



ANDERSON FIRE PROTECTION DISTRICT

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

March 18, 2014

Agency review and comments on Deschutes Road annexation to the City of Anderson. LAFCO file # 2013-04

Dear Jan Lopez:

Concerning annexations, the Anderson Fire Protection District (AFPD) has always worked with the City of Anderson for all proposed annexations to keep AFPD boundaries contiguous with the boundaries of the incorporated City of Anderson. As noted in an attached letter dated March 10, 1976, the Local Agency Formation Commission recommended that, in the future, annexations to the City of Anderson and AFPD be made simultaneously.

With the current property values down, however, it would be too much of a detriment to extend our services beyond our current boundaries without some sort of secure funding in place. I have spoken to Shasta County and they are unwilling to relinquish any portion of the property taxes to the AFPD. The District is currently working with the City of Anderson to meet these goals.

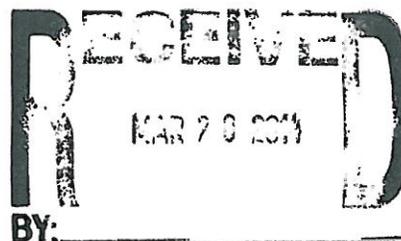
I have found annexations to the AFPD beginning as far back as 1976, and again in 1980, 1986 and as recent as 1992. All have been initiated by the City of Anderson. In each case, the AFPD received 100% of the tax exchange agreement from both Shasta County and Cottonwood Fire Protection District.

During the start of this annexation, back in May of 2013, our District was asked for any comments regarding the City of Anderson's annexation, and per LAFCO's staff at the time, we were told the AFPD could not annex any areas that were not in our sphere of influence; however, this area was not in our sphere. Later, in the same year, Local Agency Formation Commission passed a resolution putting this area in the AFPD's Sphere of influence.

I am confident that the AFPD and the City of Anderson will come to an agreement to continue keeping our boundaries contiguous with each other. I also encourage the Local Agency Formation Commission to move the five parcels from Cottonwood Fire Protection District to the AFPD with no tax exchange agreement; therefore, Cottonwood Fire Protection District would not lose any current or future revenue.

Sincerely,


Andy Nichols Chief
Anderson Fire Protection District





LOCAL AGENCY FORMATION COMMISSION

SHASTA COUNTY COURT HOUSE

REDDING, CALIFORNIA
PHONE 246-5561

COMMISSION MEMBERS
C. J. FERREIRA, D.V.M., CHAIRMAN
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BESSIE L. SANDERS

To: C.J. Ferreira, Chairman
From: Bill G. Minton
Subject: Hughes Annexation to City of Anderson

*District
Sec. 56261*

This proposed annexation contains approximately 40 acres located off Deschutes Road adjacent to Interstate 5, and was requested in accordance with provisions of Government Code Section 54797.1, formal hearing not required. Ownership verified by Assessor's office, legal description approved by Department of Public Works.

Application for a parcel map has been filed. The area to be divided is partially within unincorporated area and partially within City. State Subdivision Map Act requires that parcels cannot be created which are partially within city boundaries. Annexation is requested of those parcels which are partially within City boundaries.

Annexation of area to Anderson Fire District has not been requested at this time. It is respectfully recommended this annexation to City of Anderson be approved, and area should also be annexed to Fire District. It is also recommended that in the future, annexations to City and Fire District be made simultaneously.

Bill G. Minton

[Faint handwritten signature]

3/10/76
Copy - All Commissioners

Les Baugh
County Member

Irwin Fust
Special District Alternate



Patrick Jones
City Member

Dick Fyten
Public Member

Larry Farr
City Member Alternate

Pam Giacomini
County Member Alternate

David Kehoe
County Member

Vacant
Public Member Alternate

James Yarbrough
City Member

Brenda Haynes
Special District Member

Stephen Morgan
Special District Member

Jan Lopez
Executive Officer

January 21, 2014

Chief Andy Nichols
Anderson Fire Protection District
1925 Howard Street
Anderson, CA 96007

RE: LAFCO #13-14 Deschutes Road Reorganization Proposal

This is to advise your agency the district that the City of Anderson has proposed annexation of the above cited territory. Since the Anderson FPD provides fire protection within this city, it is our estimation that your district would be the appropriate agency to provide services to the annexation area at the conclusion of this proposal, with the exception of those parcels currently within the boundary of and receiving services from the Cottonwood Fire Protection District.

To accomplish this addition to the proposal, there are several things the city will be asked to provide, and several other things your district will need to provide. A copy of the letter to the city is attached.

The following items need to be accomplished by your district during this current review period in order to be merged with the city's action:

1. Develop a legal description of the territory being annexed, exclusive of the territory currently within the Cottonwood FPD.
2. Develop map of the territory being annexed, again exclusive of that within Cottonwood FPD.
3. Initiate a property tax exchange negotiation between the county and the district regarding transfer of territory from CSA#1-Shasta County Fire and Anderson FPD. Shasta Fire currently receives \$20.00 annually for each parcel within the territory being annexed. I don't anticipate any other exchange of revenues. Since the city has already gone through this process, I am suggesting they assist you. A flowchart showing the steps is attached.
4. Develop a Plan for Services (GC 56663) for the territory being annexed in narrative form, stating why no new or different services are involved (services currently provided by another agency)
 - a. The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries.
 - b. The estimated cost of the new or different function or class of services to customers within the special district's jurisdictional boundaries. The estimated costs may be identified by customer class.
 - c. An identification of existing providers, if any, of the new or different function or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers.

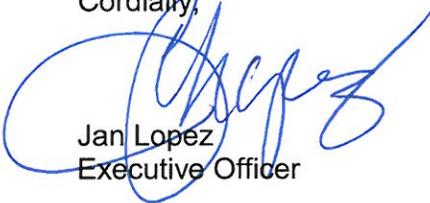
2516 Goodwater Avenue, Suite A
Redding, CA 96002
Office: 530.242.1112 ~ Fax: 530.242.1113

- d. A written summary of whether the new or different function or class of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of service or services.
 - e. A plan for financing the establishment of the new or different function or class of services within the special district's jurisdictional boundaries.
 - f. Alternatives for the establishment of the new or different functions or class of services within the special district's jurisdictional boundaries.
5. The district board will then adopt a resolution, just as if they were applying for the annexation apart from the city:
- a. Asking the commission to initiate proceedings pursuant to GC 56000 *et seq.*
 - b. Affirm that the Negative Declaration prepared for this project by the City of Anderson adequately addresses environmental issues surrounding the annexation.
 - c. Refer to the map as Exhibit A
 - d. Refer to the legal description as Exhibit B
 - e. Refer to the Plan for Services as Exhibit C
 - f. Other...

Once adopted, the clerk of the district then files a certified copy of that resolution and its attachments with the executive officer.

This provides an outline for proceeding. After our meeting today, we can go over this in more detail. The process is pretty straightforward.

Cordially,



Jan Lopez
Executive Officer

Cc: City of Anderson
Duane Miller Engineering

Attachments

Central Valley Regional Water Quality Control Board

25 March 2014

Jan Lopez, Executive Officer
Shasta Local Agency Formation Commission
2516 Goodwater Ave. Suite A
Redding, CA 96002



LAFCO FILE REVIEW, FILE NO. 2013-04, DESCHUTES ROAD ANNEXATION TO CITY OF ANDERSON, SHASTA COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) received a request for review on 13 March 2014 for the Deschutes Road annexation to the City of Anderson. Our review comments are below.

Clean Water Act (CWA) Section 401, Water Quality Certification

Wetland areas were determined to be present in this annexation. The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and Section 401 Water Quality Certification must be obtained prior to site disturbance.

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. Any future construction must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP.

Post-Construction Storm Water Requirements

Post Construction Standards (Section XIII) of the CGP requires the project proponent implement long-term post-construction Best Management Practices (BMPs) that protect water quality and control runoff ideally to the pre-development levels. The CGP encourages the use of non-structural controls to replicate the pre-project water balance by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall. Structural controls should only be used after demonstrating that non-structural controls are infeasible or that structural controls will produce greater reduction in water quality impacts.

Post-Construction Storm Water Requirements

New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

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Municipal Storm Water Permit requirements, new developments must comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and establish maintenance requirements. The proposed project must be conditioned to comply with post construction standards adopted by the jurisdiction's Phase II Municipal Storm Water Permit.

If you have any questions, please contact me by mail, at the footer address below, by phone at (530) 224-4205, or by email at Stephen.Rooklidge@waterboards.ca.gov



Stephen J. Rooklidge, P.E.
Water Resource Control Engineer
WDR Unit

SJR:lmw



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



March 25, 2014

Ms. Jan Lopez, Executive Director
Local Area Formation Commission
2516 Goodwater Avenue, Suite A
Redding, CA 96002



Subject: Review of the Local Area Formation Commission (LAFCO) Application 2013-04 for the Deschutes Road Annexation to City of Anderson

Dear Ms. Lopez:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced application for the Deschutes Road Annexation to the City of Anderson (Project). The Project is located along the southeast side of the City of Anderson, west of Anderson Creek. The properties are situated east of the Interstate 5 freeway. The Department offers the following comments and recommendations on the Project in our role as the State's trustee for fish and wildlife resources and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Codes §21000 *et seq.*

The Department has previously commented on this Project (May 20, July 12, and August 13, 2013) and our concerns remain unaddressed. The Department has requested an assessment of environmental impacts resulting from the proposed zone change from Rural Residential to Highway Commercial specifically for Assessor Parcel Numbers 201-950-022, 023 and 024. Because future approvals could be ministerial in nature, the analysis needs to be conducted prior to the zone change. CEQA Guidelines §15064 (d) requires analysis of reasonably foreseeable impacts resulting from future development pursuant to the proposed zoning provisions. The Initial Study states: "The pre-zone and annexation would allow future development that would be subject to CEQA review at the time development is proposed". As previously stated, some future approvals for certain land uses under the proposed zoning would be ministerial and not considered a "Project" under CEQA; therefore, this comment is only partially correct. It appears from the City's zoning definitions that future projects could be approved without additional CEQA review, which is why it is important to conduct an assessment of environmental impacts at this time. If it is true that all potential projects associated with these particular parcels would be subject to CEQA review, no matter if they are permitted (ministerial), or require a permit (discretionary), then the Project description should clearly state this.

Conserving California's Wildlife Since 1870



Ms. Jan Lopez
March 25, 2014
Page 2

Proposed Mitigation Measures

Mitigation measure number 4 is written for fox sedge (*Carex vulpinoidea*), formally listed as a Rare Plant Rank 2.2. This plant has been deleted from our rare, threatened, and endangered plant species list; therefore, this mitigation measure is not necessary.

Mitigation measure number 5 states that there would be a 100-foot or 50-foot buffer around raptor and migratory birds respectively; however, depending upon the species the buffer could be quite a bit larger. The Department recommends taking out that specific reference and replacing it with: ".....shall include an avoidance buffer that would be established in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service." That sentence of the mitigation measure would read as follows:

"If an active raptor or migratory bird nest is identified, then mitigation measure shall include an avoidance buffer that would be established in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service."

The Department appreciates the opportunity to work with LAFCO. If you should have any questions or concerns, please contact Amy Henderson, Environmental Scientist, at (530) 225-2779 or by email at Amy.Henderson@wildlife.ca.gov.

Sincerely,


for

Curt Babcock
Habitat Conservation Program Manager

cc: Michael R. Harris, Amy Henderson, and Kristin Hubbard
California Department of Fish and Wildlife
Michael.R.Harris@wildlife.ca.gov, Amy.Henderson@wildlife.ca.gov, and
Kristin.Hubbard@wildlife.ca.gov.

Ms. Jan Lopez
Executive Director, LAFCO
exec@shasta.lafco.ca.gov

CHRON



SHASTA COUNTY

FIRE DEPARTMENT

Mike Hebrard, Fire Warden

875 Cypress Ave.
Redding, CA 96001
Voice - (530) 225-2418
Fax - (530) 225-2514

April 17, 2014

City Manager Jeff Kiser
City of Anderson
1887 Howard Street
Anderson, CA 96007

Dear Mr. Kiser,

I understand the City of Anderson is currently in the process of annexing approximately 385 acres of land into the City of Anderson in the Deschutes Road area. This land currently sits in Shasta County.

Shasta County Fire Department (CSA #1) currently covers most of this area which is proposed for annexation. Shasta County Fire Department is willing to continue to cover this area as necessary after the completion of the annexation. We will cover this area for the time necessary for the City of Anderson to secure other fire services.

Please let me know if you have any questions or concerns.

Sincerely,

Mike Hebrard
Chief
Shasta County Fire Department