

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

P.O. BOX 22-1292 ♦ SACRAMENTO, CA 95822
810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377

March 11, 2018

River Pines Public Utility District
P.O. Box 70
River Pines, CA 95675

Dear Ms. Bingham and Board of Directors:

Thank you for the opportunity to provide comment. The Initial Study and Mitigated Negative Declaration prepared by River Pines Public Utility District (RPPUD, as lead agency, needs to be augmented to disclose and describe the potential environmental effects of the entirety of the project. The RPPUD rehabilitation and renovation project includes the amendment of the district's sphere of influence (SOI) and the annexation of parcels which are currently receiving water service from the district in both Amador County and in El Dorado County. These actions are an integral part of the project.

While the Initial Study (IS) and Mitigated Negative Declaration (MND) does note that the sphere amendment and annexation will need to be approved by LAFCO (pgs. 8 & 17), LAFCO must be named in the documents as a Responsible Agency for the project. LAFCO's discretionary actions are subject to the California Environmental Quality Act (CEQA) and must occur before the district can carry out the system renovation described in the IS and MND. The SOI amendment and annexation are an essential part of the system improvement project and must be included and described as part of the overall project for the implementation of CEQA.

The district has proposed a SOI amendment and annexation by resolution of application to LAFCO. The reason given by the district for the SOI amendment & annexation is to legally allow for the system rehabilitation and renovation on those parcels. The SOI amendment and annexation are an integral part of the project and cannot be omitted from the description and disclosure contained in the lead agency's environmental review. At a minimum, all parcels included by the district for annexation should be listed in the IS and MND. The land use designations, current land uses, the nature and extent of services currently provided by the district, and zoning must be disclosed in those documents. A map figure would clearly convey the area proposed for sphere amendment and annexation to all interested reviewers and to the RPPUD board of directors.

The draft IS and MND vaguely describes that there are 12 water service connections in El Dorado County. The district has applied to LAFCO for annexation of 14 parcels in El Dorado County and 3 parcels in Amador County. Information about the El Dorado parcels was provided to Bruce Barracco by LAFCO via email on January 31, 2018. Such information must be included in the environmental review to fully describe and disclose the project and its environmental effects.

Unless accurate and adequate information is contained in this IS and MND to describe the proposed LAFCO actions along with appropriate analysis of any potential environmental effects, the project will be segmented. At best, segmenting the project in this way would trigger the need for additional costly and time-consuming environmental review by LAFCO before the district could proceed with any part of the project.

Please note that the district has no jurisdiction outside of its boundaries and cannot exercise its corporate powers or taxation powers to serve water or renovate the system anywhere outside its legal boundaries. The district may not be legally able to apply for building permits or encroachment permits in El Dorado County or in Amador County outside of its boundaries.

The service currently provided outside the boundaries was never authorized, other than by district decision. Construction of the El Dorado County system may not have been carried out with valid permits. Those service connections and the service in place on 3 additional parcels within Amador County cannot be considered “Out-of-Agency” services as noted on pg. 8, because that is a term used for services legally authorized by LAFCO to be provided outside of a city or district’s boundaries.

Please also correct the reference to LAFCO on page 8. It states “Amador Local Area Formation Commission”. The correct name is Amador Local Agency Formation Commission (underscore added for emphasis).

Thank you for this opportunity to comment. I will be happy to assist in your efforts to amend and augment this IS and MND. These changes are provided to ensure that the environmental documents are adequate for the district to proceed with the much needed rehabilitation and renovation of its water system. Please feel free to call or set a time for a meeting to discuss these comments.

Sincerely,

Roseanne Chamberlain
Executive Officer