

# SHASTA LAFCO

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## *Report to the Shasta Local Agency Formation Commission*

*From: Jim Underwood, General Counsel* \_\_\_\_\_

**Meeting Date:** September 12, 2013  
**Agenda Item #:** 5a  
**Subject:** South County Fire Districts MSR and SOI (*Action*)

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### **Background and Discussion**

The former LAFCO Executive Officer first began working with South County Fire agencies on a possible Sphere of Influence Update three years ago. Over that period of time, numerous discussions and scenarios have taken place. The commitment of local fire agencies to work together is much appreciated by LAFCO staff.

Anderson, Cottonwood and Happy Valley Fire Districts have previously adopted MSRs on record. Millville FPD does not. Thus, the attached MSR can be considered as both an update and a baseline document.

The proposed Sphere of Influence was agreed upon by each of the four individual agencies, as well as Cal Fire (representing CSA#1). However, just a week prior to the drafting of this report, Cottonwood FPD submitted a letter (attached) requesting a change in SOI boundaries. While this request was certainly considered by LAFCO staff, ultimately, staff felt strongly that the agreed-upon SOI, truly drafted of concessions on the part of each agency, best represented the intent of the SOI process.

### **Conclusions and Recommendations**

Consider and discuss the attached MSR/SOI Study. Review and adopt the draft Resolution which will also, by adoption, certify the Notice of Exemption as drafted by staff; and update the MSRs and SOIs for the agencies as delineated.

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**Copy to:** Commissioners, Counsel, Agenda Packet Recipients

**Attachments:** FPD Communication, Notice of Exemption, Draft Resolution and South County Fire MSR/SOI

NOTICE OF PUBLIC HEARINGS BY THE  
SHASTA LOCAL AGENCY FORMATION COMMISSION

**NOTICE IS HEREBY GIVEN** that on Thursday, September 12, 2013 at 9:00 a.m. in the Shasta Lake City Council Chambers, 4488 Red Bluff Street, Shasta Lake, California, the Shasta Local Agency Formation Commission (LAFCO), will conduct public hearings to consider the following proposals:

The Proposed South County Fire Districts Municipal Service Review and Sphere of Influence Study  
and  
The Proposed Cemetery Districts Municipal Service Review and Sphere of Influence Study

The Commission will separately consider adopting a proposed Municipal Services Review (MSR) and the Spheres of Influence (SOI) for the Anderson, Cottonwood, Happy Valley and Millville Fire Protection Districts, and an MSR and SOI for the Anderson, Burney, Cottonwood, Fall River Mills, Halcumb, Manton, Millville and Pine Grove Cemetery Districts. At these hearings, the Commission will consider oral and written testimony by any interested person or affected agency. At the conclusion of these hearings the Commission may approve or disapprove the recommended spheres of influence under consideration, with or without amendment, wholly, partially, or conditionally as the Commission may determine, or may continue its consideration of one or both matters to be considered.

The application materials are on file and available for public review at the office of the Commission at 2516 Goodwater Avenue, Suite A, Redding, California. Please call the LAFCO office at (530) 242-1112 to make an appointment to view the application materials. The Executive Officer's Report on each proposal to be considered on September 12th is published on the Shasta LAFCO website: [www.shasta.lafco.ca.gov](http://www.shasta.lafco.ca.gov)

All interested parties may appear and testify at the public hearing. Written testimony should be emailed to: [analyst@shasta.lafco.ca.gov](mailto:analyst@shasta.lafco.ca.gov) or mailed to: Shasta LAFCO, 2516 Goodwater Avenue, Suite A, Redding, California 96002.

Marissa Jackson, Analyst  
Shasta LAFCO  
August 21, 2013

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Shasta

**From:** (Public Agency): Shasta LAFCO  
2516 Goodwater Avenue, Suite A  
Redding, CA 96002

(Address)

Project Title: South County Fire Municipal Services Review and Sphere of Influence Update

Project Applicant: Shasta LAFCO

Project Location - Specific:

County of Shasta, State of California

Project Location - City: n/a Project Location - County: Shasta

Description of Nature, Purpose and Beneficiaries of Project:

Municipal Services Review and Sphere of Influence Study for five (5) single purpose fire suppression agencies, including County Service Area #1, Anderson, Cottonwood, Happy Valley and Millville Fire Protection Districts.

Name of Public Agency Approving Project: Shasta LAFCO

Name of Person or Agency Carrying Out Project: Shasta LAFCO

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)

Reasons why project is exempt:

This activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This MSR/SOI Study and Update has no possibility for causing a significant effect on the environment.

Lead Agency  
Contact Person: Marissa Jackson Area Code/Telephone/Extension: 530 242-1112

**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: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

SHASTA LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NUMBER 2013-\_\_  
(Resolution Approving the South County Fire Districts  
Municipal Services Review and Spheres of Influence Study)

WHEREAS, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 governs the organization and reorganization of cities and special districts by Local Agency Formation Commissions established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 56425 et seq. provides that the Local Agency Formation Commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and

WHEREAS, Section 56430 requires that Local Agency Formation Commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update the sphere of influence, the Commission conducted a South County Fire Protection Municipal Service Review and Sphere of Influence Study of four single purpose fire suppression agencies, and considered proposed written determinations in conjunction with this sphere of influence update on September 12, 2013; and

WHEREAS, these four single purpose agencies are comprised of the following fire protection districts: Anderson, Cottonwood, Happy Valley and Millville Fire Protection Districts; and

WHEREAS, the Executive Officer reviewed the sphere of influence update pursuant to the California Environmental Quality Act (CEQA), and recommended that the project is exempt from CEQA under Section 15061 (b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, and, based thereon, the Executive Officer has prepared a proposed Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for September 12, 2013 for consideration of the environmental review and the South County Fire Protection Municipal Service Review and Sphere of Influence Study and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, on September 12, 2013 the South County Fire Protection Municipal Service Review and Sphere of Influence Study came on specially for hearing before LAFCO, at the time and place specified in the Notice; and

WHEREAS, at said hearing, LAFCO reviewed and considered the South County Fire Protection Municipal Service Review and Sphere of Influence Study, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 56425 et seq.; LAFCO's Policies and Guidelines related to spheres of influence; and all other matters presented as prescribed by law; and

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and

WHEREAS, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determinations and the service review; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal pursuant to Government Code Section 56425(e):

**NOW, THEREFORE BE IT HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND:**

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The CEQA Notice of Exemption prepared by the Executive Officer is approved as the appropriate environmental document for this project, and the Executive Officer is directed to file that Notice pursuant to Section 15061(b)(3) of the CEQA guidelines.

Section 3. The Shasta Local Agency Formation Commission adopts the South County Fire Protection Municipal Service Review and Sphere of Influence Study for Anderson, Cottonwood, Happy Valley and Millville Fire Protection Districts as set forth hereto and incorporated herein by this reference, including all written determinations and recommendations as set forth in the MSR/SOI Update study considered by the Commission.

Section 4. Pursuant to Government Code Section 56425(i)(2), the Commission reaffirms and establishes the functions and classes of services provided by the four agencies as specified in the adopted study.

Section 5. The updates to the spheres of influence for the four agencies are orderly, logical and justifiable, for the reasons stated in the adopted study.

Section 6. The spheres of influence for each of the four affected fire services agencies addressed in the adopted study are updated to retain their current respective spheres of influence, as shown on the maps attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the Shasta Local Agency Formation Commission at a special meeting of said Commission, held September 12, 2013 by the following vote of said Commission.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

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Marissa Jackson, Clerk

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Les Baugh, Chairman

Board of Directors:  
Chairperson,  
Arthur W. Parham Jr.

Board Members;  
Carrolyn Barlow  
Timothy Jackson  
Rhonda Tinney  
Dave Merk

Fire Chief  
Eugene Zahara

Secretary  
Rodney G. Chadbon

# Cottonwood Fire Protection District

P.O. Box 618  
3271 Brush St, Cottonwood, CA 96022  
Business (530) 347-4737 Fax (530) 347-4771

July 1<sup>st</sup> 2013

To Amy Mickelson

From Chief E. Zahara

Subject: SOI

After reviewing the latest map and doing research on sphere of influence changes in the future, Cottonwood Fire Protection District is not in agreement with the current proposal from Happy Valley Fire District or Anderson Fire District.

We are now requesting that our western sphere of influence go out Gas Point Road to Wauteck Lane just west of Happy Valley Road, south to the Cottonwood Creek and north to a line to join the proposed line south of Cambridge Drive.

In the area of Panorama Point, Kimberly Road, and Balls Ferry Road the Cottonwood Fire Protection District request our sphere of influence to continue down Panorama Point to the intersection of Kimberly Road, then east on Kimberly Road to the intersection of Balls Ferry then straight across to the Sacramento River.

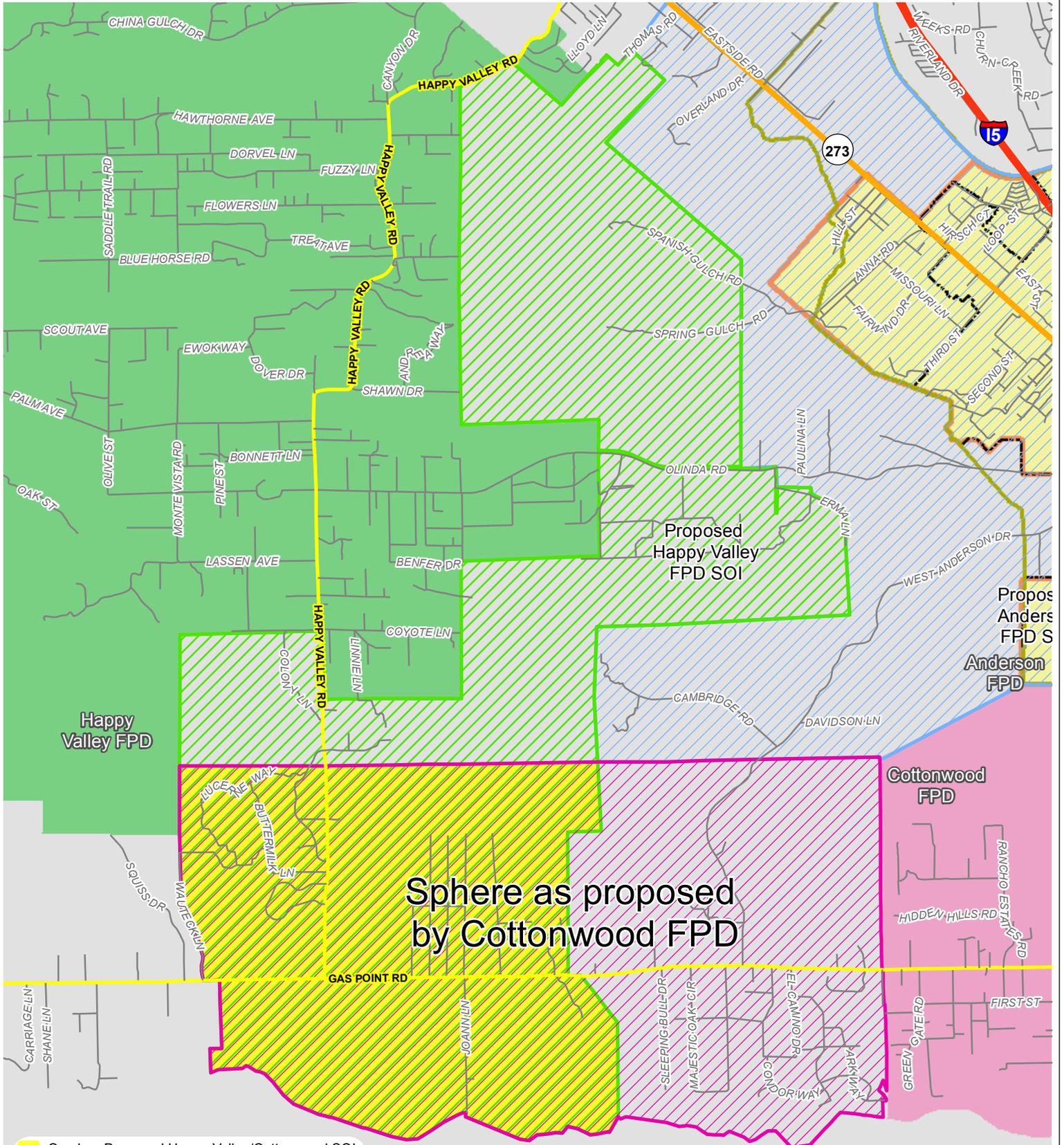
If this is not agreeable with the other agencies involved the Cottonwood Fire Protection District is prepared to address the Commission with evidence that the District can provide a better service to the communities in these areas than they are presently receiving.

I am going to be on vacation till July 9th. If there are any issues or questions on this matter please contact Administrator Chadbon at (530)347-4737.

Sincerely,

Chief Eugene Zahara

# Sphere as proposed by Cottonwood Fire Protection District



Sphere as proposed by Cottonwood FPD

Proposed Happy Valley FPD SOI

Happy Valley FPD

Proposed Anderson FPD SOI  
Anderson FPD

Cottonwood FPD

- Overlap: Proposed Happy Valley/Cottonwood SOIs
- Sphere as Proposed by Cottonwood FPD
- Proposed Anderson FPD SOI
- Proposed Happy Valley FPD SOI
- Anderson FPD
- Cottonwood FPD
- Happy Valley FPD
- Anderson SOI
- City





# **Happy Valley Fire Protection District**

17441 Palm Avenue Anderson, California 96007

Chief Joseph L. Vasquez

e-mail – [joehappyvalleyfire@com-pair.net](mailto:joehappyvalleyfire@com-pair.net)

Phone (530) 357-2345 Fax (530) 357-4165

July 9, 2013

Shasta LAFCO  
2516 Goodwater Ave., Suite A  
Redding, CA 96002

Dear Amy,

The Happy Valley Fire Protection District has reviewed the latest sphere of influence map proposal and we agree with the map. The map has split the distance between Happy Valley and Cottonwood Fire Districts boundaries. The distance from the Happy Valley Fire Districts station #1 to Four Star Drive is 5.8 miles, the distance from the Cottonwood Fire District station is 5.6 miles. This is the intersection that divides the district on the new Sphere of Influence maps. One other item of interest is Happy Valley's station #1 is 3.4 miles to West Valley High School which when in session has around 1,000 people on campus. Cottonwood's station is 8.0 miles from West Valley High School.

The Happy Valley Fire District station#1 has two controlled intersections and one school zone to navigate through to get to the area on the map and Cottonwood Fire District have seven controlled intersections, two school zones and a little league park to navigate through to get to the area on the map. By law we are required to slow to a safe speed before proceeding through these intersection or zone. Every intersection or school zone slows your response times.

At this time the Happy Valley Fire District provides Automatic Aid by contract with the Shasta County Fire Department for all structure fires in zone A43, A44, A108 and A40 for residential and commercial fires. These four zones cover the area of the new Sphere of Influence map. The Happy Valley Fire District has also provided mutual aid in these zones for medical aids, traffic collisions and vehicle fires for many years. The districts Board of Directors and the membership have all agreed to offer Shasta County Fire Department and the West Valley Fire Company our help if needed to respond on medical aids, traffic collisions and vehicle fires in these zones.

In closing, the District feels that both departments are comparable in size and capabilities and that the justification for this Sphere of Influence should be based on road miles which the new Sphere of Influence map reflects.

Sincerely,

Joe Vasquez, Fire Chief  
Happy Valley Fire Protection District



**CALIFORNIA DEPARTMENT OF FORESTRY  
AND FIRE PROTECTION**

COOPERATIVE FIRE PROTECTION  
Since 1980

**SHASTA COUNTY FIRE DEPARTMENT**  
**875 Cypress Ave Redding CA 96001**



Rick Kyle  
Chief

Amy K. Mickelson-Beadle  
Executive Officer  
Shasta Local Agency Formation Commission  
2516 Goodwater Avenue, Suite A

July 9, 2013

Dear Amy,

I am writing you in reference to Cottonwood Fire Protection District's letter, dated July 1, 2013, which describes a desire to expand their sphere of influence (SOI) from the agreed upon proposed boundaries established at a meeting on May 29, 2013, at Shasta County Fire Department's headquarters on Cypress Ave.

In attendance at this meeting were the Chiefs from Cottonwood FPD, Anderson FPD, Millville FPD, Happy Valley FPD, and myself. All Chiefs reviewed the existing SOI boundaries, and then unanimously agreed upon the proposed SOI boundary revisions submitted to LAFCO at the conclusion of this meeting. The criteria our group utilized during this exercise included capacities/limitations of responding emergency resources, proximity of these resources and their home stations to the SOI, well-defined roads and terrain features to be utilized as SOI boundary lines, and an overall objective of ensuring the best service is provided to the SOI areas.

I believe deviating from the SOI boundary change proposals, agreed upon and submitted to LAFCO on May 29<sup>th</sup> compromises the process and the product. As an example, Cottonwood FPD's letter, which requests extension of their western SOI boundary line adjustment from the 5/29/13 proposal's intersection of Gas Point Road and Happy Valley Road, to Gas Point Road and Wauteck Lane, includes an approximate 8 mile response, versus an approximate 5 mile response from Happy Valley FPD Station 1. Furthermore, the extended SOI which Cottonwood has requested places additional burdens on those fire agencies expected to move up and cover the Cottonwood Fire Protection District and its emergency calls. These results do not meet the collective south county fire chief's objective of providing the best public safety service to the various SOI areas.

As Chief of the Shasta County Fire Department, I consider Chief Zahara and his agency to be very good cooperators in the web of Shasta County fire protection. However, I am recommending the proposed South County Fire SOI boundary changes submitted on 5/29/13 **NOT** be modified as requested by the Cottonwood Fire Protection District.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RK', is written over the word 'Sincerely,'.

Rick Kyle  
Chief, Shasta County Fire Department  
Shasta County Fire Warden



# ANDERSON FIRE PROTECTION DISTRICT

1925 Howard Street. Anderson, CA 96007  
Bus: (530)-378-6699 Fax: (530) 378-6697

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July 10, 2013



Amy Mickelson-Beadle  
Executive Officer  
Shasta Local Agency Formation Commission  
2516 Goodwater Avenue, Suite A  
Redding, CA 96002

Dear Amy,

I am writing you in response to Cottonwood Fire Protection District's letter, dated July 1, 2013, which is different from the proposed boundaries established at a meeting on May 29, 2013 at Shasta County Fire Department headquarters.

At this meeting, it was unanimously agreed upon by all Fire Chiefs of the South County Fire Districts and the Shasta County Fire Warden, and which included Chief Zahara of Cottonwood F.P.D., to the proposed sphere of influence (SOI) boundary revisions submitted to LAFCO on May 29, 2013.

Prior to the May 29, 2013 meeting, staff and I measured the mileage distance between the Anderson F.P.D. station and the Cottonwood F.P.D. station. I believe that the mid point was correctly reflected in the proposed ISO boundaries revisions submitted to LAFCO at the conclusion of the meeting on May 29, 2013.

As Chief of Anderson Fire Protection District, I am recommending the proposed South County Fire SOI boundary changes submitted on May 29, 2013 not be changed.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Nichols".

Andy Nichols, Fire Chief  
Anderson Fire Protection District