

# Shasta Local Agency Formation Commission



## FINAL Municipal Services Review & Sphere of Influence Update

### County Service Area #7 - Burney Flood Control

August 7, 2014

1. Executive Summary.....
2. General Background .....
3. District Services.....
  - a. Infrastructure, Facilities, Services .....
  - b. Administration, Management, Operations.....
  - c. Fiscal.....
  - d. Governance.....
4. Regional context/Relevant services by other agencies .....
5. Agency Boundary & Proposed Sphere of Influence Service Area
6. Written Determinations for Municipal Service Review.....
  - a. Growth & population projections.....
  - b. Disadvantaged unincorporated communities (DUCs) .....
  - c. Present and planned capacity of public facilities .....
  - d. Adequacy of public services.....
  - e. Infrastructure Needs or Deficiencies .....
  - f. Financing Constraints and Opportunities .....
  - g. Opportunities for Rate Restructuring .....
  - h. Status of and Opportunities for Shared Facilities.....
  - i. Accountability for community service needs,  
governmental structure and operational efficiencies .....
7. Written Determinations for Sphere of Influence Update .....
8. Conclusion.....
9. References .....
10. Exhibits.....
  - a. Map of proposed SOI Boundary
  - b. Community Calculator – District Area
  - c. Notice of Intent to Adopt CEQA Determination – Statutory Exemption PRC 21083
  - d. No Effect Determination – California Department of Fish & Wildlife

## **1. EXECUTIVE SUMMARY**

Local agency formation commissions have been tasked with updating local agency municipal service reviews (MSR) and sphere of influence boundaries (SOI) every five years since 2008 [Government Code Section 56425 *et seq.*]. This study presents a baseline review of this District services and SOI needs, satisfying the requirements of this statute.

This baseline review seeks to associate the original purposes and activities of the District with an understanding of its current day operations and future plans.

## **2. GENERAL BACKGROUND**

The District service area is located in Shasta County adjacent to the community of Burney, approximately 70 miles east of Redding via State Highway 299. It was formed by LAFCO in November 1988 at the request of the property owners in Burney Terrace and Nordic Village subdivisions. Its purpose is to finance the operation and maintenance of existing storm drainage facilities. It encompasses approximately 76 acres.

Shasta County Public Works maintains drainage facilities existing within the public right-of-way, such as culverts under bridges, with the county road department performing much of this work. The County Service Area (CSA) staff oversees District activities and budgets.

## **3. AGENCY SERVICES**

### **a. Infrastructure, Facilities and Services**

District services are physically situated adjacent to the water stream for which the retaining wall was constructed to protect the properties adjacent to it. The sump and pump system is physically situated to receive runoff storm water from the subdivision properties.

A portion of the infrastructure (retaining wall) for this CSA was recently de-certified by FEMA (Federal Emergency Management Agency). The CSA did not have sufficient funds to make required improvements and the property owners did not approve an increase in the annual funding to provide for the required improvements. The retaining wall will remain in place until it is structurally unsound, when it will either (a) have to be removed or (b) the property owners decide they want the retaining wall brought up to standards.

The other part of the infrastructure is a water sump and pump facility. This is the only portion of the infrastructure that is being maintained. This CSA has no master plan for expansion of infrastructure. No replacements or upgrades are planned at this time.

In 2011 FEMA required all flood retention structures to meet minimum standards or they would be de-certified. A study was made of the existing flood retaining wall and it was determined to sub-standard. A cost estimate was developed for the required improvements, but insufficient funds were available for this project. Additionally, the affected property owners did not approve an assessment fee increase to cover the cost of this work.

As a result, FEMA de-certified capability of the wall because of its deficiencies. This action impacted flood insurance rates for some property owners.

#### **b. Administration, Management and Operations**

When preparing or updating a municipal service review, information about administrative, management and operational functions, including assuring internal organization and agency policies, rules, and regulations are evaluated with respect to efficiencies and/or cost avoidance opportunities.

The Shasta County Board of Supervisors sits as the Board of Directors of this District, with its Department of Public Works as its management team. The District has no employees per se. Meetings are held as needed. Competitive bidding on projects conform to State and Shasta County policies and standards.

#### **c. Fiscal**

Basic operating revenue comes from funds collected as part of the parcel's annual tax bill. Any change in the annual parcel charge originate with an engineering report which analyzes existing revenue and projected costs. Based on the analysis, a new rate structure is recommended. Proposition 218 requires that all affected landowners receive a "protest ballot" which grant the property owners the power to approve or reject the change in rate structure.

Prop. 218 also requires a public hearing be held allowing the public the opportunity to voice their support or opposition to the proposed rate change. If a majority of eligible voters do not oppose the proposal, the Board is free to approve the rate change. If a majority opposes, the Board cannot approve any proposed change.

An annual budget, approved by the Board, establishes limits on expenditures. Major expenditures also require approval through the budget process. Any changes in budgeted amounts (for example, major unexpected expenditures beyond budget allocations), require Board approval. The 2013 final and 2014 approved budget follow:

**COUNTY OF SHASTA**  
**Budget to Actual Figures**

Ledger: GL      Fiscal Month End Date: 06/30/2014  
Fiscal Year: 2014      Report Run Date and Time: 07/28/2014 08:29:26

Budget: AG

Cost Center      Title      Director  
00393      CSA #7 BURNEY STRM DRAIN ADMIN      DIRECTOR OF PUBLIC WORKS

Object	Description	Budget	Actual	Encumbrance	Balance
001000	CASH IN TREASURY	0.00	76,723.17	0.00	(76,723.17)
009760	FUND BALANCE RESTRICTED	0.00	72,074.96	0.00	(72,074.96)
033700	MAINTENANCE OF STRUCTURES	5,000.00	0.00	0.00	5,000.00
034800	PROF & SPECIAL SERVICES	25,000.00	0.00	0.00	25,000.00
034829	PROF MAINTENANCE SVS	500.00	0.00	0.00	500.00
036100	UTILITIES	200.00	154.74	0.00	45.26
050001	CENTRAL SERVICE COST A-87	(81.00)	(81.00)	0.00	0.00
420000	INTEREST	360.00	294.67	0.00	65.33
668148	S/A CSA #7 BURNEY CURR	4,427.00	4,427.28	0.00	(0.28)
<b>Total Revenue</b>		<b>4,787.00</b>	<b>4,721.95</b>	<b>0.00</b>	<b>65.05</b>
<b>Total Expense</b>		<b>30,619.00</b>	<b>73.74</b>	<b>0.00</b>	<b>30,545.26</b>
<b>Net Total (Revenue - Expense)</b>		<b>(25,832.00)</b>	<b>4,648.21</b>	<b>0.00</b>	<b>(30,480.21)</b>
<b>Grand Total Revenue</b>		<b>4,787.00</b>	<b>4,721.95</b>	<b>0.00</b>	<b>65.05</b>
<b>Grand Total Expense</b>		<b>30,619.00</b>	<b>73.74</b>	<b>0.00</b>	<b>30,545.26</b>
<b>Grand Totals (Revenue - Expense)</b>		<b>(25,832.00)</b>	<b>4,648.21</b>	<b>0.00</b>	<b>(30,480.21)</b>

**COUNTY OF SHASTA**  
**Budget to Actual Figures**

Ledger: GL      Fiscal Month End Date: 07/31/2014  
Fiscal Year: 2015      Report Run Date and Time: 07/28/2014 08:30:03

Budget: AG

Cost Center      Title      Director  
00393      CSA #7 BURNEY STRM DRAIN ADMIN      DIRECTOR OF PUBLIC WORKS

Object	Description	Budget	Actual	Encumbrance	Balance
001000	CASH IN TREASURY	0.00	(13.19)	0.00	13.19
033700	MAINTENANCE OF STRUCTURES	5,000.00	0.00	0.00	5,000.00
034800	PROF & SPECIAL SERVICES	25,000.00	0.00	0.00	25,000.00
034829	PROF MAINTENANCE SVS	500.00	0.00	0.00	500.00
036100	UTILITIES	300.00	13.19	0.00	286.81
050001	CENTRAL SERVICE COST A-87	305.00	0.00	0.00	305.00
420000	INTEREST	200.00	0.00	0.00	200.00
668148	S/A CSA #7 BURNEY CURR	4,427.00	0.00	0.00	4,427.00
<b>Total Revenue</b>		<b>4,627.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,627.00</b>
<b>Total Expense</b>		<b>31,105.00</b>	<b>13.19</b>	<b>0.00</b>	<b>31,091.81</b>
<b>Net Total (Revenue - Expense)</b>		<b>(26,478.00)</b>	<b>(13.19)</b>	<b>0.00</b>	<b>(26,464.81)</b>
<b>Grand Total Revenue</b>		<b>4,627.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,627.00</b>
<b>Grand Total Expense</b>		<b>31,105.00</b>	<b>13.19</b>	<b>0.00</b>	<b>31,091.81</b>
<b>Grand Totals (Revenue - Expense)</b>		<b>(26,478.00)</b>	<b>(13.19)</b>	<b>0.00</b>	<b>(26,464.81)</b>

The District has no outstanding bonds and has insufficient funds to participate in traditional investment practices, or to maintain reserves. Retained earnings are restricted to use only within the District, and are not available for transfer for other uses. Variances in rates or fees are established based on an engineering report, which is designed to analyze various scenarios and the cost difference for each scenario. These are presented to the Board at a public hearing for their review and approval. No changes in fees or rates have occurred in the past three years. The per-parcel assessment has remained the same since the District formation in 1988.

In reference to rate restructuring, the study for upgrade requirements and costs exceeds the level revenues available from the District's current financing sources, and also increased flood insurance costs. The Pit River Tribe is remapping a portion of the floodplain, and this work may lead to a renewed interest in flood protection.

Most County Service Areas depreciate facilities at an annual rate of 1%. Since de-certification, the floodwall has no value. There is a small pump, the replacement of which is below what the county considers an "asset."

#### **d. Governance**

The Shasta County Board of Supervisors operates as the governing body for the District, and serve four-year terms when concurrently serving on the Board of Supervisors. Board members receive no compensation. The District is a landowner-voter district.

Board of Supervisors' meetings are held weekly, but Board of Directors' meetings are held as needed. Matters pertaining to District operations that require action by the Board are placed on an agenda for a regular meeting of the Board. Meetings are subject to the Ralph M. Brown Act and all State laws pertaining to notification of public meetings on District matters.

Public notification of meetings are published in the local newspaper once a week for three weeks in advance of a public hearing. A public hearing is scheduled during the regular or special Board of Supervisors' meeting. Those facilities are accessible to the public, with adequate space for the public, and are usually held on a Tuesday.

#### **4. REGIONAL CONTEXT/RELEVANT SERVICES BY OTHER AGENCIES**

Land use and building regulation services are provided to this area by the County of Shasta, as are law enforcement, road services and other general services provided to the unincorporated areas of the county by various county departments.

#### **5. AGENCY BOUNDARY AND PROPOSED SPHERE OF INFLUENCE UPDATE MAPS.**

The District's service area is located a little south of the unincorporated community of Burney. The boundaries are specific to the two subdivision areas it serves and the District does not anticipate any expansion of that boundary in the future.

It is proposed the Commission designate a SOI boundary to be coterminous to the existing District boundary, including all parcels shown in the original subdivision maps for the Burney Terrace and Nordic Village, and as further identified on the enclosed map of proposed SOI Boundary Update found at the end of this report.

#### **6. WRITTEN DETERMINATIONS FOR THE MUNICIPAL SERVICE REVIEW**

##### **a. Growth & Population Projections**

Development and growth within the District will be primarily guided by the rate of development within area of the original subdivision maps. District operations and program growth should be considered during future development permit processes for these areas so as to effectively meet expected service needs. Growth at this time is very slow.

##### **b. Disadvantaged Unincorporated Communities (DUCs)**

The median per capita annual income state-wide is \$46,477, and a local community would qualify for designation as a DUC if their median income falls below 80% of this figure. The median per capita income calculation for the District area is estimated to be near \$21,422. The current District population is estimated at 250.

The area serviced by the District has more than 12 registered voters and therefore qualifies as a "Disadvantaged Unincorporated Community." California State Parks provides a Community Locator tool which helps with identifying the general income within one mile of the town center. It is usually sufficient as guideline for this level of review (see attached sheets). The population counts shown on these reports are estimates and may not reflect the actual residential population of the area.

**c. Present and Planned of Public Facilities**

The District has insufficient capital to make FEMA-required improvements to maintain and upgrade service systems. This situation resulted in a de-commissioning of the facilities by FEMA. A measure to generate funds for the needed work failed to achieve the required votes. Plans for improvements to the flood wall are at this time in abeyance until a plan for financing them can be established. Development will need to pay its pro rata share of costs for services.

**d. Adequacy of Public Services**

District facilities are inadequate for current service needs. It also has insufficient access to needed resources and capacity to serve the area within the District. The cost of extension of services will be tied to development permits for any future growth.

**e. Infrastructure Needs or Deficiencies**

District staff continues to monitor and evaluates infrastructure for capacity and condition. Operational, capital improvement, and finance plans are insufficient for the District's service area at this time. The Board of Directors are working to update management systems for these services and is working diligently to resolve identified infrastructure needs and deficiencies, and seeking opportunities for financing upgrades of these needs.

**f. Financing Constraints and Opportunities**

The District derives its funding primarily from fees and assessments instituted at the time of formation. As such, the District must maintain a reasonable nexus between fees and charges levied and the cost of the service provided.

The District operated on a breakdown maintenance policy until facilities were de-commissioned (de-certified by FEMA). Staff keeps a regular eye on infrastructure. The current three-year drought has not produced sufficient rain to cause the type of flooding within the District that prompted formation of it in the first place.

**g. Opportunities for Rate Restructuring**

Rates are fixed at this time, with no opportunity to restructure.

**h. Status of and Opportunities for Shared Facilities**

This is a single purpose District with services that affect only its landowners.

- i. **Accountability for Community Service needs, governmental structure, and operational efficiencies.**

The District Board (County Board of Supervisors) meets as needed, notices meetings, and offers the public an opportunity to participate in their meetings, which are mainly focused on provision of water and maintenance of facilities.

## **7. WRITTEN DETERMINATIONS FOR THE SPHERE OF INFLUENCE UPDATE**

The current sphere of influence coincides with the boundaries of the district. Any expansion of the SOI boundary could occur should there be an application for land development in the general area, and the Department of Public Works determines the development needs to be annexed to the District. The developer would then be required to apply to LAFCO for annexation into CSA #7. Currently there are no pending requests for annexation.

### **a. Present and planned land uses**

Shasta County designates much of the general area as rural residential, agricultural, and timber lands. Within this District area are PD-Planned Development or R-1-BSM-One Family Residential Building Site designations. Future development will be processed through and determined by the Shasta County.

### **b. Present and probable need for public facilities; adequacy of services**

The District has no ongoing capital improvement programs to maintain and upgrade service systems, and is exploring methods for correcting the current maintenance and certification impasse.

### **c. Present capacity of public facilities and adequacy of services**

District facilities need to be brought up to par for current service to be considered adequate for the needs of its public. It has the capacity to serve the areas within the proposed sphere of influence boundary, but must come up with financing systems that permit repairs and recertification of its facilities. Extension of services will be tied to future development of parcels.

### **d. Existence of social or economic communities of interest**

The District is located just south of the unincorporated community of Burney, and is served by the Burney Fire Protection District and the Burney Water District. The Fall River Valley is about eleven miles to the east. This area is generally designated as

the Inter-Mountain area, and schools serve both communities. Mayers Community Hospital is located in Fall River Mills and also serves the Inter-Mountain area.

Local shops and service businesses are found in Burney. A commuter bus program provides assistance for traveling to the I-5 area where medical and county governmental services are located. Major shopping and service industry hubs for local residents are just under an hour away in Redding.

**e. Present and probable needs of disadvantaged unincorporated communities (DUCs) within the area.**

As identified in the MSR section of this report, the District service area qualifies as a disadvantaged community. Shasta County is undertaking a study of these DUCs as part of their General Plan update and additional information should be available for an expanded analysis of this designation during the next MSR/SOI Update which will be due in 2019.

With a DUC designation, it is possible this District may be eligible for public financial assistance to help correct some of the deficiencies outlined in this report.

**8. CONCLUSION**

In this review, Shasta LAFCO has endeavored to accurately assess the current services and organizational status of the District as a provider of flood control services based upon information available at this time. This is the first review of this district since its formation in 1988, and it is expected that additional data will be brought forward, especially as future development occurs. LAFCO has made what we believe are substantiated determinations based upon prescribed statutory factors.

Although, given the difficulties the District currently faces with infrastructure repair and financing, there does not seem to be a current interest in dissolving the district. The flood control services are needed in that area, although with the current drought it is not so visible a need. Weather runs in cycles in Shasta County and when heavy rain once again comes to this mountain area, the immediate need for the flood wall to be operational will once more be understood and supported by the affected landowners.

It is therefore recommended that the municipal service review and sphere of influence update for County Service Area #7 – Burney Flood Control be adopted as proposed, maintaining a SOI Boundary as coterminous to the existing District boundary as shown on the enclosed SOI update map.

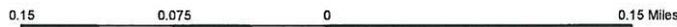
**9. REFERENCES**

- a. District (interviews, records)
- b. County of Shasta Departments
- c. Shasta LAFCO files for this district.
- d. Internet research on various sites.

**10. EXHIBITS**

- a. Map of proposed SOI Boundary
- b. Community Calculator –District area
- c. Notice of Intent to Adopt CEQA Determination – Statutory Exemption PRC 21083
- d. No Effect Determination – California Department of Fish & Wildlife

# Country Service Area #7 - Burney Coterminous with Existing Boundary



- Burney\_CountyServiceArea7\_SOI
- Burney\_CountyServiceArea7
- Shasta Parcels

# California State Parks LWCF Service Area Report

Project ID: 1448  
Date Created: 07/26/2014  
Coordinates: 40.871, -121.667

This is your LWCF Service Area report for the project you have defined.  
Please refer to your Project ID in any future communications about this project.

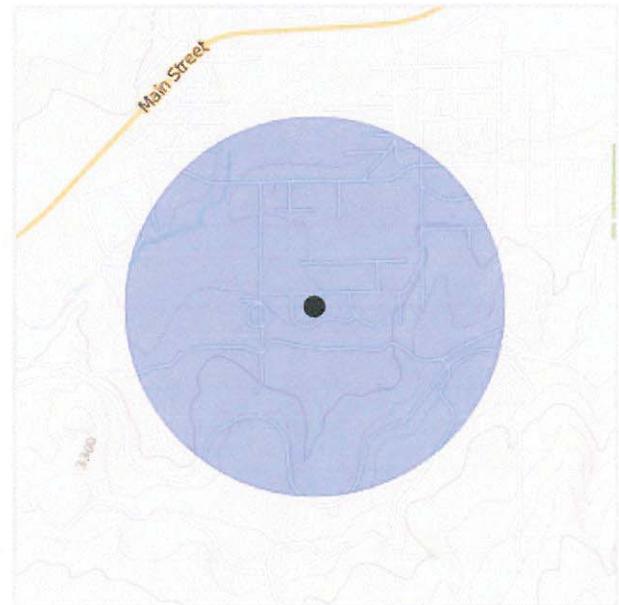
## Project Area Statistics

County:	Shasta
City:	Burney
Total Population:	325
Margin of Error:	(+/- 99)
Per Capita Income:	\$ 21,422
Margin of Error:	(see table next page)
# People Below Poverty:	54
Park Acres in Area:	0.00
Park Acres / 1,000 Population:	0.00

### Data Sources:

American Community Survey (ACS) 5-year estimates  
Parks data from Calif. Protected Areas Database 2013b (Sept. 2013) -  
[www.CALands.org](http://www.CALands.org)

## Project Area Map



## Report Background

The project area statistics have been calculated based on the selected radius (in miles) from the point location of your project. The buffer is referred to as the project service area.

Population and people in poverty are calculated by determining the percent of any block groups that intersect with the service area. The service area is then assigned the sum of all the block group portions. An equal distribution in block groups is assumed.

Per capita income is calculated as a weighted average of the block group values that fall within the service area.

More information on the calculations, and a detailed description of the margin of error are available at:

[http://www.mapsportal.org/lwcf/LWCF\\_Calculation\\_Documentation.pdf](http://www.mapsportal.org/lwcf/LWCF_Calculation_Documentation.pdf)

Parks and park acres are based on best available source information but may not always contain exact boundaries or all parks in specific locations. Parks acreage does not include major lakes or ocean, and may not include recreation facilities where those occupy most of a site. Users can send update information on parks data to:

[parkupdates@parks.ca.gov](mailto:parkupdates@parks.ca.gov)



LWCF Service Area Calculator  
is a service of the  
California Department of Parks and Recreation  
[www.parks.ca.gov](http://www.parks.ca.gov)

LWCF Service Area Calculator  
created by GreenInfo Network  
[www.greeninfo.org](http://www.greeninfo.org)



# California State Parks LWCF Service Area Report

Project ID: 1448  
Date Created: 07/26/2014  
Coordinates: 40.871, -121.667

## TABLE OF PER CAPITA INCOME FOR PROJECT AREA

ID	Acres	Acres in SA	PCI	PCI MOE
060890127011	242,731	177	\$ 19,964	\$ 3,652
060890127012	642	228	\$ 23,550	\$ 11,239
060890127013	919	95	\$ 19,031	\$ 4,345



**LWCF Service Area Calculator**  
is a service of the  
California Department of Parks and Recreation  
[www.parks.ca.gov](http://www.parks.ca.gov)

**LWCF Service Area Calculator**  
created by GreenInfo Network  
[www.greeninfo.org](http://www.greeninfo.org)



Les Baugh  
County Member

Irwin Fust  
Special District Alternate

Rick Bosetti  
City Member Alternate

Dick Fyten  
Public Member

Larry Farr  
City Member

Pam Giacomini  
County Member Alternate

David Kehoe  
County Member

Bob Richardson  
Public Member Alternate

James Yarbrough  
City Member

Brenda Haynes  
Special District Member

Stephen Morgan  
Special District Member

Jan Lopez  
Executive Officer



## NOTICE OF INTENT TO ADOPT - STATUTORY EXEMPTION

**To:** Affected and Interested Agencies and Persons

**From:** Shasta LAFCO  
Shasta Local Agency Formation Commission  
2516 Goodwater Avenue, Suite A  
Redding, CA 96002

**Project Title:** County Service Area #7 – Burney Flood Control: MSR/SOI Update 2014

**Project Location-Specific:** District encompasses the Burney Terrace and Nordic Village subdivisions just south of the Community of Burney.

**Project Location – City:** Burney                      **Project Location – County:** Shasta County

**Description of nature, purpose and beneficiaries of project:** Establish Municipal Service Review and Sphere of Influence boundary update pursuant to G.C. 56425. This project does not include any boundary changes. Please see Exhibit A, Map of Sphere of Influence Update attached herewith and incorporated by reference.

**Name of Public Agency Approving Project:** SHASTA LAFCO

**Name of Person or Agency Carrying out the project:** SHASTA LAFCO

**Exempt Status (check one)**

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a);
- Emergency Project (Section 21080(b)(4); 15269(b)(c);
- Categorical Exemption. *State type and section number* : \_\_\_\_\_
- Statutory Exemption. *State code number* : Guidelines Section 15262 - Feasibilities & Planning Studies  
(Section 21083, Public Resources Code) \_\_\_\_\_

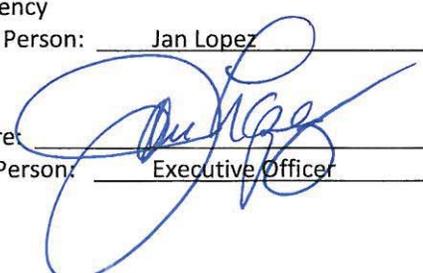
**Reasons why project is exempt:**

Project comprised of studies and evaluations and establishment of planning boundary for future growth pursuant to the requirements of G.C. 56425. There is no material effect on lands within the study area.

Lead Agency

Contact Person: Jan Lopez

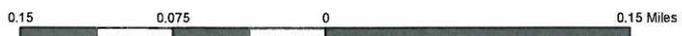
Phone: 530-242-1112

Signature: 

Title of Person: Executive Officer

Date: 1-28-2014

# Country Service Area #7 - Burney Coterminous with Existing Boundary



-  Burney\_CountyServiceArea7\_SOI
-  Burney\_CountyServiceArea7
-  Shasta Parcels



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

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



## CEQA Filing Fee No Effect Determination

**Applicant Name and Address:**

Shasta Local Agency Formation Commission  
 2516 Goodwater Avenue, Suite A  
 Redding, CA 96002

**CEQA Lead Agency:** Shasta Local Agency Formation Commission

**Project Name:** CSA #7 – Burney Flood Control SOI & MSR Update

**CEQA Document Type:** Statutory Exemption, Section 15262 – Feasibility & Planning Studies

**State Clearing House Number and/or local agency ID number:** N/A

**Project Location:** Community of Burney, Shasta County

**Brief Project Description:** This mandated update establishes baseline information for this agency's services and sphere of influence boundaries. The agency provides flood control services to its landowners. No changes in current permitted uses are proposed in this project.

**Determination:** Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish and G. Code § 711.4(c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to FGC Section 711.4(c)(3).

DFW Approved By: *Pamela Bratcher for Michael R. Harris* Date: July 31, 2014

Title: Interior Conservation Program Supervisor

# Country Service Area #7 - Burney Coterminous with Existing Boundary



- Burney\_CountyServiceArea7\_SOI
- Burney\_CountyServiceArea7
- Shasta Parcels

# Shasta Local Agency Formation Commission

## RESOLUTION 2014-18

### RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION MAKING WRITTEN DETERMINATIONS AND UPDATING THE SPHERE OF INFLUENCE OF CSA #7 - BURNEY FLOOD CONTROL

WHEREAS, a sphere of influence boundary for CSA #7 - Burney Flood Control was formed in 1988 with a contiguous sphere of influence, and no further updates have occurred; and

WHEREAS, the Executive Officer, pursuant to the Government Code section 56000 *et seq.*, has prepared a municipal service review, and has proposed an updated sphere of influence boundary recommendation based upon this analysis for CSA #7 - Burney Flood Control; and

WHEREAS, in the manner required by law, the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the Commission has heard, discussed and considered all evidence for and against the proposal, including but not limited to, the Executive Officer's analysis and proposed conditions and recommendations, the environmental document, applicable general and specific plans, and all testimony, correspondence and exhibits received prior to or during this noticed public hearing, all of which are included herein by reference.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The project before the Commission is a proposed update of the CSA #7 - Burney Flood Control's Sphere of Influence Boundary and acceptance of its related Municipal Services Review.
2. Shasta LAFCO, as the lead agency, circulated a Notice of Intent to Adopt a Statutory Exemption for this project, responded to written comments received during the review period and intends to certify a Statutory Exemption pursuant to the California Environmental Quality Act (CEQA) for the proposed update of its Sphere of Influence.
3. The Executive Officer applied for and received a No Effect Determination from the California Department of Fish and Wildlife for this project.
4. The Commission, pursuant to Government Code Section 56425, makes the following specified determinations based upon data within the municipal service review to update the CSA #7 - Burney Flood Control's Sphere of Influence Boundary:
  - A. *Present and planned land uses in the area.*

These uses include residential and rural residential. The Shasta County General Plan and Zoning ordinances address the kind of permitted uses in this area. The adjacent rural community of Burney is unincorporated.

B. *Present capacity of the public facilities and adequacy of public services that the agency provides or is authorized to provide.*

These services very adequately meet the needs of landowners who utilize their services.

C. *Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

There is an expected affinity between the Burney Area the Fall River Valley Area (often referred to as the Intermountain Area) for social and economic community of interest due to the remoteness of the local communities from the I-5 Corridor. Other more developed portions of Shasta County along the I-5 Corridor are about 70 miles away and include Redding.

D. *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal or industrial water, or structural fire protection, the present and probable need for those facilities and services of any disadvantaged unincorporated community within the existing Sphere of influence.*

Other local agencies provide these municipal services adjacent to the existing and proposed sphere of influence boundary. All of the communities within and adjacent to the District's proposed sphere of influence boundary qualify under the statutory definition as "Severely Disadvantaged Unincorporated Communities."

5. The Executive Officer is hereby directed to complete Update proceedings, and to schedule the subsequent review and update, as necessary, of the CSA #7 - Burney Flood Control's municipal service review and sphere of influence boundary five years from this approval date as required by statute.

6. The CSA #7 - Burney Flood Control Sphere of Influence is hereby updated and approved. Adopted on August 7, 2014, by the following vote:

AYES: Baugh, Farr, Haynes, Kehoe, Morgan, Richardson, Yarbrough

NOES: None

ABSTAINS: None

ABSENT: Fyten

Dated: 8-7-14



Stephen Morgan, Chair  
Shasta Local Agency Formation Commission

Attest:



Jan Lopez, Executive Officer