

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**6:00 P.M. – THURSDAY JUNE 21, 2018
810 COURT STREET, JACKSON
BOARD OF SUPERVISORS CHAMBERS**

Please Note: All LAFCO meetings are recorded. Anyone who wishes to address the Commission must speak from the podium and should print their name on the Meeting Speaker list, which is located on the podium.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the LAFCO staff, at (209) 418-9377, by e-mail to amador.lafco@gmail.com. Requests must be made as early as possible, and at least two business days before the start of the meeting.

Meeting Materials are available for Public Review at the LAFCO desk, located at the County Planning Department, 810 Court Street, Jackson, and posted on the Amador LAFCO website.

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA FOR JUNE 21, 2018**
- 4. APPROVAL OF THE MINUTES OF MAY 17, 2018**
- 5. APPROVAL OF CLAIMS TO JUNE 21, 2018**
- 6. PUBLIC FORUM –PUBLIC COMMENT**

Any person may address the Commission on any subject within the jurisdiction of LAFCO which is not on the agenda. No action may be taken at this meeting. There is a five (5) minute limit.

- 7. RIVER PINES PUBLIC UTILITY DISTRICT ANNEXATION IN EL DORADO COUNTY (LAFCO PROJECT #292), RESOLUTION #2018-05 (public hearing)**

Annexation to River Pines PUD of 190.8 +/- acres, including 14 parcels in El Dorado County, 4 parcels and one portion of a parcel in Amador County where service has historically been provided. No new service connections, no development is planned. CEQA: River Pines PUD as lead agency has certified a Mitigated Negative Declaration for the project (State Clearinghouse #2018022022).

- 8. MUNICIPAL SERVICE REVIEW (MSR) 2018 UPDATE, JACKSON VALLEY FIRE PROTECTION DISTRICT (JVFPD), LAFCO RESOLUTION #2018-06 (public hearing)**

Commission will review the Final JVFPD Municipal Services Review, make determinations regarding the district & adopt Resolution #2018-06. CEQA: Public Resources Code Section 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed.

9. ADOPTION OF A SPHERE OF INFLUENCE OF THE JACKSON VALLEY FIRE PROTECTION DISTRICT (JVFPD), LAFCO RESOLUTION #2018-07 (public hearing)

The Commission will consider a sphere of influence coterminous with the boundaries of the district. CEQA: categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code, no change in services or service demand and no possibility that the project could have a negative effect on the environment.

10. OTHER BUSINESS, REPORTS

- a. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Project Status Report
- e. Legislation Report – the commission may take a position on LAFCO-related bills pending before the legislature

11. ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for July 19, 2018.



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 48 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 10 copies.

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

PLEASE DO NOT REMOVE POSTING BEFORE:

June 22, 2018

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642 ♦ (209) 223-6380

MINUTES

May 17, 2018

DRAFT

This meeting was available via live audio streaming and was digitally recorded.

1. **Call to Order, Pledge of Allegiance & Roll Call**

The May 17, 2018, meeting of the Amador Local Agency Formation Commission (LAFCO), held at the County Administration Center, 810 Court Street, Jackson, California, was called to order by Chairman Crew at 6:03 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Dominic Atlan, City Member
Tim Murphy, City Member
Brian Oneto, County Member
Jim Vinciguerra, Public Member

Staff Present:

Roseanne Chamberlain, Executive Officer
Nancy Mees, Clerk to the Commission

3. **Approval of Agenda for May 17, 2018**

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Atlan, and carried unanimously to approve the agenda as submitted.

4. **Approval of the Minutes of April 19, 2018**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to approve the Minutes for April 19, 2018, as submitted.

5. **Approval of Claims to May 17, 2018**

Motion: It was moved by Commissioner Murphy, seconded by Commissioner Oneto, and carried unanimously to approve the Approval of Claims – Meeting Final, as submitted.

6. **Public Forum – Public Comment**

There was no public comment.

7. **Jackson Valley Fire Protection District, Public Review Draft Municipal Services Review (MSR), 2018 Update**

Executive Officer Chamberlain reported that staff is aware there are minor corrections and clarifications that still need to be done in the MSR. Ms. Chamberlain will also be having additional discussions with the fire district staff and directors. The Determinations should be ready for the next Commission meeting.

Commissioner Atlan asked when the last JVFPD MSR had been done, and Ms. Chamberlain responded that it was in late 2007, but that no Sphere of Influence had been adopted. She would currently recommend that the sphere be coterminous.

Commissioner Atlan further asked if a new fire station had been built in the District. Ms. Chamberlain stated that there had not, but that renovations had been made to Station 171 under an Intergovernmental Services Agreement (ISA) with the casino. In answer to another question, she said that if the casino expanded, it would have to build another station. Commissioner Atlan asked some further questions regarding staffing and who would be paying for it. Ms. Chamberlain replied that in addition to the ISA, there is a MOA between the District and CALFire regarding services related to the casino, as well as an agreement between the County and CALFire regarding dispatch and other services to the casino.

Commissioner Vinciguerra asked if the casino could have its own fire district, and Ms. Chamberlain said it might be a possibility in the future, but that the ISA requires the casino to work with the County, JVFPD, and CALFire. Commissioner Vinciguerra then asked if that meant local fire would be the first responders. Ms. Chamberlain replied yes, and that the casino would be required to provide funds to help defray the costs to the District or County.

In answer to further questions, Ms. Chamberlain responded that it is speculative to talk about what the casino might do in the future, but that currently it is committed to offsetting the costs of services provided to it. She added that she is confident the parties will work things out.

Motion: It was moved by Commissioner Murphy, seconded by Commissioner Vinciguerra, and carried unanimously to direct staff to release the 2018 Updated JVFPD MSR for public comment.

8. **Adoption of Final Budget for Fiscal Year 2018-19, LAFCO Resolution 2018-04 (public hearing)**

Executive Officer Chamberlain reported that the Proposed Budget adopted at the last Commission meeting, along with the Proposed Work Plan, had been released for comment, and that none had been received.

Commissioner Oneto asked about the \$18,000 that had been budgeted for MSRs. Ms. Chamberlain responded that the amount was smaller because staff was going to be doing the MSR reviews in-house this time, and that the fire districts are at the top of the list. She added that a sphere needs to be adopted for all except Lockwood Fire District as that was not done during the last MSR period.

Commissioner Atlan asked if the districts reimburse LAFCO for the work done on their MSRs. Ms. Chamberlain explained that if a district requests a sphere amendment which then triggers an MSR update, they would have to pay. However, when LAFCO initiates the MSR or sphere update, the cost is borne by LAFCO.

Chairman Crew opened the Public Hearing. There was no public comment.

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Oneto, and carried unanimously to close the Public Hearing.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Murphy, and carried unanimously to adopt Resolution 2018-04, adopting the Final Budget for Fiscal Year 2018-19 as presented.

9. **Other Business, Reports**

- a. Correspondence – none.
- b. Commissioner Announcements – Commissioner Murphy made comments regarding ACRA’s JPA.
- c. Executive Officers Report – Executive Officer Chamberlain reported that CALAFCO is currently soliciting nominations for its various annual awards, as well as for its Board of Directors. The annual conference will be October 3-5 at the Tenaya Lodge.
- d. Legislation Report – Executive Officer Chamberlain reported that the four letters of support (AB 2258, 3254, 2600, and 2491) that were approved at the last Commission meeting had been sent out, and that all four pieces of legislation are progressing.

Ms. Chamberlain reported that CALAFCO has made another request for letters of support for some additional legislation. SB 929 would require special districts to have a website. AB 2238 would add the new factor of fire hazard danger and mitigation plans into the process when considering an annexation. AB 2268 would provide funding for the annexation of inhabited areas. Ms. Chamberlain recommended that the Commission support the latter two bills, and consider supporting the first.

Commissioner Atlan suggested that the LAFCO web address be added to our letterhead. Ms. Chamberlain replied that that could easily be done.

Commissioner Crew commented that small districts should not be forced to have websites, primarily because they would be difficult to maintain. He did believe, however, that they should be encouraged to have websites. Ms. Chamberlain responded that there was an option for an exemption for some districts, but she had not yet read the bill. Possibly the County could provide itself as a server for a small fee. She also said the LAFCO website might be a portal for smaller districts.

By consensus, the Commission directed staff to draft letters of support for AB 2238 and 2268, but not for SB 929.

10. **Closed Session: Performance Evaluation Executive Officer, section 54957(b)(1)**

Commissioner Crew adjourned the Commission to Closed Session at 6:31 p.m. He brought it back to Open Session at 6:44 p.m., announcing that there were no reportable items.

11. **Adjournment**

The next regular LAFCO meeting is scheduled for June 21, 2018. Chairman Crew adjourned the meeting at 6:44 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF June 21, 2018

APPROVAL OF CLAIMS TO

June 21, 2018

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
R Chamberlain 5/15/2018-6/18/2018	Consulting Services Labor Expense Total, includes mileage	6/21/2018 estimate 6/21/2018 estimate	\$ 4,500.00 \$ 740.00
N Mees 5/17/2018-6/19/2018	Clerical & Admin Labor Expenses	6/21/2018 estimate 6/21/2018 estimate	\$ 515.00 \$ 85.10
Amador Ledger	Public notice for June 21, 2018		\$ 117.48
Amador County Planning Dept.	Copying charges		\$ 160.90
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
	TOTAL		\$ 6,368.48

**** Note: Denotes any invoices paid prior to Commission Approval, per Policy 2.3.7**

CHAIR:

Presiding Officer

ATTEST:

Nancy Mees
CLERK TO THE COMMISSION

AGENDA ITEM # 7

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
RIVER PINES PUBLIC UTILITY DISTRICT ANNEXATION IN EL DORADO COUNTY
(LAFCO PROJECT #292), RESOLUTION #2018-05
DATE: MEETING OF JUNE 21, 2018

DESCRIPTION OF PROJECT

River Pines Public Utility District proposes annexation of 190.8 +/- acres, including 14 parcels in El Dorado County, 4 parcels in Amador County and one portion of a parcel in Amador County. Water service has historically been provided to each of these properties and no new service connections or development is planned. All landowners have consented to the annexation.

LOCATION

The area proposed for annexation in El Dorado County is located near Mt. Aukum Rd., Dean Rd., Windhorse Way and Jaybird Lane. In Amador County the annexation areas are at the end of Spring Lane and along Emigrant Trail. Descriptive maps showing the area are attached.

PURPOSE

The district is seeking grant funding to rehabilitate and renovate its entire water system within Amador and El Dorado Counties. The district is eligible for approximately \$6 million in grant funding from the state for the project and desires to annex the area that it currently serves outside its boundaries in El Dorado County to ensure appropriate jurisdiction for the grant funds and to allow citizen participation.

BACKGROUND

The district was formed in 1961 to provide water service to the River Pines community. The county completed a sewer system in 1988 with grant funding to address public health hazards from failing private septic systems and subsequently transferred wastewater services to the district.

There are no known records for the service extension into El Dorado County. It is believed the lines were constructed in the early 1980's. The district has archives and old records, but these documents are not well organized and have not been reviewed.

A Municipal Services Review was completed in March 2018 and determinations made by the Commission led to an amendment to the sphere of influence. All land in El Dorado county receiving service was added to the District sphere.

LAND USE

All the El Dorado County parcels are designated Rural Residential (2.51-20 acres). Zoning is RE-10 with one residential unit allowed on each parcel. The parcels are developed to the extent allowed under the zoning. In Amador County one parcel is designated Town Center, two properties are AG(Agriculture General), one parcel and the portion is Residential Low Density.

CEQA

River Pines PUD as lead agency has certified a Mitigated Negative Declaration for the project (State Clearinghouse #2018022022). The environmental review documents have been recently considered by the commission as part of the sphere of influence review and are provided again for this annexation by email. The Mitigations and Mitigation Monitoring & Reporting Plan are attachment C to Resolution #2018-05.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the factors listed below. The condensed review is presented below for the commission’s consideration.

<i>FACTOR TO CONSIDER</i>	<i>POLICY/STATUTE CONSISTENCY</i>	<i>COMMENT</i>
<i>1. NEED FOR SERVICES, FUTURE NEEDS</i>	Consistent	Existing water connections in place; no additional connections
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	Absent grant funding for renovation the current facilities are just adequate. No change in service, no additional demand for service. System renovation will improve adequacy/reliability.
<i>3. WATER SUPPLY</i>	Consistent	Supply is groundwater; District capacity adequate; RPPUD holds inactive water rights to Cosumnes surface water supplies
<i>4. SERVICE ALTERNATIVES</i>	Consistent	Service is in place
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted; system renovation is planned

<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	N/A; district annexation only
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	Distribution infrastructure in place; grant funding will allow renovation
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no significant effects noted
<i>9. ALTERNATIVES, COST & ADEQUACY</i>	Consistent	No service changes proposed
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	Assessment/rates revenues appear sufficient; No property tax sharing in El Dorado County. AB-8 in Amador allows portion of increment
<i>11. "BEST INTEREST"</i>	Consistent	Will adjust the boundary to include the entire service area
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Follows parcel lines; annexation of two parcels with service are not contiguous; landowners previously paid for line extensions
<i>13. TOPOGRAPHY</i>	Consistent	River canyon area is a single topographic area; 2 parcels are non-contiguous
<i>14. SPHERES OF INFLUENCE</i>	Consistent	Sphere approved 4/19/18
<i>15. EFFECT ON ADJACENT AREAS, COMMUNITIES</i>	Consistent	No change anticipated; no significant untoward effects
<i>16. COMMENTS FROM LANDOWNER OR OWNERS</i>	Consistent	100% landowner consent; no comments received
<i>17. EFFECT ON OTHER COMMUNITY SERVICES</i>	Consistent	None; no change anticipated
<i>18. OTHER AGENCY COMMENTS, OBJECTIONS</i>	Consistent	No substantive comments received to date
<i>19. FAIR SHARE OF REGIONAL HOUSING</i>	Consistent	No change or effect anticipated; no add'l housing will result from annexation
<i>20. LAND USE, ZONING DESIGNATIONS</i>	Consistent	Developed rural residential lands
<i>21. POPULATION</i>	Consistent	No change; developed & occupied
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	No change anticipated; land uses described above
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no apparent effect on agriculture
<i>24. ENVIRONMENTAL JUSTICE</i>	Consistent	River Pines is a severely disadvantaged community

DETERMINATIONS

The Commission should review the factors summarized above and disclosed in the public hearing, 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 “inhabited” per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et. seq. by resolution of the subject agency. All landowners (100%) have consented to the reorganization.
2. The annexation is consistent with the sphere of influence of River Pines Public Utility District as amended on April 19, 2018.
3. The boundaries are definite and certain and conform to lines of ownership and parcel lines.
4. The annexation will provide a logical and orderly boundary. The portion of one parcel being annexed will eliminate a boundary that divides the parcel.
5. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area. The system renovation plans, including annexation of all served parcels is in the best interests of the affected area.
6. The annexation will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will not affect the county’s ability to achieve its fair share of the regional housing needs.
7. River Pines PUD, as lead agency, prepared and certified a Mitigated Negative Declaration (MND) and Monitoring Program for the system renovation and rehabilitation project, including this annexation. LAFCO, as a responsible agency participated in the CEQA review process for the project and the Commission has reviewed and considered the environmental documents prepared and approved by the lead agency including the findings, mitigations and mitigation monitoring plans, and related documents.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2018-05, making determinations, adding conditions and approving the River Pines PUD Annexation in El Dorado County, LAFCO Project #292.
2. Direct the Executive Officer to prepare a Notice of Determination pursuant to Title 14, Article 19, Class 19 of the California Code of Regulations.
3. Hold the Conducting Authority proceedings in compliance with Resolution #2018-05, and Government Code Section 57000 et. seq.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by statute and policy.

Attachments:

Resolution #2018-05

Exhibit A – Descriptive Maps (final map to follow approval)

Exhibit B – Conditions

Exhibit C – MMRP (see note below)

Notice of Determination

Note: Mitigated Negative Declaration, Mitigations and Mitigation Monitoring & Reporting Plan provided by email

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377

LAFCO RESOLUTION NO. 2018-05
RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS AND
APPROVING THE RIVER PINES ANNEXATION IN EL DORADO COUNTY
LAFCO PROJECT #292

WHEREAS, a resolution making application for the proposed annexation of certain territory in the County of Amador and El Dorado County 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 resolution and certified that it is complete and has accepted the proposal for filing; 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, River Pines PUD, as lead agency, prepared and certified a Mitigated Negative Declaration (MND) and Monitoring Program for the system renovation and rehabilitation project, including this annexation. LAFCO, as a responsible agency participated in the CEQA review process for the project and the Commission has reviewed and considered the environmental documents prepared and approved by the lead agency including the findings, mitigations and mitigation monitoring plans, and related documents; and

WHEREAS, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the Executive Officer's report and recommendation, the environmental document and findings, plans for providing service, spheres of influence and applicable General and specific plans;

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

1. The subject territory is "inhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et. seq. by resolution of the subject agency. All landowners (100%) have consented to the reorganization.
2. The annexation is consistent with the sphere of influence of River Pines Public Utility District as amended on April 19, 2018.
3. The boundaries are definite and certain and conform to lines of ownership and parcel lines.
4. The annexation will provide a logical and orderly boundary. The portion of one parcel being annexed will eliminate a boundary that divides the parcel.
5. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area. The system renovation plans, including annexation of all served parcels is in the best interests of the affected area.

6. The annexation will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will not affect the county's ability to achieve its fair share of the regional housing needs.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. The River Pines Public Utility District, as lead agency for the project, has fulfilled its obligations under the California Environmental Quality Act. The environmental impacts of the project and the annexation of areas outside of district boundaries have been disclosed and adequately addressed by the lead agency.
2. Pursuant to Section 15096 of the CEQA Guidelines, LAFCO has considered the environmental documents adopted by the lead agency. LAFCO hereby adopts the District's Conditions of Approval and Mitigation Monitoring Program as approved by the lead agency and attached as Exhibit "C" to this resolution.
3. The River Pines Public Utility District Annexation in El Dorado County is approved, subject to conditions listed below and attached as "Exhibit B" to this resolution.
4. Said territory is annexed, as set forth and described in the attached descriptive map and legal description marked "Exhibit A" and by this reference incorporated herein.
5. Said territory includes approximately 190.8 +/- acres and is found to be inhabited, and the territory is assigned the following short form designation:

River Pines Annexation in El Dorado County, LAFCO Project #292

6. The following changes of organization or reorganization are approved:

Annexation to River Pines PUD

7. All subsequent proceedings in connection with this annexation 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.
8. The Executive Officer is hereby directed to hold Conducting Authority proceedings for the detachment.
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.
10. The effective date shall be the date of recordation.

DRAFT

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 21st day of June 2018, by the following vote:

AYES:

NOES:

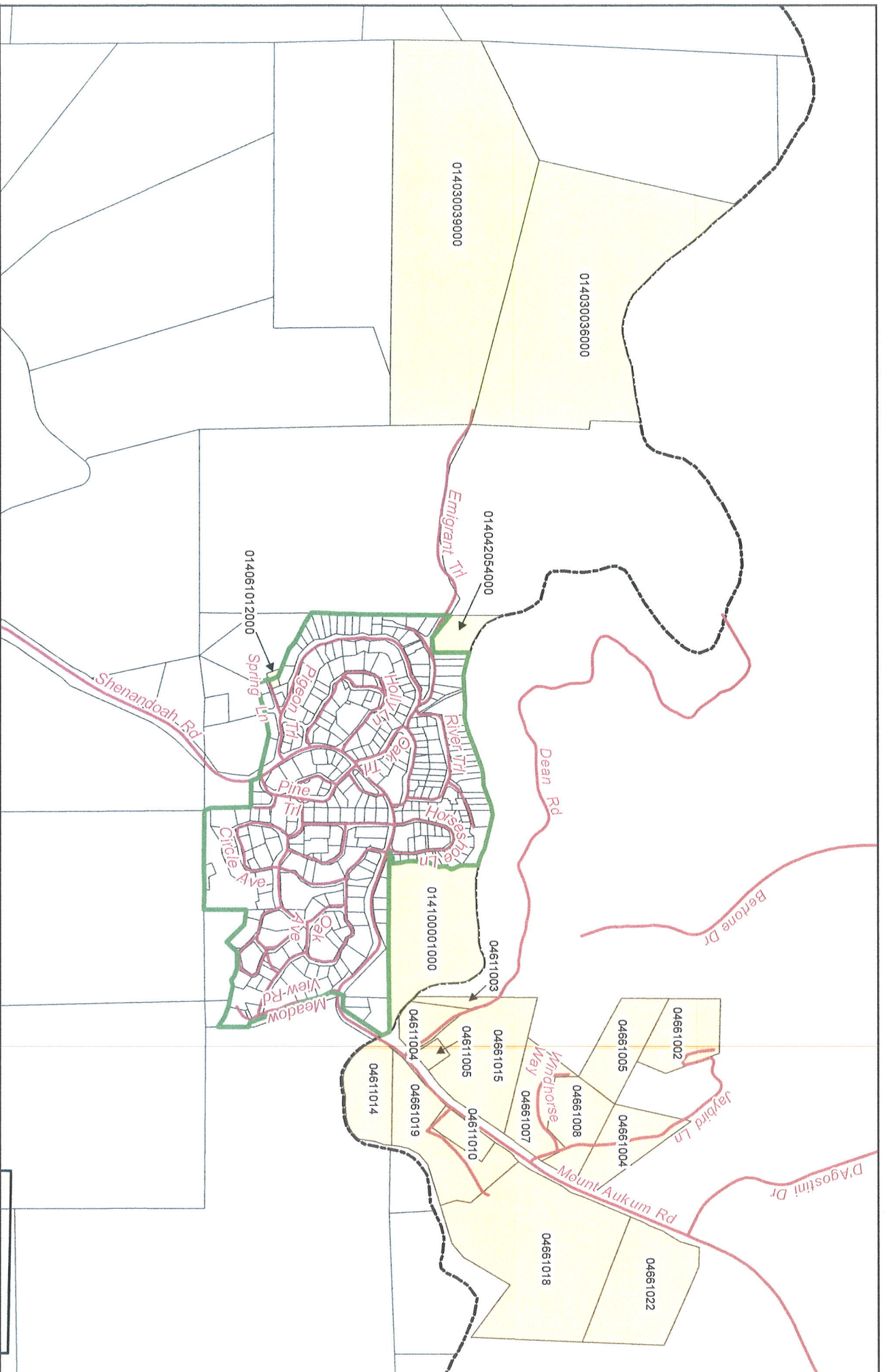
ABSENT:

Presiding Officer
Patrick Crew, Chairman
Amador LAFCO

ATTEST:

Nancy Mees, Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California

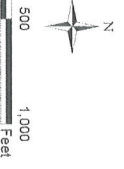
Attachments: Exhibit A – Map and Legal Description
Exhibit B – Terms and Conditions
Exhibit C – Conditions of Approval & Mitigation Monitoring Program



River Pines Public Utilities District Annexation in El Dorado County

LAFCO Project #292 (Including Property in Amador County)

- River Pines Public Utilities District
- El Dorado County Annexation Area
- Amador County Annexation Area
- El Dorado County
- Amador County
- Parcel
- Road



Map created May 15, 2018, by:
 Amador County Transportation Commission GIS staff
 117 Valley View Way, Sutter Creek, CA 95885 (209) 267-2282

Exhibit A

The Amador County Transportation Commission assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

**EXHIBIT B TO LAFCO RESOLUTION NO. 2018-05
CONDITIONS OF APPROVAL
RIVER PINES ANNEXATION IN EL DORADO COUNTY
LAFCO PROJECT #292**

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 the River Pines Public Utility District.
 - b) 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;
 - c) Shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
 - d) Shall be subject to the rules, regulations, ordinances of the District as now existing or hereafter amended.

3. The applicant shall complete 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.

3. The Certificate of Completion shall be issued and recorded subsequent to final payment by the applicant of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.

4. Parcels in El Dorado County shall continue to receive service at the same level as prior to annexation. Changes to levels of service provided by River Pines Public Utility District, new or additional water connections or services are subject to all applicable state laws, including the California Environmental Quality Act.

5. El Dorado County is requested to annotate the River Pines Public Utility District service connection on each parcel within El Dorado County as part of any land management and data system maintained by El Dorado County.

MITIGATION MONITORING AND REPORTING PLAN

**FOR THE
WATER STORAGE AND DISTRIBUTION
REHABILITATION PROJECT
AMADOR COUNTY, CALIFORNIA**

Prepared For:

**River Pines Public Utility District
22900 Canyon Avenue
PO Box 70
River Pines CA 95675**

Prepared By:

**Baracco and Associates and
MPE Inc. Environmental Consulting
40 Eureka Street
PO Box 401
Sutter Creek CA 95685**

March 2018

Chapter 1: INTRODUCTION

1.1 PURPOSE OF THE MITIGATION MONITORING PROGRAM

Section 21081.6 of the California Public Resources Code requires that:

A public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. This mitigation monitoring program applies to mitigation measures adopted as part of EIRs or negative declarations.

The purpose of the Mitigation Monitoring and Reporting Program is to ensure that the mitigation measures included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the River Pines Public Utility District (RPPUD) Water Storage and Distribution Rehabilitation project are implemented.

1.2 DESCRIPTION OF PROJECT

The RPPUD project service territory is located within the existing River Pines unincorporated community adjacent to the Shenandoah Valley, and along both sides of Shenandoah Road in north central Amador County and south central El Dorado County. The project is the River Pines Public Utility District's Proposed Water Storage and Distribution Rehabilitation Project to be constructed within existing local or County rights-of-way in Amador and El Dorado Counties. The pipeline and tank upgrades are located within the USGS Aukum 7.5 minute quadrangle. A map showing the improvement areas is provided in Figure 1 to help orientate the project within the River Pines Community. The green area consists of the West Area Improvements; the blue area consists of the East Area Improvements; and the yellow area consists of the North Area Improvements.

The project consists of the following components:

- Replacement of small (3/4" to 4") water distribution system pipelines with minimum 6-inch diameter main;
- Construction of separate dedicated water lines from the existing RPPUD Well 2 and Well 3R to the new 225,000-gallon Circle Avenue Tank;
- Construction of two (2) pressure reducing stations;
- Replacement of existing fire hydrants and the placement of new hydrants to provide adequate fire protection throughout the district's service area;
- Placement of isolation valves on the main lines and dedicated supply lines to provide the District with adequate control and operation of the distribution system for repairs and maintenance;
- Replacement of the existing water meters with magnetic drive, positive displacement type meters;
- Repair of the Jaybird Lane Tank, which is located in El Dorado County as recommended in the Water Rehabilitation Study;
- Replacement of the Circle Avenue Tank with a new 225,000-gallon capacity concrete storage facility; and
- Update survey maps with current and new data.

Pipeline improvements total 21,000 lineal feet and are estimated as follows:

1. 4,750 LF 4 inch (dedicated water supply) pipe
2. 12,975 LF 6 inch distribution main
3. 2,425 LF 8 inch distribution main
4. 825 LF 10 inch distribution main

All of the distribution lines will be within existing County road rights-of-way or will be within private road easements. A segment of the distribution line is expected to cross the South Fork of the Cosumnes River and Slate Creek attached to existing bridge structures along Shenandoah Road and Emigrant Trail, respectively, and would not likely impact any riparian or wet habitat. None of the proposed pipeline alignment is in undisturbed soils or habitat.

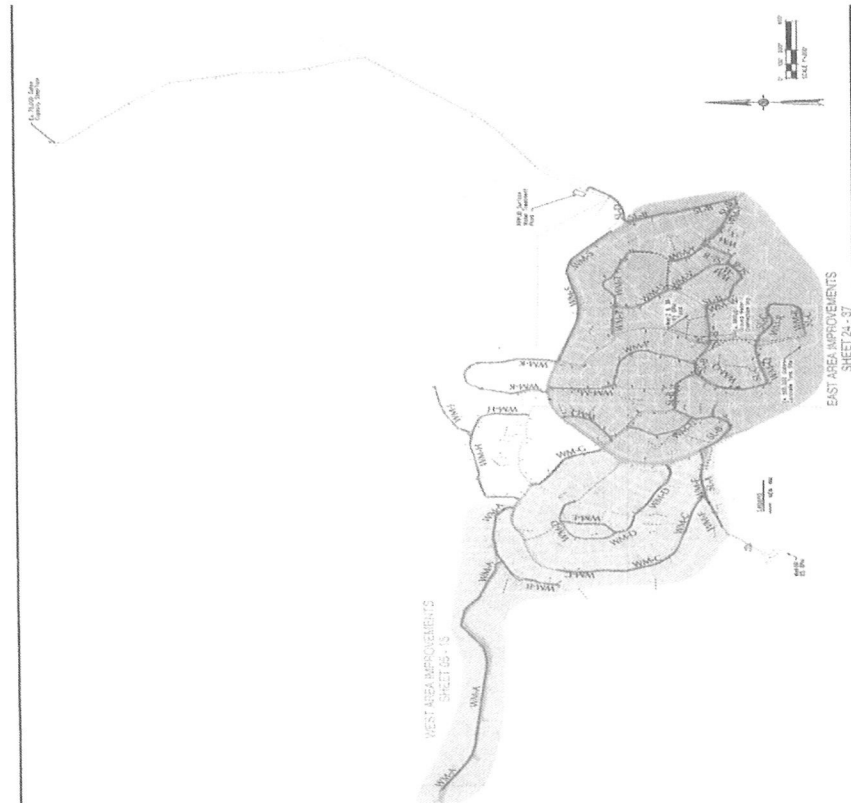
The pipeline will be constructed within the existing rights-of-way of the following River Pines' community roadways:

Emigrant Trail	West Avenue
Cedar Lane	Hillcrest Avenue
Pigeon Trail	Circle Avenue
Holly Lane	Canyon Avenue
Shenandoah Road	Oak Avenue
River Trail	Fern Trail
Horseshoe Lane	Chaparral Road
Rock Lane	Cyprus Trail
Oak Trail	Meadow View Road
Pine Trail	Jaybird Lane
Fern Lane	

The main roadway, e.g. Shenandoah Road, is mostly of a flat or crowned contour with an approximate average of 25-30 feet on each side from centerline delineating the right-of-way. The minor lanes, avenues, and trails are less wide, approximately 6-10 feet from centerline, with residential units and ornamental vegetation abutting the right-of-ways. The right-of-way for each road segment is heavily impacted from use and maintenance by mechanical and non-mechanical tools/equipment or by chemical applications with approximately 75% of the main road shoulders scraped clean with little or no vegetation present. The majority of the alignments are bounded by fencing and the management/maintenance of the mostly barren habitat extends to the fence lines. With the exception of County Road E-16, Shenandoah Road, few, if any, of the roadways appear to have been designed and built based on standard Federal, State, County, or Local transportation criteria including various depths of engineered cuts/fills and designed culvert crossings. The vegetation that does struggle to grow in the right-of-way alignment is considered to be comprised primarily of ruderal weed species, ornamental or limited native species.

The pipelines will likely be advanced by a backhoe utilizing a narrow bucket (~18" in width) supplied to the site on a trailer and offloaded on the right-of-way prior to commencing work within the area to be trenched; or if necessary due to limited street widths, a rubber tire or tracked rotary/chain link trencher (~6" in width) or similar equipment. Staging areas will be minimal due to the portability of the equipment and will be maintained within the existing right-of-way corridors, primarily at the RPPUD office on Canyon Avenue, and the site of the RPPUD Surface Water Treatment Plant on Shenandoah Road.

Figure 1: Project Improvement Areas



The pipeline will be placed either within the tarmac of the roadway by cutting the asphalt and/or excavating/trenching down to approximately 6 – 18 inches adjacent to the roadway in the engineered fill/cut/graded area of the right-of-way. Once the pipeline has been placed in the trench, it will be backfilled with the excavated materials or clean fill, compacted, and new asphalt paving placed (when trenched in the tarmac). Areas that cross culverts, drainages, creeks, or other water features will be accomplished by staying above the culvert or by placement of the pipeline along the crossing by supported brackets.

For additional information regarding the proposed project, please refer to Section 2, *Description of Project*, of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the RPPUD.

1.3 ORGANIZATION AND FORMAT

This program describes the requirements and procedures to be followed to ensure that all mitigation measures adopted as part of this project will be implemented as described in the IS/MND, and adopted by the RPPUD Board of Directors.

This Mitigation Monitoring and Reporting Program contains the following chapters:

- **Chapter 2 - Inventory of Mitigation Measures.** This section contains a list of all mitigation measures included in the IS/MND, and as adopted by the RPPUD Board of Directors.
- **Chapter 3 - Implementation Schedule and Monitoring Checklist.** This section contains a summary description of the required mitigation measures in checklist format. The timing of implementation of mitigation measures is indicated, in addition to implementation and monitoring responsibility.

1.4 IMPLEMENTATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The RPPUD Board of Directors shall assign staff to manage the RPPUD Water Storage and Distribution Rehabilitation project Mitigation Monitoring and Reporting Program under the District Manager's responsibility.

Responsible staff shall have overall responsibility for ensuring implementation of measures under their jurisdiction and verification of such measures. Responsible staff may delegate duties and responsibilities to other RPPUD staff, state regulatory agencies, consultants, the project sponsor, or other authorities as necessary and appropriate.

1.5 IMPLEMENTATION SCHEDULE AND MONITORING CHECKLIST

Chapter 3 contains a mitigation measure implementation schedule and monitoring checklist. Responsible RPPUD staff may use the checklist as a summary of the measures to be implemented and the entities responsible for mitigation implementation and monitoring and to check off mitigation implementation as it is completed.

1.5.1 VERIFICATION CHECKLIST

A verification checklist may be maintained for each mitigation measure by the entity responsible for monitoring the mitigation (e.g., District Manager, delegated authority, hired consultant). The verification checklist should be prepared and reviewed periodically, as directed by responsible staff. Copies of the verification checklist should be submitted to the responsible staff and filed in the project file available for public review.

Responsible staff should ensure that verification checklists are filed on a timely basis and, when identified, that mitigation monitoring plan violations are reported to the District Manager. The District Manager and responsible staff should initiate any appropriate action necessary to correct the deficiency, including, but not necessarily limited to, holding a meeting with the contractors, or requesting legal, County, or regulatory agency action.

Chapter 2: INVENTORY OF MITIGATION MEASURES

Mitigation Measure AQ-1: Basic Construction Emission Control Practices

The RPPUD shall implement, or require its contractors to implement, all of the following measures as identified by SMAQMD in the Basic Construction Emission Control Practices:

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways shall be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off- road diesel powered equipment. The California Air Resources Board enforces the idling limitations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.

Although not required by local or state regulation, many construction companies have equipment inspection and maintenance programs to ensure work and fuel efficiencies.

- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Mitigation Measure AQ-2: Construction Equipment Emissions Reduction

- The construction contractor shall demonstrate that all off-road construction-related portable diesel engines are in compliance with DOORS performance requirements and the PERP program.

Mitigation Measure AQ-3: Construction PM₁₀ and PM_{2.5} Emissions

Implement Mitigation Measure AQ-1.

Mitigation Measure AQ-4: Fugitive Dust Control

For fugitive dust control during project construction, the following measures set forth in the Amador Air District's Rules are required for the project:

Rule 218 generally requires that no person may cause, allow or permit fugitive dust emissions without first implementing good housekeeping and/or work practices that reduce and control the emissions to the atmosphere below 20 percent opacity or equivalent Ringelmann Chart, as stated in AAD Rule 202, Visible Emissions. Good housekeeping and/or work practices include, but are not limited to, the following:

- Application of water and/or approved chemicals to control emissions in the demolition of existing buildings or structures, construction operations, solid waste disposal operations, the grading of roads and/or the clearing of land.
- Application of asphalt, water and/or approved chemicals to road surfaces.
- Application of water and/or suitable chemicals to material stockpiles and other surfaces that may generate fugitive dust emissions.
- Paving and/or re-paving roads.
- Maintenance of roadways in a clean condition by washing with water or sweeping promptly.
- Covering or wetting material stockpiles and open-bodied trucks, trailers, or other vehicles transporting materials that may generate fugitive dust emissions when in motion.
- Installation and use of paved entry aprons or other effective cleaning techniques to remove dirt accumulating on a vehicle's wheels on haul or access roads to prevent tracking onto paved roadways.
- For process equipment, the installation and use of hoods, fans, and filters to enclose, collect, and clean the emissions prior to venting.
- Ceasing operations until fugitive emissions can be reduced and controlled.
- Using vegetation and other barriers to contain and to reduce fugitive emissions.
- Using vegetation for windbreaks.
- Instituting good housekeeping practices by regularly removing piles of material that have accumulated in work areas and/or are generated from equipment overflow.
- Maintaining reasonable vehicle speeds while driving on unpaved roads in order to minimize fugitive dust emissions.
- Other precautions not specifically listed in this rule but have been approved in writing by the Air Pollution Control Officer (APCO) prior to implementation.

Mitigation Measure AQ-5: Stabilization of Disturbed Surfaces

Upon completion of clearing, excavation, and construction, all disturbed surfaces shall be stabilized by using one or more of the following methods:

- established vegetation cover; and
- Repaving the River Pines' affected roadways with placement of at least three (3.0) inches of non-asbestos containing material over areas exposed to vehicle traffic.

Mitigation Measure BIO-1: Construction Impacts to Habitat for Protected Bird Species

- Schedule vegetation removal and ground-clearing activities prior to the initiation of nesting activity (March 1) or after fledging (August 15).
- If Mitigation Measure BIO-1a is infeasible, conduct pre-construction surveys between March 1 and August 15 in potential nesting habitat to identify nest sites. If an active raptor nest is observed within 500 feet of the project site, contact California Department of Fish and Wildlife for guidance and/or establish a 500-foot buffer around the nest tree. If a passerine bird nest is observed during surveys or the buffer identified above cannot be achieved, consultation with California Department of Fish and Wildlife should be conducted for a reduced buffer zone based on nesting phenology, site conditions, and recommendation(s) of a biological monitor. Construction activities in the buffer zone shall be prohibited until the young have fledged.

Mitigation Measure BIO-2: Construction Impacts to Non-Avian Species Habitat

- During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.
- To avoid entrapment of wildlife, all excavated steep-walled holes or trenches more than six (6) inches deep shall be provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day. If escape ramps cannot be provided, then holes or trenches shall be covered with plywood or similar materials. Providing escape ramps or covering open trenches is anticipated to prevent injury or mortality of wildlife resulting from falling into trenches and becoming trapped.
- All refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from riparian habitat or waterbodies, and not in a location from where a spill would drain directly toward aquatic habitat. The contractor shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, RPPUD shall ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- Project areas that are temporarily impacted shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials shall be used to the extent practicable. Invasive, exotic plants shall be controlled to the maximum extent practicable. This measure shall be implemented in all areas disturbed by activities associated with the project, unless the RPPUD determines that it is not feasible or practical. For example, an area disturbed by construction that would be used for future activities need not be revegetated.

- The number of access routes, size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. As applicable, Environmentally Sensitive Areas shall be established to confine access routes and construction areas to the minimum area necessary to complete construction, and minimize the impact to potential habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.
- To control sedimentation during and after project implementation, the RPPUD and its contractors shall implement BMPs outlined in any authorizations or permits, issued under the authorities of the Clean Water Act that it receives for the specific project. Erosion control materials that use plastic or synthetic mono-filament netting shall not be used within the action area. This includes products that use photodegradable or biodegradable synthetic netting, which can take several months to decompose. Acceptable materials include natural fibers such as jute, coconut, twine or other similar fibers

Mitigation Measure CUL-1: Undiscovered Archaeological or Historical Cultural Resources

In the event that undiscovered archaeological or historical cultural resources are found during the course of construction anywhere on the project site, work shall be suspended in that location and within a minimum of 100 feet of the discovery until a qualified professional archaeologist assesses the significance of the discovery. Appropriate mitigation, as recommended by the archaeologist, shall be implemented. Project construction personnel shall receive pre-construction orientation regarding cultural resources, their recognition, avoidance, and treatment in the event of fortuitous discoveries.

Mitigation Measure CUL-2: Paleontological Resources

In the event of discovery of paleontological resources (fossilized remains of plants or animals), which are considered significant nonrenewable paleontological resources, CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c) and California Public Resources Code §5097.5). A qualified professional archaeologist shall be retained to inspect the find and evaluate its significance. Appropriate mitigation, as recommended by the archaeologist, shall be implemented.

Mitigation Measure CUL-3: Discovery of Human Remains

In the event of the discovery of human remains, whether intact, fragmentary, or displaced from their original context, the Amador County and El Dorado County Coroners and the Native American Heritage Commission, Sacramento (916-653-4082), are to be notified of the discovery immediately. All work in the vicinity of the find is to cease, and there shall be no further excavation or disturbance of the find site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of that county in which the remains are discovered has determined whether the remains are those of a Native American.

If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission. The State CEQA Guidelines (Public Resources Code Section 5097) specify the procedure to be followed in the event of discovery of human remains on non-federal land.

The disposition of Native American burials is within the jurisdiction of the Native American Heritage Commission. Upon request, the NAHC will provide project leaders with a list of Most Likely Descendants, who will specify treatment and disposition of any Native American remains found within the project area. Human remains and associated grave goods are protected under Section 5097.94 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code.

Mitigation Measure NSE-1a: Temporary Construction Noise Impacts

With the exception of controlled blasting activities, all phases of construction shall be limited to the hours between 8:00 a.m. and 5:00 p.m. on weekdays. Controlled blasting activities shall be limited to between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday. No construction or blasting shall be permitted to occur on weekends or holidays. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.

Mitigation Measure NSE-1b: Construction Noise and Ground borne Vibration

In areas of controlled blasting, the contractor shall:

- Give 30 and 5-day written notices to all residences, businesses, and utility owners within a half-mile from the controlled blasting area.
- Utilize the Community Notification 'Code Red' System to advise residents of any anticipated blasting at least five days prior to blasting activities.
- Inspect all structures within 300-feet of the blast site, no more than two weeks prior to commencement of controlled blasting.
- Proceed in accordance with the Construction Safety Orders of the Division of Industrial Safety of the California Department of Industrial Relations, Federal Safety Requirements, and the Amador County Sheriff.
- Use best available technology, such as blast mats or other techniques, to minimize noise generated by blasting.
- Provide all personnel in the controlled blasting area to wear ear and other appropriate protection during blasting excavation activities.

Chapter 3: IMPLEMENTATION SCHEDULE AND CHECKLIST

This section contains an abbreviated description of each mitigation measure presented in tabular, checklist format. A complete description of each measure is contained in the preceding Chapter 2, *Inventory of Mitigation Measures*, contained within this document.

The mitigation measures to be implemented by the project applicant(s) and successors in interest are separated into the following phases:

1. Prior to Construction
2. During Construction
3. Post Construction
4. During Project Operations.

The checklist is presented below. Some measures have components that are to be implemented during several project phases. These measures are noted in each category.

RPPUD Water Rehabilitation Mitigation Measure Implementation Schedule and Monitoring Checklist

Timing of Verification (to occur prior to the following actions)	Measure Complete ? (check)	Mitigation Measures	Responsibility: Implementation	Responsibility: Monitoring
During Construction		Mitigation Measure AQ-1: Basic Construction Emission Control Practices	RPPUD, Contractor	RPPUD, APCD
During Construction		Mitigation Measure AQ-2: Construction Equipment Emissions Reduction	RPPUD, Contractor	RPPUD, APCD
During Construction		Mitigation Measure AQ-3: Construction PM10 and PM2.5 Emissions	RPPUD, Contractor	RPPUD, APCD
During Construction		Mitigation Measure AQ-4: Fugitive Dust Control	RPPUD, Contractor	RPPUD, APCD
Post Construction		Mitigation Measure AQ-5: Stabilization of Disturbed Surfaces	RPPUD, Contractor	RPPUD, APCD
Prior to, During, and Post Construction/ During Operations		Mitigation Measure BIO-1: Construction Impacts to Habitat for Protected Bird Species	RPPUD, Contractor	RPPUD, CDFW, USFWS
Prior to Construction/ During Construction		Mitigation Measure BIO-2: Construction Impacts to Habitat for Non-avian Species	RPPUD, Contractor	RPPUD, CDFW
During Construction		Mitigation Measure CUL-1: Undiscovered Archaeological or Historical Cultural Resources	RPPUD, Contractor	RPPUD