There will be no change in service to the area resulting from this reorganization and the El Dorado Irrigation District will continue to provide water services to the reorganization area.

Sewer: The City of Placerville operates and maintains a wastewater treatment plant that currently processes one million gallons per day. The design capacity for the plant is 2.3 million gallons per day. The treatment plant has been functioning at the same level for approximately 10 years and has not seen any increase due to the City's Infiltration Abatement Program. It is anticipated that all or a portion of the subject area would connect to the City's wastewater system, if/when the commercial site develops more intensively than its current use. The City collects Capital Facilities fees to offset future capital costs of the City's wastewater collection and treatment system. Currently there is

a public 10-inch line located along the northern property line of the site with reserve capacity. Connections to this system from the future development will be required to conform to the City's standards and specifications for wastewater collections facilities.

Storm drainage: Presently, there are no public storm drainage facilities within the subject area. The nearest improved storm drainage facility is located at Forni Road. An analysis as to the adequacy of this system will be required concurrent with the review and approval process of any future development plans for the site. City Engineering staff will analyze the impact on the storm drainage system and, if necessary, the developer will be required to install additional storm drainage system improvements as needed.

Police: The City Police Department currently provides police service response to the area (and is usually the first respondent during a police call). Police service will be provided to the area by the City's Police Department. The Police Department currently has a sworn staff of 22 and non-sworn staff of 10. The Department also operates its own dispatch system. The Police Department facility is located on Main Street, approximately two miles from the subject area. It is anticipated that upon development, police response times will be consistent with those provided for other areas throughout the community. Currently, response times average 4 minutes for "Priority A" calls and 10 - 15 minutes for "Priority B" calls.

Fire: The City of Placerville is responsible for providing fire service to the area. Currently, the City is under contract with the El Dorado County Fire Protection District who provides fire services to, not only the city limits of Placerville, but to the surrounding area as well. The Fire District has two stations in the city limits, one located near Sacramento Street and Main Street and the other near Main Street and Broadway. The Sacramento Street station is manned 24 hours a day and has one Type 1 fire engine 24 hours a day and a second Type 1 fire engine housed at this location and staffed by a dedicated staff of Volunteer Personnel. An ambulance staffed by Paramedic personnel is stationed at the Sacramento Street station to provide advanced life support treatment and transport to the hospital 24 hours a day. The Sacramento Street station is approximately two miles from the subject site and it is anticipated that response time for emergency services will be those provided to other areas of the community, currently between 2 - 6 minutes. New residential development is required to pay a Capital Facilities fee for Fire District equipment at the time a building permit is issued. Future development in the subject area shall be required to conform with the design criteria and specifications established by the Fire District, i.e., hydrants, fire flow, etc. The Fire District has responsibility for reviewing such plans to ensure that they conform to their design criteria. The proposed development of this area will not impact the Fire District's ability to provide fire and emergency services to others throughout the community and surrounding area.

The other City services that include City Manager/City Attorney, Community Development, Parks and Recreation, and Administrative Services will be provided to the area.

2. The level and range of services that would be provided by the City.

The subject area will be provided the same level and range of services that other citizens in Placerville enjoy, and the City considers the level of services that will be provided as improved/more respondent than those currently being provided to the area by the County (water and fire protection services excluded).

3. A timing schedule for the provision of services.

Other than the services described above that are currently being provided and general Administrative services, there is no schedule established for the provision of additional Public Works facilities. Additional Public Works facilities (water, sewer, storm drainage and roadways) will be provided as new development in the area occurs, consistent with the City's General Plan.

4. The type and extent of any facilities that will require expansion or construction in order to provide service to the area.

The City will not expand or construct new facilities in order to provide services to the area. These facilities will be provided primarily at the expense of new development. For those areas that may realize a deficiency, the City may choose to participate in capital facilities improvements consistent with the City's Capital Improvement Plan and General Plan.

5. A determination on how improvements will be financed.

New improvements will be privately financed as they become necessary, consistent with the schedule of new development for the area. The City may, at its discretion, participate in the construction of public facilities, particularly for those public facilities that may realize a deficiency and for facilities identified in the City's Capital Improvement Plan and General Plan.



## DEPARTMENT OF AGRICULTURE WEIGHTS AND MEASURES

**WILLIAM J. STEPHANS**  
Agricultural Commissioner  
Sealer of Weights and Measures

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756 FAX  
eldcag@co.el-dorado.ca.us

**DATE:** February 10, 2005

**TO:** Roseanne Chamberlain, Environmental Coordinator  
El Dorado Local Area Formation Commission (LAFCO)  
550 Main Street, Suite E  
Placerville, California 95667

**FROM:** William J. Stephans *W. J. Stephans*  
Agricultural Commissioner/Sealer of Weights and Measures

**SUBJECT: COMMENTS REGARDING MENTON/ROBINSON REORG. – LAFCO  
PROJECT NUMBER 04-12**

Thank you for soliciting and accepting comments regarding the Menton/Robinson Reorganization Project as it impacts agricultural interests.

After careful review of the application, we have identified that the Project Information supplied to LAFCO on page 2 concerning agricultural lands is not quite accurate. The majority of the identified property contains choice soils important to agricultural operations. I have attached a map for your information that clearly shows the distribution of soils identified as:

- DfC: Diamond Springs Very Fine Sandy Loam 9 to 15% Slopes

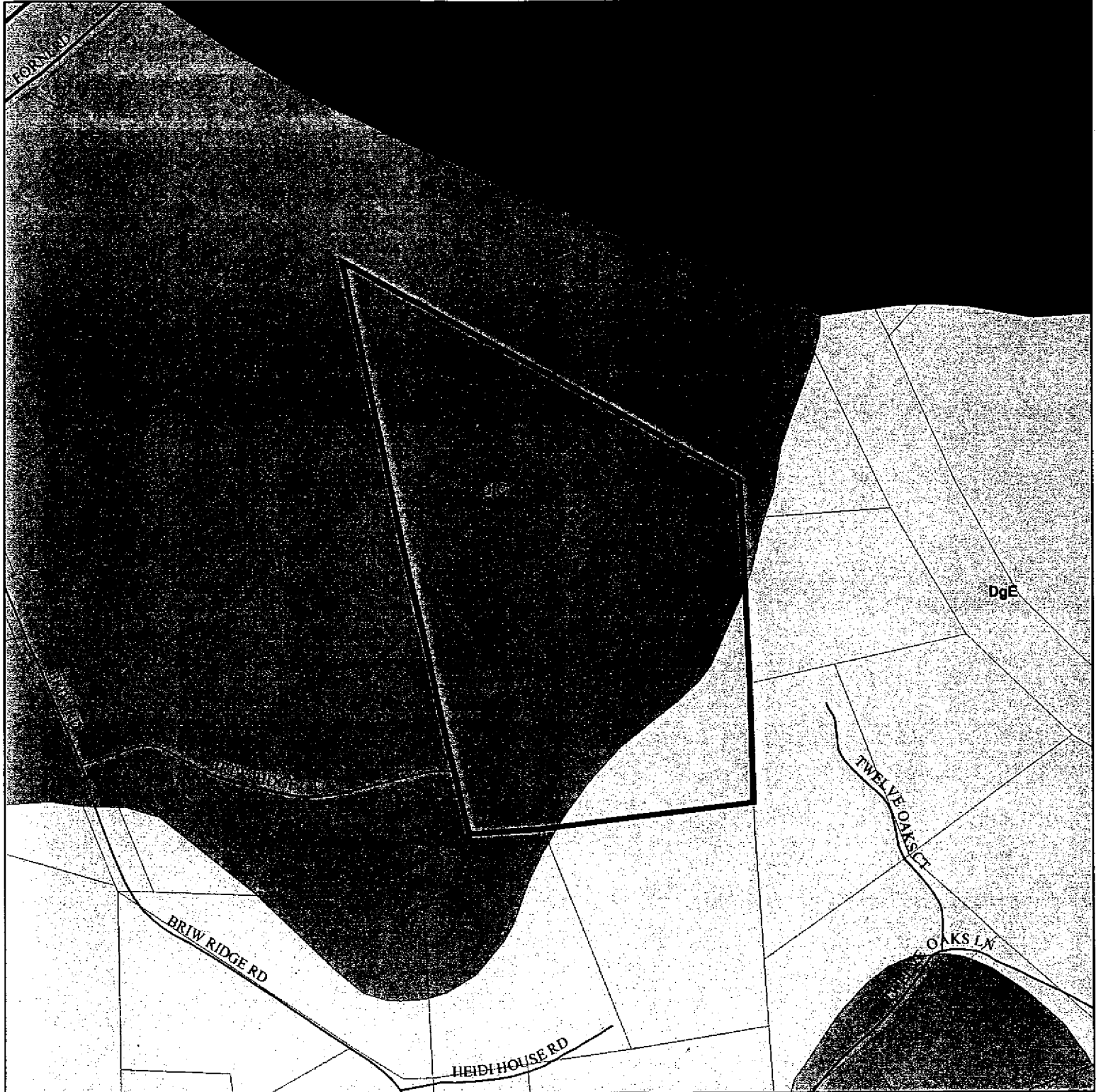
It is our contention that these lands contain important agricultural resources that should be protected from development either by limiting development or by designating the vast majority of the property as open space. The property should not be used for residential or commercial development. Each of the above soils will be significantly impacted if residential and commercial development is allowed to take place on the identified areas or adjacent to these recognized important soils.



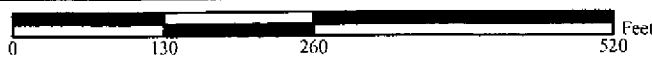




## Soils



State Plane, CA Zone 2, Nad 83, Feet



This depiction was compiled from unverified public and private sources and is illustrative only. No representation is made as to the accuracy of this information and none may be inferred. Therefore users stake use of this information at their own risk. Layer information may cover additional areas outside of the displayed area.

- Other Soils
- BhC: BOOMER GRAVELLY LOAM 3 TO 16 % SLOPES
- BhD: BOOMER GRAVELLY LOAM 15 TO 30 % SLOPES
- DfC: DIAMOND SPRINGS VERY FINE SANDY LOAM 9 TO 15 % SLOPES
- Parcels

Map Prepared By: Kim Wilson, GIS Analyst  
El Dorado County GIS Division  
Date Prepared: 02 Feb. 2005  
Project No. G1002589\_5  
(530) 621-7418



# NOTICE OF EXEMPTION

TO: Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: City of Placerville  
487 Main Street  
Placerville, CA 95667

TO:  County Clerk  
County of El Dorado  
360 Fair Lane  
Placerville, CA 95667

Project Title: Annexation 04-01

Project Location-Specific 200 Briw Ridge Court, Placerville, CA

Project Location--City Placerville Project Location--County El Dorado

Description of Project: Annexation of approximately 4.9 acres containing one single-family dwelling. The site is pre-zoned for commercial use, however no change in use of the site is proposed at this time.

Name of Public Agency Approving Project: City of Placerville, Local Agency Formation Commission (LAFCO)

Name of Person or Agency Carrying Out Project: City of Placerville

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
 Categorical Exemption. State type and section number: \_\_\_\_\_  
 Statutory Exemptions. State code number: 15061(b)(3)

Reason why project is exempt: The act of annexation has no possibility of causing an environmental impact; therefore, it is exempt from CEQA.

Lead Agency


Area Code/

Contact Person: Steve Calfee

Telephone/Extension: (530) 642-5252, ext 229

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes  No

Signature  Date: 02-03-05 Title: Community Dev. Dir.  
Steve Calfee

Signed by Lead Agency  
 Signed by Applicant

Date received for filing at OPR:

CD-016-P

02/03/05 200 Briw Ridge Court

APPROVED

**EL DORADO LAFCO**  
**LOCAL AGENCY FORMATION COMMISSION**

---

---

**RESOLUTION NUMBER L-05-10**

Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO PROJECT NO.01-04

**WHEREAS**, a petition for the proposed annexation of certain territory to El Dorado Irrigation District in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq. of the Government Code; and

**WHEREAS**, the Executive Officer has examined the petition and certified that it is sufficient and has accepted the proposal for filing on June 13, 2005; and

**WHEREAS**, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

**WHEREAS**, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

**WHEREAS**, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

**WHEREAS**, the Commission has fulfilled its obligations as a responsible agency as defined by the California Environmental Quality Act and has reviewed and considered the Mitigated Negative Declaration prepared for this project by El Dorado County and has determined that the environmental impacts of annexation have been adequately addressed and does hereby make the findings for each significant effect of the project as shown in "Exhibit C," attached and by this reference incorporated herein; and

**WHEREAS**, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this annexation is made subject to Government Code §56650 et seq. by 100% of the landowners.

2. The territory proposed for annexation is within the sphere of influence of El Dorado Irrigation District and is contiguous to the existing boundary. The annexation will provide a more logical and orderly boundary.
3. The Mitigated Negative Declaration prepared for this project by El Dorado County adequately addresses the environmental impacts of annexation.
4. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.
5. Although there may have been past grazing uses in the annexation area, the subject territory does not contain prime agricultural lands or choice soils and there are no current agricultural uses. The annexation will not have an adverse effect on the physical and economic integrity of agriculture.
6. There appears to be a timely, adequate water supply available to serve the annexation area based on the guarantee of EDUs from existing supplies, operation of the Bass Lake tanks, and construction of the pumping and pressure-reducing systems and distribution lines.
7. The annexation will result in a decrease in water supply available for the build-out of regional housing needs determined by the Sacramento Area Council of Governments. The annexation will not, however, have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those needs.

**NOW, THEREFORE BE IT DETERMINED AND ORDERED** as follows:

Section 1. Said annexation is approved.

Section 2. The annexation is assigned the following short form designation:

Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO Project No.01-04

Section 3. Said territory includes approximately 116.9 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code §56046.

Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.

Section 6. The annexation shall be subject to the terms and conditions specified in "Exhibit B", attached and by this reference incorporated herein.

- Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- Section 8. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
- Section 9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.
- Section 10. The conducting authority proceedings are waived in accordance with Government Code §56663 (c).
- Section 11. The effective date shall be the date of recordation.
- Section 12. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code §56882.

**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 22, 2005 by the following vote of said Commission.

AYES: COSTAMAGNA, COLVIN, ALLEN, LONG, MANARD  
NOES: NONE  
ABSTENTIONS:  
ABSENT: PAINE, DUPRAY

ATTEST:

  
\_\_\_\_\_  
Clerk to the Commission

  
\_\_\_\_\_  
Chairperson

# D.A.F.C.O. PROJECT 01004

## BELL RANCH

REORGANIZATION TO EL DORADO IRRIGATION DISTRICT

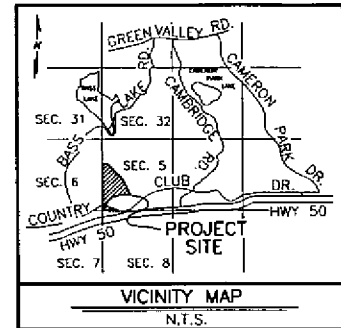
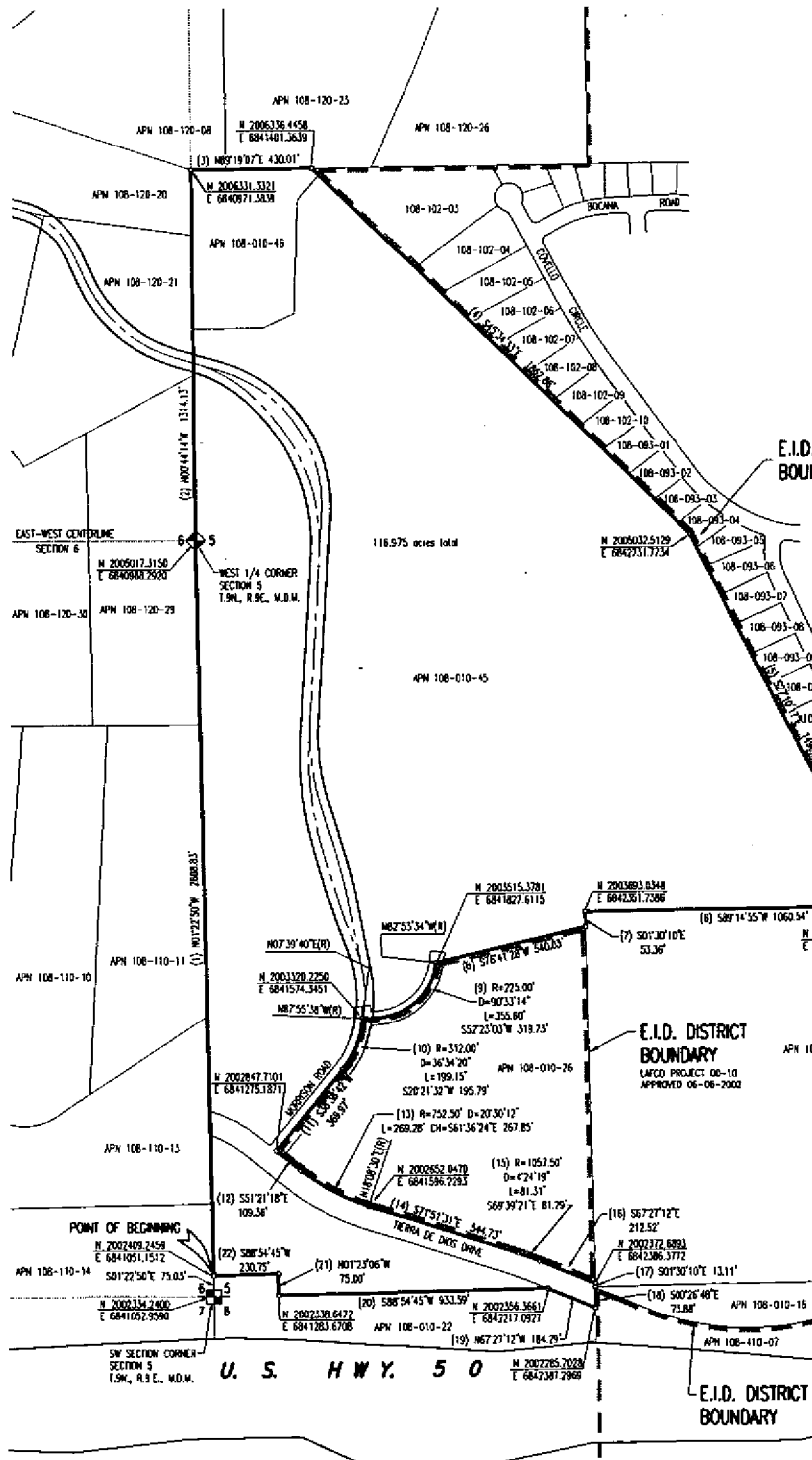
A PORTION OF SECTION 5, TOWNSHIP 9 NORTH, RANGE 9 EAST, M.D.M.  
COUNTY OF EL DORADO, STATE OF CALIFORNIA

SCALE: 1"=300' SHEET 1 OF 1 JUNE, 2005

COOPER, THORNE & ASSOCIATES, INC.

# APPROVED

# EXHIBIT A



- LEGEND**
- SECTION CORNER
  - QUARTER CORNER
  - DIMENSION POINT
  - EL DORADO IRRIGATION DISTRICT BOUNDARY

**SURVEYOR'S STATEMENT**

THIS EXHIBIT WAS PREPARED IN JUNE, 2005.

DATED: \_\_\_\_\_

KEVIN A. HEENEY, L.S. 5014  
LICENSE EXPIRES 12-31-06



**COUNTY SURVEYOR'S STATEMENT**

THIS EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION, THE EL DORADO COUNTY RECORDERS OFFICE AND CONFORMS TO THE LINES OF ASSESSMENT.

DATED: \_\_\_\_\_

ROBERT L. BRINER, L.S. 5064  
DEPUTY SURVEYOR  
COUNTY OF EL DORADO  
LICENSE EXPIRES 6-30-07

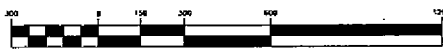
**APPROVED BY**  
LOCAL AGENCY FORMATION COMMISSION  
EL DORADO COUNTY, CA 95607

DATED: 6/22/05

ATTEST: *[Signature]*  
RECORDER OFFICER



**GRAPHIC SCALE**



**BASIS OF BEARINGS & COORDINATES**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD83). PLANE COORDINATES SHOWN HEREON ARE IN TERMS OF THE CALIFORNIA COORDINATE SYSTEM, ZONE 2.

LAFCO ANNEXATION DESCRIPTION


APPROVED  
EXHIBIT A

All that portion of Section 5, Township 9 North, Range 9 East, Mount Diablo Meridian, being more particularly described as follows:

Beginning at a point along the West line of said Section 5, from which the Section corner common to Sections 5, 6, 7 and 8, Township 9 North, Range 9 East, Mount Diablo Meridian bears South 01°22'50" East, 75.03 feet; thence the following 22 courses: (1) North 01°22'50" West, 2608.83 feet along the West line of said Section 5 to the West Quarter corner of said Section 5; (2) thence continuing along the West line of said Section 5, North 00°44'14" West, 1314.13 feet; (3) thence leaving said West line of said Section 5, North 89°19'07" East, 430.01 feet to a point on the current El Dorado Irrigation District Boundary (hereinafter referred to as the E.I.D. Boundary); (4) thence along the E.I.D. Boundary, South 45°34'33" East, 1862.86 feet; (5) thence continuing along the E.I.D. Boundary, South 27°10'17" East, 1490.00 feet; (6) thence leaving the E.I.D. Boundary, South 89°14'55" West, 1060.54 feet; (7) thence South 01°30'10" East, 53.36 feet to a point on the E.I.D. Boundary; (8) thence along the E.I.D. Boundary, South 76°41'28" West, 540.03 feet; (9) thence along the arc of a non-tangent curve concave to the Northwest, having a radial bearing of North 82°53'34" West, a radius of 225.00 feet, a delta of 90°33'14", an arc length of 355.60 feet, and a chord bearing and distance of South 52°23'03" West, 319.73 feet to the centerline of Morrison Road; (10) thence along said centerline and the E.I.D. Boundary and along the arc of a non-tangent curve concave to the Northwest, having a radial bearing of North 87°55'38" West, a radius of 312.00 feet, a delta of 36°34'20", an arc length of 199.15 feet, and a chord bearing and distance of South 20°21'32" West, 195.79 feet; (11) thence continuing along said centerline and the E.I.D. Boundary, South 38°38'42" West, 369.97 feet to a point on the Northerly right-of-way of Tierra de Dios Drive; (12) thence along said Northerly right-of-way and the E.I.D. Boundary, South 51°21'18" East, 109.36 feet; (13) thence continuing along said Northerly right-of-way and the E.I.D. Boundary and along the arc of a tangent curve concave to the Northeast, having a radius of 752.50 feet, a delta of 20°30'12", an arc length of 269.28 feet, and a chord bearing and distance of South 61°36'24" East, 267.85 feet; (14) thence South 71°51'31" East, 544.73 feet; (15) thence along the arc of a tangent curve concave to the Southwest, having a radius of 1057.50 feet, a delta of 04°24'19", an arc length of 81.31 feet, and a chord bearing and distance of South 69°39'21" East, 81.29 feet; (16) thence South 67°27'12" East, 212.52 feet; (17) thence leaving said Northerly right-of-way and the E.I.D. Boundary, South 01°30'10" East, 13.11 feet to a point on the E.I.D. Boundary; (18) thence along the E.I.D. Boundary, South 00°26'48" East, 73.88 feet; (19) thence leaving the E.I.D. Boundary, North 67°27'12" West, 184.29 feet; (20) thence South 88°54'45" West, 933.59 feet; (21) thence North 01°23'06" West, 75.00 feet; (22) thence South 88°54'45" West, 230.75 feet to the Point of Beginning, containing 116.975 acres, more or less.

**End of Description**

I hereby state that I am a Licensed Land Surveyor of the State of California; that this plat and description was prepared by me or under my direction.

  
Kevin A. Heeney, L.S. 5914  
COOPER, THORNE & ASSOCIATES, INC.  
Sacramento, California



**APPROVED**

**Exhibit B  
Terms and Conditions of Approval**

**Bell Ranch Properties Annexation to El Dorado Irrigation District  
LAFCO Project No.01-04**

1. Upon and after the effective date of said annexation, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
  - (a) shall be subject to the jurisdiction of El Dorado Irrigation District hereafter referred to as the district;
  - (b) shall have the same rights and duties as if the affected territory has been a part of the district upon its original formation;
  - (c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the district, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the district;
  - (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
  - (e) shall be subject to all of the rules, regulations, ordinances of the district as now existing or hereafter amended.
  
2. 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 (§56886(j)). 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.
  
3. 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 this resolution.



**AGENDA NO.6  
EXECUTIVE OFFICER REQUESTING  
APPOINTMENT OF AN HOC  
PERSONNEL COMMITTEE TO CONSIDER  
SUCCESSION / REPLACEMENT PLANNING  
AND RELATED MATTERS**

**AGENDA NO. 6A**  
**REVISED COST ESTIMATE- EL DORADO HILLS**  
**INCORPORATION;**  
**LAFCO PROJECT NO. 03-10**

El Dorado Hills Incorporation Project

**Project Costs and Budget**

---

---

---

---

---

---

---

---

**Budget History**

Original Project Budget	\$278,439
Original Contingency	<u>\$ 82,100</u>
Total Original Budget	\$360,539
Budget Increase (4/15/05)	<u>\$ 35,000</u>
<b>Current Budget</b>	<b>\$395,539</b>
Estimated Final Budget	\$448,839
<b>Requested Budget Increase</b>	<b>\$ 53,300</b>

---

---

---

---

---

---

---

---

**Contributions History**

Total Contributed thru 5/31/05	\$363,190
Deposited 6/20/05	<u>\$ 10,000</u>
Total through 6/22/05	\$373,190
Pledge by EDHCSD	<u>\$ 40,000</u>
Total Funding	<u>\$413,190</u>
Proposed Final Budget	\$448,839
<b>Additional Funding Required</b>	<b><u>\$ 35,649</u></b>

---

---

---

---

---

---

---

---

### Cash Flow

Contributions as of 6/20/05		\$373,190
Disbursements as of 6/07/05		\$351,155
Cash on hand @ 6/20/05		\$ 22,035
Bills Submitted, not paid	\$36,460	
Costs Incurred, not billed	\$45,975	
Est. Costs to Complete	\$15,250	
Total Unpaid Costs	\$97,685	\$ 97,685
Total New Cash Required		\$ 75,649
Less: Pledge from EDHCSD		(\$ 40,000)
Net New Cash Required		\$ 35,649

---

---

---

---

---

---

---

---

---

---

### LAFCO Decision:

Recommend that LAFCO approve a Budget Increase of \$53,300, to a total approved Budget for Project 03-10 of \$448,839.

---

---

---

---

---

---

---

---

---

---

**El Dorado Hills Incorporation Project  
Project Budget and Cash Disbursement Report**

<b>Phase I: Prepare Master Task List and</b>	<b>LAFCO Staff</b>	<b>LAFCO Counsel</b>	<b>L-G Pro. Mgt</b>	<b>L - G CEQA</b>	<b>EPS CFA</b>	<b>City GIS Mapping</b>	<b>Misc.</b>	<b>TOTAL</b>	<b>Cumulative Disbursements</b>
<b>Phase I Budget/Contract Amount</b>	\$ 4,000	\$ 2,000	\$ 14,000					\$ 20,000.00	
<b>Disbursements:</b>									
Invoice 2/29/04	\$ 3,105.00	\$ 1,656.00						\$ 4,761.00	\$ 4,761.00
Invoice 3/24/04	\$ 934.95	\$ 727.50	\$ 13,523.13					\$ 15,185.58	\$ 19,946.58
Invoice 4/ -/04			\$ 2,494.64					\$ 476.87	\$ 20,423.45
Invoice 5/31/04	\$ 2,092.50	\$ 1,687.50						\$ -	\$ 20,423.45
<b>Total Invoiced Amount</b>	\$ 6,132.45	\$ 4,071.00	\$ 16,017.77	\$ -	\$ -	\$ -	\$ -	\$ 26,221.22	
<b>Total Paid On</b>	\$ 4,039.95	\$ 2,383.50	\$ 14,000.00					\$ 20,423.45	\$ 20,423.45
<b>Total Paid Out vs. Budget</b>	\$ 539.95	\$ 383.50	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 423.45	
<b>Project Surplus (Overrun)</b>	\$ (539.95)	\$ (383.50)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ (5423.45)	
<b>Total Unpaid Costs</b>	\$ (2,092.50)	\$ (1,687.50)	\$ (2,017.77)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ (65,797.77)	

<b>Phase II: Project Implementation</b>	<b>Staff</b>	<b>Counsel</b>	<b>Pro. Mgt</b>	<b>CEQA</b>	<b>CFA</b>	<b>Mapping</b>	<b>Misc.</b>	<b>TOTAL</b>
<b>Task Budget Allocation</b>								
1.0 Boundary Definitions	\$ 2,430	\$ 600	\$ 3,780	\$ -	\$ -	\$ 4,000	\$ -	\$ 10,810
2.0 Legal Opinions	\$ 675	\$ 7,500	\$ 1,575	\$ -	\$ -	\$ -	\$ -	\$ 9,750
3.0 Fiscal Analysis	\$ 8,640	\$ 7,650	\$ 19,950	\$ -	\$ 72,500	\$ -	\$ -	\$ 108,740
4.0 CEQA Compliance - EIR	\$ 8,640	\$ 4,950	\$ 15,960	\$ 90,000	\$ -	\$ -	\$ -	\$ 119,550
5.0 Other LAFCO Tasks	\$ 10,319	\$ 4,200	\$ 14,070	\$ -	\$ -	\$ 1,000	\$ -	\$ 29,589
<b>Master Project Budget</b>	\$ 30,704	\$ 24,900	\$ 55,335	\$ 90,000	\$ 72,500	\$ 5,000	\$ -	\$ 278,439
<b>Contingency Allocations</b>	\$ 13,500	\$ 6,000	\$ 12,600	\$ 50,000	\$ -	\$ -	\$ -	\$ 82,100
<b>Base Budget w/ Conting.</b>	\$ 44,204	\$ 30,900	\$ 67,935	\$ 140,000	\$ 72,500	\$ 5,000	\$ -	\$ 360,539
<b>Adjusted Base Budget</b>	\$ 30,704	\$ 24,900	\$ 55,335	\$ 110,000	\$ 80,000	\$ 7,000	\$ 500	\$ 308,439
<b>Remaining Contingency</b>	\$ 13,500	\$ 6,000	\$ 12,600	\$ 20,000	\$ -	\$ -	\$ -	\$ 52,100
<b>Allocation of Budget Increase</b>	\$ 12,556	\$ (5,400)	\$ 12,462	\$ (5,000)	\$ 10,000	\$ 3,500	\$ 6,882	\$ 35,000
<b>Adjusted Total Budget</b>	\$ 56,760	\$ 25,500	\$ 80,397	\$ 125,000	\$ 90,000	\$ 10,500	\$ 7,382	\$ 395,539

<b>Disbursements</b>									<b>Cum. Disburse</b>
As of 6/30/2004	\$ 3,105.00	\$ 4,721.58	\$ 7,436.25	\$ 10,208.10				\$ 25,470.93	\$ 25,470.93
Jul-04	\$ 1,991.25		\$ 7,158.20	\$ 9,411.60		\$ 2,884.00		\$ 21,445.05	\$ 46,915.98
Aug-04	\$ 4,394.25	\$ 615.00	\$ 2,049.00	\$ 6,954.88		\$ 1,450.00		\$ 15,463.13	\$ 62,379.11
Sep-04	\$ 1,400.63		\$ 2,208.62	\$ 5,232.82	\$ 16,867.00	\$ 255.00		\$ 25,964.07	\$ 88,343.18
Oct-04	\$ 479.25	\$ 700.23	\$ 1,167.45	\$ 14,062.50	\$ 5,692.50	\$ 780.00	\$ 18.40	\$ 22,900.33	\$ 111,243.51
Nov-04	\$ 1,856.25	\$ 307.50	\$ 4,729.30	\$ 11,122.30	\$ 4,232.50	\$ 120.00	\$ 11.15	\$ 22,379.00	\$ 133,622.51
Dec-04	\$ 1,248.75	\$ 1,987.50	\$ 1,942.50	\$ 10,961.72	\$ 7,406.25	\$ 600.00	\$ -	\$ 24,146.72	\$ 157,769.23
Jan-05	\$ 6,108.75	\$ 78.25	\$ 1,312.50	\$ 13,910.20	\$ 4,013.57	\$ 360.00		\$ 25,783.27	\$ 183,552.50
Feb-05	\$ 4,286.25	\$ 4,399.92	\$ 4,844.92	\$ 17,017.81	\$ 11,784.38	\$ 120.00	\$ 207.84	\$ 42,661.12	\$ 226,213.62
Mar-05	\$ 5,308.88	\$ 3,787.50	\$ 6,531.05	\$ 5,696.24		\$ 276.00	\$ 3,551.00	\$ 25,250.67	\$ 251,464.29
Apr-05	\$ 3,955.50	\$ 2,400.00	\$ 13,852.48	\$ 2,048.83	\$ 7,500.00	\$ 4,237.00	\$ 446.94	\$ 34,440.75	\$ 285,905.04
May-05	\$ 15,639.75	\$ 6,607.50	\$ 11,816.40	\$ 12,013.04	\$ 4,529.45	\$ 212.00	\$ 811.08	\$ 51,629.22	\$ 337,534.26
Thru June 6		\$ 12,326.25					\$ 1,294.04	\$ 13,620.29	\$ 351,154.55
<b>Totals thru 6/20</b>	\$ 49,774.51	\$ 37,931.23	\$ 65,148.67	\$ 118,640.04	\$ 62,025.65	\$ 11,294.00	\$ 6,340.45	\$ 351,154.55	\$ 351,154.55
<b>Bills Received, not yet paid</b>	\$ 11,728.13		\$ 20,688.40	\$ 4,043.85				\$ 36,460.38	
<b>Subtotal</b>	\$ 61,502.64	\$ 37,931.23	\$ 85,837.07	\$ 122,683.89	\$ 62,025.65	\$ 11,294.00	\$ 6,340.45	\$ 387,614.93	
<b>Estimated Costs to Complete</b>	\$ 2,000.00	\$ 1,250.00	\$ 6,500.00	\$ -	\$ 45,974.35	\$ 4,000.00	\$ 1,499.72	\$ 61,224.07	
<b>Estimate of Total Project Costs</b>	\$ 63,502.64	\$ 39,181.23	\$ 92,337.07	\$ 122,683.89	\$ 108,000.00	\$ 15,294.00	\$ 7,840.17	\$ 448,839.00	
<b>Current Budget</b>	\$ 56,760.00	\$ 25,500.00	\$ 80,397.00	\$ 125,000.00	\$ 90,000.00	\$ 10,500.00	\$ 7,382.00	\$ 395,539.00	
<b>Final Budget Adjustment</b>	\$ 6,742.64	\$ 13,681.23	\$ 11,940.07	\$ (2,316.11)	\$ 18,000.00	\$ 4,794.00	\$ 458.17	\$ 53,300.00	
<b>Projected Final Project Costs</b>	\$ 63,502.64	\$ 39,181.23	\$ 92,337.07	\$ 122,683.89	\$ 108,000.00	\$ 15,294.00	\$ 7,840.17	\$ 448,839.00	
<b>Percent of Current Budget</b>	112%	154%	115%	98%	120%	146%	106%	113%	
<b>Percent of Original Budget</b>	144%	127%	136%	88%	149%	308%		124%	
<b>Contributions from IC:</b>			\$ 241,400						
			\$ 28,434						
			\$ 55,000						
			\$ 35,000						
<b>Total as of 5/31/05</b>			\$ 359,834						
<b>Earnings on Deposited Funds</b>			\$ 3,356						
<b>Deposited 6/20/05</b>			\$ 10,000						
<b>Total thru 6/20</b>			\$ 373,190						

**El Dorado Hills Incorporation Project  
Project Budget and Cash Disbursement Report**

<b>Phase I: Prepare Master Task List and</b>	<b>LAFCO Staff</b>	<b>LAFCO Counsel</b>	<b>L-G Pro. Mgt</b>	<b>L - G CEQA</b>	<b>EFS CFA</b>	<b>City GIS Mapping</b>	<b>Misc.</b>	<b>TOTAL</b>	<b>Cumulative Disbursements</b>
Base Budget/Contract Amount	\$ 4,000	\$ 2,000	\$ 14,000					\$ 20,000	
<b>Disbursements:</b>									
Invoice 2/29/04	\$ 3,105.00	\$ 1,656.00						\$ 4,761.00	\$ 4,761.00
Invoice 3/24/04	\$ 934.95	\$ 727.50	\$ 13,523.13					\$ 15,185.58	\$ 19,946.58
Invoice 4/ --/04			\$ 2,494.64					\$ 476.87	\$ 20,423.45
Invoice 5/31/04	\$ 2,092.50	\$ 1,587.50						\$ -	\$ 20,423.45
<b>Total Invoiced Amount</b>	<b>\$ 6,132.45</b>	<b>\$ 4,971.00</b>	<b>\$ 16,017.77</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 26,221.22</b>	
<b>Total Paid Out</b>	<b>\$ 4,039.95</b>	<b>\$ 2,383.50</b>	<b>\$ 14,000.00</b>					<b>\$ 20,423.45</b>	<b>\$ 20,423.45</b>
<b>Total Paid Out vs. Budget</b>	<b>(\$ 2,102.50)</b>	<b>(\$ 2,387.50)</b>	<b>(\$ 2,000.00)</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>(\$ 6,870.00)</b>	<b>(\$ 6,870.00)</b>
<b>Project Surplus (Overrun)</b>	<b>(\$ 2,102.50)</b>	<b>(\$ 2,387.50)</b>	<b>(\$ 2,000.00)</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>(\$ 6,870.00)</b>	<b>(\$ 6,870.00)</b>
<b>Total Unpaid Costs</b>	<b>\$ (2,092.50)</b>	<b>\$ (1,687.50)</b>	<b>(\$ 2,017.77)</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>(\$ 6,797.77)</b>	

<b>Phase II: Project Implementation</b>	<b>Staff</b>	<b>Counsel</b>	<b>Pro. Mgt</b>	<b>CEQA</b>	<b>CFA</b>	<b>Mapping</b>	<b>Misc.</b>	<b>TOTAL</b>
<b>Task Budget Allocation</b>								
1.0 Boundary Definitions	\$ 2,430	\$ 600	\$ 3,780	\$ -	\$ -	\$ 4,000	\$ -	\$ 10,810
2.0 Legal Opinions	\$ 675	\$ 7,500	\$ 1,575	\$ -	\$ -	\$ -	\$ -	\$ 9,750
3.0 Fiscal Analysis	\$ 8,640	\$ 7,650	\$ 19,950	\$ -	\$ 72,500	\$ -	\$ -	\$ 108,740
4.0 CEQA Compliance - EIR	\$ 8,640	\$ 4,950	\$ 15,960	\$ 90,000	\$ -	\$ -	\$ -	\$ 119,550
5.0 Other LAFCO Tasks	\$ 10,319	\$ 4,200	\$ 14,070	\$ -	\$ -	\$ 1,000	\$ -	\$ 29,589
Master Project Budget	\$ 30,704	\$ 24,900	\$ 55,335	\$ 110,000	\$ 80,000	\$ 7,000	\$ 500	\$ 308,439
Contingency Allocations	\$ 13,500	\$ 6,000	\$ 12,600	\$ 20,000	\$ -	\$ -	\$ -	\$ 52,100
Base Budget w/ Conting.	\$ 44,204	\$ 30,900	\$ 67,935	\$ 140,000	\$ 72,500	\$ 5,000	\$ -	\$ 360,539
Adjusted Base Budget	\$ 30,704	\$ 24,900	\$ 55,335	\$ 110,000	\$ 80,000	\$ 7,000	\$ 500	\$ 308,439
Remaining Contingency	\$ 13,500	\$ 6,000	\$ 12,600	\$ 20,000	\$ -	\$ -	\$ -	\$ 52,100
Allocation of Budget Increase	\$ 12,556	\$ (5,400)	\$ 12,462	\$ (5,000)	\$ 10,000	\$ 3,500	\$ 6,882	\$ 35,000
Adjusted Total Budget	\$ 56,760	\$ 25,500	\$ 80,397	\$ 125,000	\$ 90,000	\$ 10,500	\$ 7,382	\$ 395,539

<b>Disbursements</b>									<b>Cum. Disbursements</b>
As of 6/30/2004	\$ 3,195.00	\$ 4,721.58	\$ 7,436.25	\$ 10,208.10				\$ 25,470.93	\$ 25,470.93
Jul-04	\$ 1,991.25		\$ 7,158.20	\$ 9,411.60		\$ 2,884.00		\$ 21,445.05	\$ 46,915.98
Aug-04	\$ 4,394.25	\$ 615.00	\$ 2,049.00	\$ 6,954.88		\$ 1,450.00		\$ 15,463.13	\$ 62,379.11
Sep-04	\$ 1,400.63		\$ 2,208.62	\$ 5,232.82	\$ 16,867.00	\$ 255.00		\$ 25,964.07	\$ 88,343.18
Oct-04	\$ 479.25	\$ 700.23	\$ 1,167.45	\$ 14,062.50	\$ 5,692.50	\$ 780.00	\$ 18.40	\$ 22,900.33	\$ 111,243.51
Nov-04	\$ 1,856.25	\$ 307.50	\$ 4,729.30	\$ 11,122.30	\$ 4,232.50	\$ 120.00	\$ 11.15	\$ 22,379.00	\$ 133,622.51
Dec-04	\$ 1,248.75	\$ 1,987.50	\$ 1,942.50	\$ 10,961.72	\$ 7,406.25	\$ 600.00		\$ 24,146.72	\$ 157,769.23
Jan-05	\$ 6,108.75	\$ 78.25	\$ 1,312.50	\$ 13,910.20	\$ 4,013.57	\$ 360.00		\$ 25,783.27	\$ 183,552.50
Feb-05	\$ 4,286.25	\$ 4,399.92	\$ 4,844.92	\$ 17,017.81	\$ 11,784.38	\$ 120.00	\$ 207.84	\$ 42,661.12	\$ 226,213.62
Mar-05	\$ 5,308.88	\$ 3,787.50	\$ 6,631.05	\$ 5,696.24		\$ 276.00	\$ 3,551.00	\$ 25,250.67	\$ 251,464.29
Apr-05	\$ 3,955.50	\$ 2,400.00	\$ 13,852.48	\$ 2,048.83	\$ 7,500.00	\$ 4,237.00	\$ 446.94	\$ 34,440.75	\$ 285,905.04
May-05	\$ 15,639.75	\$ 6,607.50	\$ 11,816.40	\$ 12,013.04	\$ 4,529.45	\$ 212.00	\$ 811.08	\$ 51,629.22	\$ 337,534.26
Thru June 6		\$ 12,326.25					\$ 1,294.04	\$ 13,620.29	\$ 351,154.55
Totals thru 6/20	\$ 49,774.51	\$ 37,931.23	\$ 65,148.67	\$ 118,640.04	\$ 62,025.65	\$ 11,294.00	\$ 6,340.45	\$ 351,154.55	\$ 351,154.55
Bills Received, not yet paid	\$ 11,728.13		\$ 20,688.40	\$ 4,043.85				\$ 36,460.38	
Subtotal	\$ 61,502.64	\$ 37,931.23	\$ 85,837.07	\$ 122,683.89	\$ 62,025.65	\$ 11,294.00	\$ 6,340.45	\$ 387,614.93	
Estimated Costs to Complete	\$ 2,000.00	\$ 1,250.00	\$ 6,500.00	\$ -	\$ 45,974.35	\$ 4,000.00	\$ 1,499.72	\$ 61,224.07	
Estimated Total Project Costs	\$ 63,502.64	\$ 39,181.23	\$ 92,337.07	\$ 122,683.89	\$ 108,000.00	\$ 15,294.00	\$ 7,840.17	\$ 448,839.01	
Current Budget	\$ 56,760.00	\$ 25,500.00	\$ 80,397.00	\$ 125,000.00	\$ 90,000.00	\$ 10,500.00	\$ 7,382.00	\$ 395,539.00	
Final Budget Adjustment	\$ 6,742.64	\$ 13,681.23	\$ 11,940.07	\$ (2,316.11)	\$ 18,000.00	\$ 4,794.00	\$ 458.17	\$ 53,300.00	
Projected Final Project Costs	\$ 63,502.64	\$ 39,181.23	\$ 92,337.07	\$ 122,683.89	\$ 108,000.00	\$ 15,294.00	\$ 7,840.17	\$ 448,839.01	
Percent of Current Budget	117%	154%	115%	99%	117%	145%	106%	113%	
Percent of Original Budget	147%	127%	135%	89%	140%	101%	147%	124%	

Contributions from IC:	\$ 241,400
	\$ 28,434
	\$ 55,000
	\$ 35,000
<b>Total as of 5/31/05</b>	<b>\$ 359,834</b>
Earnings on Deposited Funds	\$ 3,356
Deposited 6/20/05	\$ 10,000
<b>Total thru 6/20</b>	<b>\$ 373,190</b>

**Via Facsimile, U.S. Mail and E-Mail**

June 9, 2005

John Hidahl  
El Dorado Hills Incorporation Committee  
622 Torero Way  
El Dorado Hills, CA 95762

***RE: Budget Matters, El Dorado Hills Incorporation Project***

Dear John:

Congratulations on the outcome of last night's hearing – it is really unfortunate that you weren't able to be there to savor the moment. It validated and made all of the work that we've all done, worthwhile. Now, back to business.

LAFCO acknowledges receipt of the \$35,000 contribution made on May 23, in accordance with my letter to you of May 12, 2005. Since that time, additional disbursements have been made, such that as of today there is \$11,631.02 remaining in the project Trust Account. In accordance with the Arbitrator's Order of May 20, 2004, the Committee needs to replenish the "contingency" account back to the \$40,000 level. However, as you can see from the attached spreadsheet, there is only \$36,105 remaining in the current Project Budget (\$395,539). Thus this letter serves as notice to the Committee to remit the remaining difference - \$24,473.98 promptly.

As a heads up, I also want to alert you to a final Budget Increase request. My attached spreadsheet reflects invoices received (or estimated) through today, and includes an estimate of additional time and expense that will be required to complete the various tasks in the original work plan (e.g., noticing, preparing for and holding the Conducting Authority hearing on July 11, providing documents for and attending the Board of Supervisors hearing on July 12, preparing final Election Department materials and documents, and completing the legal description, etc.). I estimate needing an additional \$12,000 for those tasks.

John Hidahl  
El Dorado Hills Incorporation Committee  
June 9, 2005  
Page 2

In addition, EPS advises me that they have incurred costs of approximately \$18,000 in excess of their current contract amount of \$92,870 and they have asked for full compensation for their efforts. Assuming LAFCO approves a final Budget Increase of approximately \$30,000 (\$29,461.00 to be precise) the total final budget will be \$425,000 and will be sufficient to fully defray all remaining costs. This is to notify you that I will be submitting a Budget Increase Request in that amount for LAFCO to consider at their June 28 hearing.

Very truly yours,

Nathaniel H. Taylor  
Project Manager

cc: Norm Rowett, El Dorado Hills Incorporation Committee  
Roseanne Chamberlain, LAFCO Executive Officer



Via Facsimile, U.S. Mail and E-Mail

June 15, 2005

John Hidahl  
El Dorado Hills Incorporation Committee  
622 Torero Way  
El Dorado Hills, CA 95762

***RE: Budget Matters, El Dorado Hills Incorporation Project***

Dear John:

This letter updates and supersedes my letter to you dated June 9, 2005 regarding the above matter.

The June 9 letter advised you that the Contingency Fund had fallen below the \$40,000 level and requested that you replenish the fund by \$24,473.98, "promptly." Under the terms of the Arbitrator's Order, "promptly" means within five (5) calendar days of my notice, or by June 14. As of the time of this writing, no additional deposits have been received.

My letter to you was in error in that it should have made a demand for the amount necessary to replenish the Contingency Fund to the full \$40,000 level per the terms of the Arbitrator's Order which provides, in pertinent part:

3. Common sense tells us that the contingencies are more apt to occur later in the process rather than at the outset. Common sense also tells us that they are not likely to occur all at one time. In an effort to ease the burden of raising all of the money at one time the Committee is ordered to deposit \$40,000 by July 1, 2004 into a contingency fund to be held and administered by LAFCo. If that fund gets drawn down below \$20,000 then the Committee must replenish it to the \$40,000 level within 5 calendar days.<sup>1</sup> (Emphasis provided) Notice of the draw down of the contingency fund may be given in the same manner as set forth in footnote.

---

<sup>1</sup> Note this is not business days but calendar days.

John Hidahl  
El Dorado Hills Incorporation Committee  
June 15, 2005  
Page 2

Thus, it was the order of the Arbitrator that the obligation to maintain the Contingency Fund at between \$20,000 and \$40,000 was an absolute requirement, whether or not it exceeded the approved budget. The order stated:

“...no matter what the contingency overruns amount to the Committee will ultimately have to pay.”

With respect to timing, the Order set a short 5-day turn-around time for deposits to replenish the Contingency Fund. The enforcement provision for this was set forth in the Settlement Agreement which stated:

If such additional funds are not timely deposited, all further obligations of LAFCO under this agreement shall be terminated and the processing of the project will be suspended. (Settlement Agreement at paragraph 3(D) (iii))

In accordance with the foregoing provisions, and my letter to you of June 9, this letter shall serve as notice that as of tomorrow, work on the Project will be suspended pending receipt of \$30,000 which shall be deemed sufficient to replenish the Contingency Fund to the \$40,000 level.

In addition, this letter shall serve as notice of my intent to request a final Budget Adjustment from the LAFCO at its June 22 hearing for an additional \$39,461 which would bring the Budget to \$435,000, which is my last and hopefully final estimate of what will be required to complete the LAFCO tasks related to the incorporation project.

Very truly yours,

Nathaniel H. Taylor  
Project Manager

cc: Norm Rowett, El Dorado Hills Incorporation Committee  
Roseanne Chamberlain, LAFCO Executive Officer

# El Dorado Hills Incorporation Project

## Project Costs and Budget

Nathaniel Taylor, Lamphier-Gregory  
Project Manager  
June 22, 2005

# Judge Finney's Rules

If additional funding appears necessary to complete the proceeding:

1. The Project Manager shall notify the Committee and place the matter on the LAFCO agenda for consideration by the Commission at their next available meeting.
2. The Project Manager shall develop a revised cost estimate and provide it to the Committee and the public at least five days prior to the hearing.
3. The Commission shall decide whether further funds are necessary to complete the proceeding and the cost estimate is to be revised. Such decision of the Commission shall be final.
4. If it is determined that additional funds are needed, the Committee shall deposit the additional amounts required within 30 days of the decision.
5. If such additional funds are not timely deposited, all further obligations of LAFCO under this agreement shall be terminated and the processing of the project will be suspended.

# Judge Finney's Rules, Con't.

Regarding Contingencies, Judge Finney wrote:

Mr. Taylor was candid that the amount he calculated for contingencies was an estimate... His candor was refreshing. *I would be surprised if his estimate is not on the conservative side.* Nevertheless no matter what the contingency overruns amount to *the Committee will ultimately have to pay...*

Common sense tells us that the contingencies are more apt to occur later in the process rather than at the outset. Common sense also tells us that they are not likely to occur all at one time. In an effort to ease the burden of raising all of the money at one time the Committee is ordered to deposit \$40,000 by July 1, 2004 into a contingency fund to be held and administered by LAFCo. If that fund gets drawn down below \$20,000 then the Committee must replenish it to the \$40,000 level within 5 calendar days.

# Budget History

Original Project Budget	\$278,439
Original Contingency	<u>\$ 82,100</u>
Total Original Budget	\$360,539
Budget Increase (4/15/05)	<u>\$ 35,000</u>
Current Budget	\$395,539
Estimated Final Budget	\$448,839
Requested Budget Increase	\$ 53,300

# Contributions History

Contributions thru 5/31/05	\$363,190
Deposited 6/20/05	<u>\$ 10,000</u>
Total through 6/22/05	\$373,190
Pledge by EDHCSD	<u>\$ 40,000</u>
Total Funding	<u>\$413,190</u>
<b>Proposed Final Budget</b>	<b>\$448,839</b>
<b>Add'l Funding Required</b>	<b><u>\$ 35,649</u></b>

# Summary of Project Costs

	<u>Budget</u>	<u>Final Costs</u>	<u>Variance</u>
LAFCO STAFF	\$ 56,760	\$ 63,503	\$ 6,743
PROJECT MANAGER	80,397	92,337	11,940
LEGAL COUNSEL	25,500	39,181	13,681
CEQA CONSULTANT	125,000	122,684	(2,316)
CFA CONSULTANT	90,000	108,000	18,000
COUNTY STAFF/GIS	10,500	15,294	4,794
MISCELLANEOUS	<u>7,382</u>	<u>7,840</u>	<u>458</u>
TOTAL	\$395,539	\$448,839	\$ 53,300



# Cash Flow

Contributions as of 6/20/05		\$373,190
Disbursements as of 6/07/05		\$351,155
Cash on hand @ 6/20/05		<u>\$ 22,035</u>
Bills Submitted, not paid	\$ 36,460	
Costs Incurred, not billed	\$45,975	
Est. Costs to Complete	<u>\$15,250</u>	
Total Unpaid Costs	\$97,685	<u>\$ 97,685</u>
<b>Total New Cash Required</b>		<b>\$ 75,649</b>
<b>Less: Pledge from EDHCSD</b>		<b>(\$ 40,000)</b>
<b>Net New Cash Required</b>		<b><u>\$ 35,649</u></b>

# LAFCO Decision:

**Affirm Project Manager's Recommended Budget Increase of \$53,300 in accordance with terms of the Settlement Agreement.**

**AGENDA NO.7  
OTHER BUSINESS**

**PROJECT STATUS REPORT**  
**LAFCO ACTIVE PROJECTS - JUNE 2005**

<b>PROJECT NUMBER</b>	<b>PROJECT NAME</b>	<b>ANNEXING AGENCIES</b>	<b># OF PARCELS AT BUILDOUT</b>	<b>ACRES</b>	<b>CEQA RESPONSIBILITY</b>	<b>PROJECT STATUS</b>
01-04	BELL RANCH PROPERTIES ANNEXATION	EID (#24364)		116.9	COUNTY	LAFCO HEARING 6/22/05
02-10	EDH 52 REORGANIZATION	EID (#37139), EDHCWD		53	COUNTY	PENDING APPLICATION REQUIREMENTS - EXT. TO 9/5/05
03-03	CARSON CREEK	EID (#9114), EDHCWD, EDHCSD		553.97	COUNTY	PENDING APPLICATION REQUIREMENTS
04-01	SERVICE REVIEWS - FIRE & EMERGENCY	N/A		N/A	LAFCO	UNDERWAY
04-11	BELL WOODS REORGANIZATION	CPCSD	54	33.7	LAFCO	PENDING APPLICATION REQUIREMENTS
04-12	MENTON/ROBINSON REORGANIZATION	CITY OF PCVL, CSA 9 ZOB 18		5	LAFCO	LAFCO HEARING 6/22/05
05-03	SILVER SPRINGS REORGANIZATION	EID, CAMERON PARK CSD	258	290	LAFCO	PENDING CEQA
05-04	BELLWOODS SOI	SOI		N/A	N/A	PENDING APPLICATION REQUIREMENTS
05-05	BANNON ANNEXATION	EID		26	LAFCO	PENDING AB8 AGREEMENT
05-06	NAEF REORGANIZATION	EID, EDHCSD		5.82	LAFCO	PENDING APPLICATION REQUIREMENTS
05-07	CHARTRAW ANNEXATION	EDHCWD		40.7	LAFCO	PENDING AB8 AGREEMENT

**LAFCO APPROVED PROJECTS**

93-02	SPINARDI	EID #93-01		72.639	LAFCO	APPROVED- EXTENSION GRANTED TO 11/05
98-12	GREENSPRINGS RANCH REORGANIZATION	EID (#98-06), EDH CSD		619	LAFCO	APPROVED 9/22/04 - PENDING CONDITIONS
02-04	POLANCO/SNOLINE MINI STORAGE ANNEX.	EID		1.13	LAFCO	APPROVED 4/23/03-PENDING BLA REQUIREMENTS EXTENSION GRANTED TO 11/05
03-02	EUER RANCH	EID, EDHCWD, EDHCSD		154	COUNTY	APPROVED 2/23/05-PENDING RENEGOTIATION OF AB8 EXTENSION GRANTED TO 11/05
03-10	INCORPORATION OF THE CITY OF EDH	N/A		34 SQ. MILES	LAFCO	LAFCO APPROVED 6/8/05 - PENDING CONDUCTING AUTHORITY HEARING
04-10	FISHER ANNEXATION	EID		.38	LAFCO	APPROVED 4/27/05

**COMPLETED/CLOSED**

# EL DORADO LAFCO

## LOCAL AGENCY FORMATION COMMISSION

**550 MAIN STREET, SUITE E  
PLACERVILLE, CA 95667**

**PHONE: (530) 295-2707  
FAX: (530) 295-1208**

lafco@co.el-dorado.ca.us  
www.co.el-dorado.ca.us/lafco

---

June 21, 2005

Gregory L. Fuz  
Development Services Director  
2850 Fairlane Ct.  
Placerville, CA 95667

Dear Greg:

LAFCO is experiencing difficulty receiving public documents from the Planning Department. My intention in writing this letter is not to complain, but to identify the problem so a solution can be found. LAFCO needs a reliable system to request and receive Planning Department records, especially CEQA documents, because those documents are needed to support LAFCO decisions. I believe that project processing for both our agencies will increase tremendously over the next few months. Absent a clear process for requesting and receiving documents, staff will waste time, become frustrated and perhaps needlessly delay project approvals.

Our most recent problem arose from our need for Bell Ranch CEQA and for final approved project documents. This example is characteristic of our difficulties in prior situations. We needed final copies of the Mitigated Negative Declaration, Errata Sheet, Mitigation Monitoring Plan and the Final MND. We also requested the final Board Approved Findings of Fact and Statement of Overriding Consideration. Even before the final County approvals on May 24th, Corinne Fratini notified Steve Hust that we would need the documents as soon as they were final. She followed up with a reminder request on May 25<sup>th</sup>. Steve assured us we would have the documents within a few days. They are unfortunately still outstanding.

Based on the expectation of receiving the materials promptly and assurances from planning staff, LAFCO staff scheduled the Bell Ranch annexation for hearing on June 22nd. LAFCO is a Responsible Agency and will need to find that the County CEQA review is adequate and complete to support the annexation. This is impossible without the final documents. When it became clear that Planning Department would not be able to provide the documents in time for our packet, we spent considerable effort seeking the documents from the Board's Office and from your CEQA consultants on the project. What we were able to cobble together from these other sources does not include the final amended versions and those documents are still not available nearly a month after our request. The lack of final County documents puts us in an uncomfortable position relative to our hearing on the annexation.

---

**COMMISSIONERS: GARY CUSTAMAGNA, TED LONG, ROBERTA COLVIN, RUSTY DUFREY, ALDON MANARD, CHARLIE PAINE, NANCY ALLEN**  
**ALTERNATES: CARL HAGEN, GEORGE WHIRLTON, FRANCESCA LOFTIS, JAMES R. SWANEY**  
**STAFF: ROSEANNE CHAMBERLAIN-EXECUTIVE OFFICER, CORINNE FRATINI-POLICY ANALYST,**  
**SUSAN STAHRMANN-CLERK TO THE COMMISSION, TOM GIBSON-LAFCO COUNSEL**

Mr. Gregory L. Fuz  
Page 2  
June 21, 2005

From our perspective, it would help if we understood the Planning Department's procedures for such requests so we can avoid surprises and work efficiently together. My hope would be to establish a mutually agreeable protocol for handling LAFCO document requests as a responsible agency.

Please contact us so we can schedule a meeting to work explore the possibilities.

Sincerely,



Roseanne Chamberlain  
Executive Officer

# **EL DORADO LOCAL AGENCY FORMATION COMMISSION**

550 MAIN STREET SUITE E  
PLACERVILLE, CA 95667

TELEPHONE:(530)295-2707  
FAX:(530)295-1208

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Local Agency Formation Commission will hold a public hearing at 5:30 p.m. or as soon thereafter as possible, on June 22, 2005 in the Meeting Room in Building C, El Dorado County Government Center, located at 2850 Fairlane Court, Placerville, CA 95667, to consider the following items:

Bell Ranch Annexation, LAFCO Project 01-04, annexation of 117 acres to El Dorado Irrigation District, located on Morrison Rd. and Tierra De Dios Dr. in El Dorado Hills, CEQA: A Mitigated Negative Declaration was prepared by El Dorado County as the lead agency, SCH#2005022144.

Menton/Robinson Reorganization, LAFCO Project 04-12, annexation of 5 acres to the City of Placerville and detachment from County Service Area 9, located on Briw Ridge Ct. near Briw Rd. and Forni Rd., CEQA Exempt §15061(b)(3).

Authorization to approve amendment of contract for Best, Best & Krieger for an additional one year to provide legal services to LAFCO; Authorization to approve amendment of contract for Scott Browne for an additional one year to provide special legal counsel to LAFCO.

Any person may submit oral or written comments. Staff will distribute written comments to the Commission if submitted 24 hours before the meeting. Roseanne Chamberlain, Executive Officer, LAFCO, 550 Main Street Suite E, Placerville, CA 95667. If you have any questions, you may contact the LAFCO office during normal business hours at (530) 295-2707.

**EL DORADO LOCAL AGENCY FORMATION COMMISSION**

**ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER**

**MOUNTAIN DEMOCRAT**

**TO BE PUBLISHED ONE TIME ONLY: June 1, 2005**

c:\shared\susan\meetings\legal.mst

I, Susan Stahmann, Clerk to LAFCO, do declare that I notified the following persons/entities of the Meetings/Closed Sessions noted below. Further, I Susan Stahmann, do declare that I either posted or caused to be posted the "Agendas/Meetings/Closed Session of LAFCO at the Board of Supervisors and Bldg "C" Main Bulletin Boards on or before 12:00 p.m. on 6-1

Susan Stahmann, Clerk to LAFCO

	<i>AGENDA</i> - (Double Sided - 7)	Meeting Date: 6/22/05	Mailed: <i>6-1</i>	
√	Agenda File - LAFCO			
√	Chamberlain, Roseanne	LAFCO		
√	John Driscoll, City Mgr.	City of Placerville	487 Main Street	Placerville, CA 95667
√	Fratini, Corinne	LAFCO		
√	Sacramento Bee	Folsom Bureau	1835 Prairie City Rd., Suite 500	Folsom, CA 95630
√	Stahmann, Susan	LAFCO		
√	Tahoe Tribune	Editor	3079 Harrison Ave.	So. Lake Tahoe, CA 96150
	<i>AGENDA</i> - (e-mailed) <i>6-1</i>			
e-m	Allen, Nancy	LAFCO Commission	wyomom@webtv.net	
e-m	Arietta, Butch	Springfield Meadows CSD	Barietta57@aol.com	
e-m	Baumann, Helen	BOS	bostwo@co.el-dorado.ca.us	
e-m	Brillissour, Jo Ann	El Dorado County - Planning	jbrillissour@co.el-dorado.ca.us	
e-m	Browne, Scott	Attorney At Law	scottbrowne@jps.net	
e-m	Burney, Naomi	League of Women Voters	nburney@plv4.innercite.com	
e-m	Chamberlain, Roseanne	LAFCO	roseanne@co.el-dorado.ca.us	
e-m	Colvin, Robby	LAFCO Commission	robbycolvin@hotmail.com	
e-m	Cooper, Brian	El Dorado Irrigation District	bcooper@eid.org	
e-m	Corcoran, Daniel	EID	dcorcoran@eid.org	
e-m	Costamagna, Gary	LAFCO Commission	pnjcosta@jps.net	
e-m	Davis, Don		ddavis67@pachbell.net	
e-m	Deister, Ane	EID	adeister@eid.org	
e-m	Dupray, Rusty	LAFCO Commission	bosone@co.el-dorado.ca.us	
e-m	Ford, Frank	Citizens for Good Government	fordcgg@pachbell.net	



e-m	Fraser, John	EID	jfraser@innercite.com
e-m	Fratini, Corinne	LAFCO	cfratini@co.el-dorado.ca.us
e-m	Frye, Larry R., Chief	EDH County Water	Larry@edhfire.com
e-m	Georgetown Gazette-Ctrl Disp	Newspaper	gazette@d-web.com
e-m	Gill, Laura	CAO's office	lgill@co.el-dorado.ca.us
e-m	Gibson, Thomas	LAFCO Counsel	Thomas.Gibson@bbkclaw.com
e-m	Grace, Lori	EID	lgrace@eid.org
e-m	Hagen, Carl	LAFCO Commission	chagen@d-webb.com
e-m	Hidahl, John		john.hidahl@aerojet.com
e-m	Hillyer, Dianna	EDH CSD	dhillyer@edhcsd.org
e-m	Hollis, Bob	Request	rhollis@CarnegiePartners.com
e-m	Jackson, Mindy	El Dorado Transit	mjackson@innercite.com
e-m	Lacher, Bruce	El Dorado County Fire District	c7700@directcon.net
e-m	Life Newspapers	Newspaper	editor@villagelife.com
e-m	Loftis, Francesca	LAFCO Commission	floftis@CWnet.com
e-m	Long, Ted	LAFCO Commission	tedtahoe@hotmail.com
e-m	Lowery, Wayne	El Dorado Hills CSD-Gen Mgr	wlowery@edhcsd.org
e-m	Margaret Moody	BOS	mmoody@co.el-dorado.ca.us
e-m	McDonald, Linda	EID	lmcdonald@eid.org
e-m	Morgan, Jon	Environmental Management	jmorgan@co.el-dorado.ca.us
e-m	Neasham, Sam		Neasham@neashamlaw.com
e-m	Osborne, George	EID	gwclosborne@comcast.net
e-m	Paine, Richard C.	LAFCO Commission	paine@trajen.com
e-m	Purvines, Shawna	CAO's office	spurvines@co.el-dorado.ca.us
e-m	Rescue Fire Protection District	Fire Protection District	rescuefd@directcon.net
e-m	Russell, Dan	El Dorado County Surveyor	drussell@co.el-dorado.ca.us
e-m	Sanders, Vicki	CAO's Office	vsanders@co.el-dorado.ca.us
e-m	Segel, Harriett	Public	tuffi@innercite.com
e-m	Smith & Gabbert, Inc.	El Dorado Land & Development	Kim@waveshift.com
e-m	Solaro, Dave	Board of Supervisors	dsolaro@co.el-dorado.ca.us
e-m	Stack, Noel	Mt. Democrat	nstack@mtdemocrat.net

e-m	Sweeney, Jack	LAFCO Commission	bostthree@co.el-dorado.ca.us	
e-m	Weimer, Michele	EID	mweimer@eid.org	
e-m	Wheeldon, George	LAFCO Commission	wheeldon@sbcglobal.net	
e-m	Witt, Norb		nwitt@sbcglobal.net	
e-m	Word, Chris	EID	cword@eid.org	
e-m	Wright, William	Attorney at Law	bilofwrights@sbcglobal.net	
	<b>INCORPORATION ONLY</b>			
e-m	Taylor, Nat	Project Manager	ntaylor@lamphier-gregory.com	
	<i>AGENDA (Single-Sided)</i>			
√	Post- B, C & LAFCO (3)			
√	Agenda Item File	Districts for Budget		
√	Agenda Item Person			
	<i>PACKET (20) - Mailed 6-13</i>			
√	Allen, Nancy	Commission	P. O. Box 803	Georgetown, CA 95634
√	Chamberlain, Roseanne	LAFCO		
√	Colvin, Roberta	LAFCO Commission	2854 Bennett Dr.	Placerville, CA 95667
√	Costamagna, Gary	Commission	4100 Marble Ridge Road	El Dorado Hills, CA 95762
√	Dupray, Rusty	Commission	Board of Supervisors	
√	Fratini, Corinne	LAFCO		
√	Gibson, Thomas	LAFCO Counsel	BBK 400 Capitol Mall, Ste 1650	Sacramento, CA 95814
√	Hagen, Carl	LAFCO Commission	183 Placerville Dr.	Placerville, CA 95667
√	Loftis, Francesca	Commission	7085 Nutmeg Lane	Placerville, CA 95667
√	Long, Ted	LAFCO Commission	2498 Kubel Ave.	So. Lake Tahoe, CA 96150
√	Manard, Aldon	Commission	3591 Coloma Canyon Rd.	Greenwood, CA 95635
√	Paine, Richard C.	Commission	Board of Supervisors	
√	Public Review Binder			
√	Stahmann, Susan	LAFCO		
√	Sweeney, Jack	Commission	Board of Supervisors	
√	Wheeldon, George	Commission	EID-2890 Mosquito Road	Placerville, CA 95667
√	Extra Copy for Meeting			
√	Stack, Noel	Mt. Democrat	1360 Broadway	Placerville, CA 95667

√	Segel, Harriett	Mail	2067 Wood Mar Drive	El Dorado Hills, CA 95762
√	Chief Larry Fry	EDH County Water Dist. (Mail)	990Lassen Lane	El Dorado Hills, CA 95762
	<b>*Ask RC if Scott &amp; Barbara</b>	packet		
	<b>TOPICS - Mailed -</b>			
√	Conference Table (2 copies)			2737 Carnelian Cir. EDH
√	Project Files	<b>All EID- Linda MacDonald-EID</b>	<b>Bell Ranch-Ken Wilkinson</b>	P. O. Box 1983 Pcvl 95667
√	Misc. Topics to People	<b>All Smith Flat-Jenna Lollis</b>	2903 Jacquier Road	Placerville, CA 95667