

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
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Sacramento, California 95814
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November 3, 2004

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **RIO LINDA/ ELVERTA COMMUNITY WATER DISTRICT**
SPHERE OF INFLUENCE AMENDMENT AND CONCURRENT
ANNEXATION OF TOWNE SUBDIVISION.
(11-04) [CEQA: Addendum to Negative Declaration]

RECOMMENDATION

1. Adopt the Negative Declaration, together with the Addendum, previously certified by the Rio Linda/ Elverta Community Water District, as the CEQA lead agency, and direct the Executive Officer to file the Notice of Determination with the County Clerk.
2. Approve the **Sphere of Influence Amendment for the Rio Linda/ Elverta Community Water District and the concurrent Annexation of Towne Subdivision (11-04)** and waive Conducting Authority proceedings, due to one-hundred percent consent of affected landowners and affected agencies.

PROJECT DESCRIPTION

The Towne Subdivision Annexation consists of annexing one undeveloped 78+/- acre parcel for purposes of providing domestic water supply.

The proposal is a 100% landowner consent application for annexation to the Rio Linda/ Elverta Community Water District, to secure water service for development, as required by the Sacramento County General Plan, Community Plan and the proposed Elverta Specific Plan.

There are no registered voters in the proposal territory. Assessed valuation of the parcel is \$6,805,734.

FPPC Disclosure

No parties to this reorganization have declared any contributions to any members of the Commission.

Project Proponent

Chief petitioner:

Rio Linda/ Elverta Community
Water District
c/o Dave Andres, General Manager
730 L Street
Rio Linda, CA 95673

Legal owner:

Towne Development of Sacramento, Inc.
c/o Jeff Pemstein
775 Sunrise Ave. Suite 270
Roseville, CA 95662

(APN: 203-0010-014)

PROJECT LOCATION

The property to be annexed is located in the unincorporated community of Elverta, Sacramento County, adjacent to the Rio Linda-Elverta Community Water District's easterly boundary. The project is on the easterly side of 16th Street approximately one-half mile North of Elverta Road.

Surrounding Land Uses and Setting:

North: Placer County (Dry Creek/West Placer Community Plan – Placer Vineyards/West Placer Specific Plan) and Sutter County; agricultural and rural residential land uses;

East: McClellan Air Force Base; Cherry Island Golf Course; Gibson Ranch County Park; Antelope residential area

South: Agricultural Residential

West: Agriculture

Background

The County of Sacramento is processing the Elverta Specific Plan, which is a comprehensive land use document that establishes the zoning, design standards, infrastructure and financing plan and public improvements, for approximately 1,734 acres in north-central Sacramento County. The Specific Plan provides for the development of approximately 4,950 residential dwelling units. (The affected territory is proposed for 360 single-family residential units. Public water and sewer service is required in order for the housing to be constructed.) In addition, the Plan calls for areas to be set aside for parks, open space, schools and other public facilities, with a mix of housing types, commercial service facilities and public areas. Approximately 80% of the land area in the Plan is within the Rio

Linda/ Elverta Community Water District's boundary. Approximately 10% of the Plan area is franchised to the California-American Water Company and the remaining 10% is currently not served by any water supplier.

There are currently 177 +/- acres located within the Elverta Specific Plan that are currently not served by any water provider. This section is called the "non-franchised" area. The non-franchised area is located at the northeasterly corner of the Rio Linda/Elverta Community Water District's service boundary and adjacent to the Sacramento/ Placer County line. The estimated population for this area at build-out of the proposed Elverta Specific Plan is 1,200.

LAFCo Policy, County General Plan, and Zoning Consistency:

The proposed Towne Subdivision Annexation is consistent with the Sacramento LAFCo Policies and Procedures, County General Plan, the Rio Linda and Elverta Community Plan, and the County Zoning Code. In addition, it is consistent with the proposed Elverta Specific Plan. The provision of water by the District to serve existing and planned future growth in the area is assumed in, and consistent with, the County General Plan, Community Plan and the proposed Elverta Specific Plan.

Affected Agencies:

The following districts were notified and have taken a position of no opposition to the proposed annexation:

- Sacramento Metropolitan Fire District
- Rio Linda/ Elverta Recreation and Park District
- Sacramento Yolo Mosquito & Vector Control District
- Sylvan Cemetery District

The shareholder owned California American Water Company service area abuts the affected territory. The Company was notified of the proposal and it has provided no comment on the matter.

Rio Linda/Elverta Community Water District

The District has provided the following comment:

Rio Linda/Elverta Community Water District's role in providing water service to the project referenced above is as follows:

Service Territory

The territory proposed for annexation is within the District's Sphere of Influence as amended. The Rio Linda/ Elverta Community Water District Master Services Element anticipated service to this area as part of the Elverta Specific Plan.

Rio Linda/ Elverta Community Water District is a County water district that was formed in 1948 to serve the more densely developed areas within the community of Rio Linda. The District was later expanded to include the Elverta community. The current District service

area is approximately 11,415 acres (17.8 square miles). Within the current service area, 13,255 dwelling units are planned or proposed on 7,510 acres. The projected 2035 population is 37,298.

The District has incorporated the "preliminary" Elverta Specific Plan (September 21, 1999) land use data to determine the affect of the plan on future water demand. The land use water demand factors used in making the estimates were obtained from the "Estimate of Annual Water Demand Within the Sacramento Countywide Area."¹ These demand factors represent an average per acre water use estimate that can be used for projecting potential demand.

Based on the demand factors prepared for the Study, total water demand for that portion of the Elverta Specific Plan currently within the District boundaries at build-out is 3,150 acre feet per year (AFY). On average, this is approximately 2.8 million gallons per day (MGD). Using the same methodology for the "non-franchised" area, annual water demand is estimated to be 545 AFY, or 0.49 MGD.

The District assumes that additional water supply will be needed to meet build-out demand. Six new wells, with related infrastructure, will need to be constructed to serve development within the Specific Plan area. This infrastructure will be installed at developer's expense as a condition of project approval in order to receive water from the District. A draft financing plan has been developed for the "Sacramento County Elverta Owners Group" to address these and other infrastructure costs associated with the development.² Water supply for the Towne Subdivision annexation has been incorporated into the Master Plan for the overall Elverta Specific Plan development. No additional wells beyond those proposed will be needed to serve the property.

The County General Plan establishes conjunctive-use water requirements for new urban growth areas. Urban development entitlements are now conditioned to utilize a conjunctive-use water supply that assures no long term net increase in ground water pumping as a result of the development. Thus, the development will be subject to "In Lieu Groundwater Fees," surface water assessment fees, connection fees, and/or some other financial mechanism to address County General Plan PF-8 requirements. These fees will be collected by the District to construct facilities and to pay for operating costs associated with providing surface water to the project area.

Build-out demand factors used for the Towne Subdivision are consistent with the 1995 Water Forum Agreement.

NEGATIVE DECLARATION

The Sacramento Local Agency Formation Commission finds that, with respect to the Towne Subdivision Annexation to the Rio Linda/Elverta Community Water District project, the Commission is a responsible agency for compliance with the California Environmental Quality Act pursuant to §15381 of the Guidelines for Implementation of CEQA; and that the

¹ May, 1995, Sacramento City-County Office of Metropolitan Water Planning.

² Public Facilities Financing Plan for the Elverta Specific Plan-Draft Report, November 19, 2001, EPS, Inc.

Rio Linda/Elverta Water Community District, as lead agency, certified a Negative Declaration for the Towne Annexation to the Rio Linda/Elverta Community Water District project on July 19, 2004. Based on the recent certification of the environmental document, review of the certified Negative Declaration, and field review of the area proposed for annexation by Commission staff on September 29, 2004, the Sacramento Local Agency Formation Commission finds that the project under LAFCo's consideration is the same as that assessed in the certified Negative Declaration, and that no changes have occurred with respect to the environment of the project or its circumstances that would give rise to any of the conditions set forth in §15162 of the CEQA Guidelines that would require preparation of a supplemental environmental document.

The Commission further finds that it has considered the certified Negative Declaration in its evaluation of the Towne Subdivision Annexation to the Rio Linda/Elverta Community Water District project, and that no mitigation measures within the jurisdiction or authority of the Commission to implement were identified in the Negative Declaration. Based on the foregoing, the Commission hereby directs that a Notice of Determination be filed based on the Commission's action on the Towne Annexation to the Rio Linda/Elverta Community Water District project.

As set forth above, none of the conditions set forth in CEQA Guidelines §15162 (set forth as criteria 1 – 3 above) exist that would require preparation of a subsequent or supplemental Initial Study / Negative Declaration. Therefore, preparation of a Addendum to the Initial Study / Negative Declaration certified by the Rio Linda / Elverta Water District is sufficient to permit LAFCo to consider the Towne Subdivision Annexation project as modified to include a concurrent Sphere of Influence amendment, and to meet the requirements of CEQA consistent with §15164 of the CEQA Guidelines. LAFCo will consider the results of this Addendum, together with the certified Towne Subdivision Annexation Initial Study / Negative Declaration, prior to taking action on the proposed annexation / Sphere of Influence amendment project.

100% Consent

Staff recommends that the conducting authority (protest) proceedings be waived. The affected territory is owned solely by the project proponent. The adjacent neighborhood associations, affected property owners, and landowners within 500' of the project site, have been notified of the date, time and place of the hearing on this proposal. No protest has been received.

RECOMMENDATION

I recommend your Commission adopt the Negative Declaration with Addendum certified by the Rio Linda/ Elverta Community Water District, approve the Rio Linda/ Elverta Community Water District Sphere of Influence and Concurrent Annexation of the Towne Subdivision, and waive the Conducting Authority proceedings.

Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Peter Brundage
Executive Officer

DL:Maf
(Towne Annexation Staff Report)