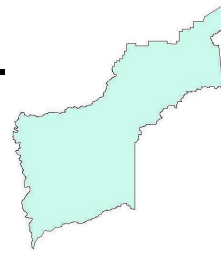


YUBA COUNTY LOCAL AGENCY FORMATION COMMISSION



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Yuba Local Agency Formation Commission

March 7, 2012

TO: LAFCO Commissioners

FROM: John Benoit, LAFCO Executive Officer
Paige Hensley, Clerk Analyst

SUBJECT: Sphere of Influence (SOI) Update for the Linda Fire Protection District, Plumas Brophy Fire Protection District and the Fire SOI for the Olivehurst Public Utility District

Attachments:

1. Yuba County GPEIR, CEQA Findings and Notice of Determination, and Certifying Resolution #2011-46 SCH #2010062054 (on CD)
2. A Resolution adopting a Sphere of Influence for Fire and EMS services provided by the Linda Fire Protection District, the Plumas Brophy Fire Protection District and a limited Sphere of Influence for Fire and EMS Services provided by the Olivehurst Public Utility District.

1. Lafco Responsibility:

Government Code §56425 et seq. requires LAFCO to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” (§56076). Government Code §56425(g) requires that “on or before January 1, 2008, and every five years thereafter, the commission shall, as necessary review and update each sphere of influence.”

Government Code §56430(c) states “The Commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or Section 56426.5 or to update a sphere of influence pursuant to Section 56425.

A Municipal Service Review for the Fire Protection Districts was completed and determinations were adopted July 24, 2008, as part of a Countywide Municipal Service Review, prepared by Burr Consulting, and is incorporated in this report by reference.

A Sphere Options Report, prepared by Burr Consulting, has been completed and was adopted on April 1, 2009 and is incorporated in this report by reference.

Information, determinations and recommendations regarding the Linda Fire Protection District (LFPD), the Plumas Brophy Fire Protection District (PBFPD) and fire and EMS services provided by the Olivehurst Public Utility District (OPUD) were obtained from the Sphere Of Influence Options Report, conducted by Burr Consulting and accepted April 1st, 2009. The information with updates was used as a tool to help staff and the Commission arrive at the most logical recommendations for the Fire Districts Spheres of Influence Updates. For further explanation of options and analysis please see the SOI Options Report.

Yuba LAFCO is required to conduct a Sphere of Influence update consistent with the Policies and Procedures related to Spheres of Influence, adopted by Yuba LAFCO on July 11, 2007. Sphere of Influence Policies adopted by Yuba LAFCO and an analysis regarding this Sphere of Influence Update are as follows:

4.1 GENERAL

Government Code §§ 56425 et seq. requires LAFCO to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” (§56076). Every determination made by a commission shall be consistent with the spheres of influence of local agencies affected by that determination (§ 56375.5). A sphere of influence is primarily a planning tool that will:

1. Serve as a master plan for the future organization of local governments within the County by providing long range guidelines for the efficient provision of services to the public;
2. Discourage duplication of services by local governmental agencies;
3. Guide the Commission’s consideration of individual proposals for changes of organization;
4. Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations;
5. LAFCO shall establish the nature, location, and extent of any functions or classes of service provided by existing districts as part of SOI update and service review processes (§56425, §56430).

Note: The nature, location and extent of Fire Protection District functions are included in the Sphere Options Report prepared by Burr Consulting (accepted April 1, 2009).

4.2 PERIODIC REVIEW AND MAINTENANCE

The adequacy of each adopted SOI will be reviewed every 5 years following the initial sphere determination or initial review of an original sphere. At approximately 5-year intervals, a preliminary sphere evaluation will be conducted by LAFCO staff. The evaluation will include a recommendation by the Executive Officer to either (1) proceed with a sphere update study or; (2) affirm an existing sphere.

Each subject agency will be notified of the pending review of its SOI and will be requested to participate actively in any sphere update study deemed necessary by the Commission. Each agency will complete a SOI questionnaire relating to its services and plans. Failure to respond will be regarded as concurrence with the Executive Officer's recommendation.

Changes in land use, planning policy, demographics, demand for public services, or service capabilities may justify the need to study and amend spheres of influence. The Commission is responsible for the cost of LAFCO initiated review and revision of spheres. LAFCO will seek cooperative cost sharing agreements with the agencies involved.

LAFCO will receive requests for amendments to spheres at any time. If an agency, the County or other party requests a review, study and/or amendment of a sphere; LAFCO will undertake the review as required by statute. Where possible within the scope of its budget, LAFCO will assist a requesting agency with the costs associated with a sphere study in the initial review of an original sphere. Otherwise, fees to cover the actual costs associated with a sphere review and amendment may be charged to the party requesting the review.

Note: Yuba LAFCO is in the process of updating Spheres of Influence and has completed a Municipal Service Review and a Sphere of Influence Options report. LAFCO staff is working the Fire Districts and OPUD regarding their respective fire and EMS Spheres.

4.3 LIMITED SERVICE SPHERE OF INFLUENCE

Territory proposed for inclusion within the SOI of a multi-service provider agency which is also contained within the boundary of another limited purpose district (providing some but not all of the services which may be needed), may be included within the SOI of the multi-service agency and designated as a limited-service sphere of influence area. Territory designated as limited service sphere may be considered for annexation to the multi-service agency, without concurrent detachment from the limited purpose district, when the Commission makes the following determinations:

- a. No feasible or logical alternative arrangement exists for the provision of service in the territory proposed for inclusion within the SOI.
- b. The existing multi-service agency is the most orderly and logical provider of some of the services, which will be needed in the future.
- c. Existing services provided by the limited-purpose district are adequate, cost-effective and efficient.

d. Inclusion of the territory in the SOI is in the best interests of local government organization and structure in the area.

Note: This policy is applicable to this update. The Olivehurst Public Utility District provides street lighting, water, parks and wastewater in addition to fire and EMS. This Sphere is for fire and EMS. OPUD is the most logical Fire and EMS provider for territory within their district but not also in another Fire Protection District.

4.4 REQUIRED DETERMINATIONS FOR SPHERE OF INFLUENCE AMENDMENTS

In determining the sphere of influence for each local agency, the Commission shall prepare a written statement of determinations with respect to each of the following:

- a. The present and the planned land uses in the area, including agricultural and open-space lands.
- b. The present and probable need for public facilities and services in the area.
- c. The present capacity of public facilities and adequacy of public services, which the agency provides or is, authorized to provide.
- d. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. Before making these determinations, the Commission will review the following:

- i.) The service capacity, levels and types of services currently provided by the agency and the areas where these services are provided, topographic factors, financial capabilities, costs of service, and social and economic interdependencies;

Note: This is addressed in the MSR

- ii.) Existing and planned land uses, land use plans and policies; consistency with county and city general plans; projected growth in the affected area, and potential effects on agricultural and open space lands;

Note: The Yuba County General Plan adopted in 2011 provides for planned future land uses consistent with land use designations and the policies contained in the adopted County General Plan, as updated.

Note: Specific analysis is provided in the MSR and the County's General Plan

- iii.) A description of the services that will be provided to any areas which may be added to the sphere and the timing and method for funding expansion of facilities or services to those areas.

Fire District	Recommendations	Services Provided
Olivehurst Public Utility District	Modify Annexable Sphere to exclude areas east of SR 65 and in the north the Furneaux Rd area (3 locations. Include area within the district in the Furneaux area and one area west of SR 65.	Fire protection, emergency medical services
Linda FPD	SOI expansion to include an infill area in the north (Dantoni Road Area).	Fire prevention, fire suppression and emergency medical services
Plumas Brophy FPD	Include areas north of the Bear river including portions of territory within Placer and Sutter Counties to be consistent with the April 14, 2011 adopted Wheatland Sphere of Influence	Fire prevention, fire suppression and emergency medical services

- iv.) An analysis of the effects of a proposed sphere of influence on other agencies and their service capabilities.

Note: The proposed SOI will have no known effects on other agencies and their service capabilities

e. A substantial SOI amendment is an amendment that causes the SOI to be internally inconsistent, is inconsistent with provisions of the CKH Act, has the potential to cause significant adverse social, economic, environmental, or other consequences, or has substantial adverse regional planning implication. Substantial SOI amendments shall not be processed until service reviews are completed (§56430) and the subject SOI is updated consistently with §56425.

Note: N/A

f. A substantial SOI amendment may be processed concurrently with a service review and incorporated into a SOI update. However, LAFCO will make service review determinations prior to considering a substantial SOI amendment (§56425, §56430).

Note: N/A

g. A review of a municipal services pertaining to a subject SOI will be prepared prior to, or in conjunction with, each SOI update (§56430) or substantial amendment unless the Commission determines that a prior service review remains adequate.

Note: the review of Municipal Services has been completed for this update.

h. When determining which local agency should provide services, considerable weight will be given to an agency's ability and willingness to provide services. When more than one agency can serve an area, LAFCO shall also consider the conclusion of service reviews, each agency's service capacity, financial capabilities and costs to provide service. Social and economic interdependencies, topographic, historic and environmental factors, input from affected communities and agencies, and pertinent LAFCO policies shall also be considered (§56668, §56430).

Note: This has been completed as part of the MSR and Sphere Options process. And updated through discussions with fire service providers in October 2011 through February 2012.

i. LAFCO shall prioritize pending or anticipated SOI actions and related services review, and consider preliminary work plans as part of its annual work plan and budget hearing processes, although the Commission may consider SOI proposals whether or not they are reflected in the budget. The Commission may also initiate related service reviews. The Commission may also need to review or approve final SOI work plans and other processing recommendations.

Note: This policy is not applicable to this update.

j. Agencies will be asked to participate in an SOI scoping session and complete SOI/service review questionnaires relating to their services and plans. Agencies will be required to complete and submit questionnaires within 90 days. Failure to respond within 90 days will be regarded as concurrence with Executive Officer recommendations.

Note: This has been completed as part of the MSR/SOI process.

k. LAFCO shall hear and consider the SOI, and related service reviews if any, at a noticed public hearing.

Note: A public hearing will be held.

5. OTHER RELATED POLICIES

a. LAFCO will make every attempt to establish Spheres of Influence acceptable to affected agencies, property owners, and other stakeholders but ultimately, LAFCO is the final determinant of a Sphere of Influence.

- i. Inclusion within an agency's sphere of influence does not ensure annexation to that agency.
- ii. In order to encourage orderly growth of urban areas, the Commission promotes infill development of incorporated vacant lands located adjacent to already developed areas.

Note: N/A

- iii. Developed lands, which benefit from municipal services and are contiguous to a city boundary, should be annexed to the city that provides service.

Note: N/A

- iv. Spheres of influence for cities and districts should respect the long-term preservation and protection of the County's agricultural and open space resources when not in conflict with Policy 4.5.3.

Note: Fire Protection Districts do not provide growth inducing services and therefore, will not have any impact upon agricultural lands.

- v. When an application for a new sphere of influence involves a City, the City and County are required to meet prior to submitting the application to LAFCO, to attempt to reach a mutual agreement regarding the boundaries, development standards, and zoning requirements for the proposed sphere. These agreements are required to carry great weight in any LAFCO decision (§56425).

Note: N/A

2. California Environmental Quality Act:

A Sphere of Influence update is subject to the California Environmental Quality Act. See Attachment # 1 Yuba County GPEIR, CEQA Findings and Notice of Determination, and Certifying Resolution #2011-46 SCH #2010062054 (on CD)LAFCo has reviewed the County General Plan and EIR adopted on June 7, 2011. The EIR prepared by Yuba County addresses the entire county The Valley Growth Boundary limits the geographic extent of development to be allowed in both the OPUD and LCWD water and wastewater Spheres of Influence. However, structural fire protection and Emergency Medical Services should be available countywide. No additional environmental impacts upon the physical environment will occur as a result of affirming the EIR prepared for the General Plan.

3. Sphere of Influence Update – Linda Fire Protection District:

Background:

The Linda Fire Protection District (LFPD) provides fire protection and emergency medical services.

Existing Bounds and SOI

The boundaries of LFPD extend east from the Feather River to Beale AFB along North Beale Road in east Linda, south of the Yuba River to Erle Road in the southeast, and as far south as the Yuba-Sutter County line in the southwest, ranging from the Western Pacific Railroad in the east to the County line in the west, south of the Yuba County Airport. The District has a boundary area of approximately 43.6 square miles.

The SOI for LFPD was adopted by LAFCO in 1986 to include four discrete areas adjacent to the district bounds, in the west, south, east, and northeast of the District. With the exception of minimal territory along Beale Road in the eastern portion of the SOI, the SOI does not include territory within District bounds. The SOI areas extend from south of the Yuba River to the District boundaries in the northeast, east of the District boundaries to Beale AFB along Erle Road, south of the District boundaries along the Southern Pacific Railroad south of the community of Linda, and west of the District boundaries to the Feather River. The SOI area along the railroad

south of Linda overlaps with the SOI for OPUD in that area, and the SOI area west of the district boundaries to the east side of the Feather River is located entirely in Sutter County.

The Linda Fire Protection District currently includes 28,082.72 acres within its current boundary. The District's existing Sphere of Influence only has 10,112.23 acres. This is because LAFCO never amended the district's sphere of influence years ago when it annexed the Plumas Lake territory. The proposed sphere of Influence will therefore, be including an additional 29, 604.75 acres, much of which is currently within the District Boundaries.

Service Area

LFPD provides service for the entire boundary area, including the unincorporated communities of Linda, Arboga and Plumas Lake. Due to proximity, the District is called upon to provide automatic aid outside its boundaries to:

- Marysville Fire Department for the area around SR 70 and Simpson Lane,
- Olivehurst Public Utility District Fire Department for the Yuba County Airport and industrial tract,
- CALFIRE for the area generally between the northern boundary of Beale AFB and the Yuba River and from County Road 1034 in the west to North Earle Road in the east,
- Smartville Fire Protection District for portions of the Yuba Goldfields and Hammonton-Smartville Road, and
- Wheatland Fire Authority for the portion of SR 70 between McGowan Parkway and the Plumas-Arboga Overpass and a portion of Plumas-Arboga Road adjacent to District bounds.

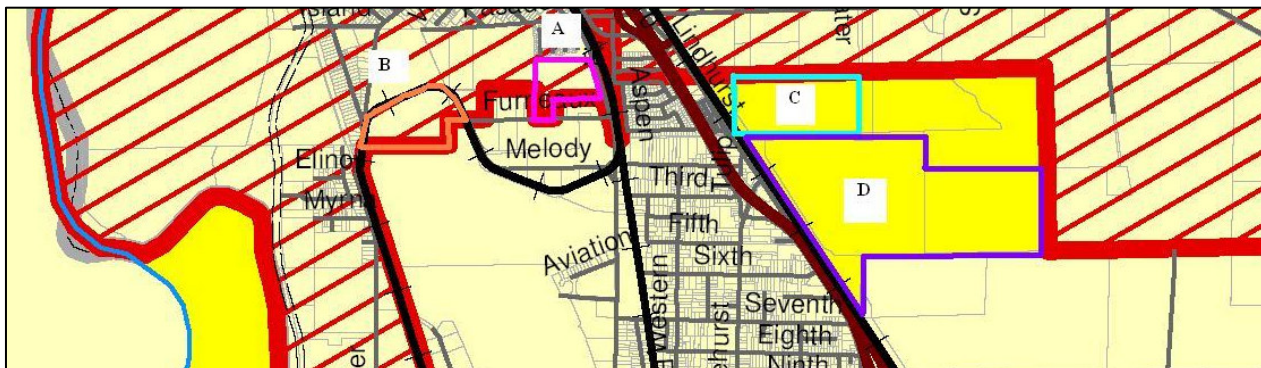
The area northwest of Beale AFB, south of the Yuba River and to the west of Dantoni Road lies between LFPD and Smartville Fire Protection District (SFPD) and is not within bounds of a fire district; consequently, the two fire agencies provide service there when needed—occasionally arriving unplanned at the same incidents. LFPD provides coverage to another “no man’s land” which lies beyond the District’s eastern boundary on North Beale Road. LFPD is the primary responder there, as the Beale Air Force Base Fire Department rarely responds off base, according to the District.

Planning Area

LFPD has adopted a mission statement and prepared a development impact fee (DIF) study in 2006. The DIF study identifies infrastructure and financing needs to guide long-term capital improvements through 2015. LFPD does not currently prepare a long-term capital improvement plan (CIP); however, similar to a CIP, the DIF study outlines future capital improvements.

Overlapping Providers

The LFPD and OPUD boundaries and SOI overlap in several areas shown below.



- The LFPD boundary and OPUD fire SOI overlap in an approximately 30-acre area (area A on the map) where LFPD is providing first-in fire service to a property owned by Caltrans, north of Furneaux Road and just west of Arboga Road. LFPD reports that it is being dispatched to service calls at the property. OPUD reported it is not the first-in service provider to this property. The property was placed in the OPUD fire SOI in 1985; however, that appears to have been an inadvertent error, as the OPUD fire SOI was intended to exclude territory within the bounds of fire districts and the property was within LFPD bounds at that time (and presently). This area is recommended to be in the LFPD SOI
- The LFPD boundaries overlap with OPUD's fire service SOI at an animal control facility north of Yuba County Airport (area B). LFPD serves this area. OPUD reported it is not the first-in service provider to this property, which is outside OPUD's bounds. This area is recommended to be in the LFPD SOI.
- LFPD's SOI and the OPUD service area overlap on two parcels east of Lindhurst Ave between Second and Sixth avenues (area C). The site is vacant agricultural land, but had been a potential school facility in the past. OPUD is presently providing fire service to this area. LFPD reports that its fire station has readier access to the property than OPUD. OPUD reports that it can respond more quickly to this area than LFPD, as LFPD would have to drive several miles around to access the area. This area is recommended to be removed from OPUD's SOI and included in the LFPD SOI signaling this area should be detached from OPUD in the future.
- LFPD's SOI and OPUD's fire-related SOI overlap on three parcels east of the intersection of SRs 70 and 65 (area D) that is not within the bounds of any fire provider. Both agencies reported providing service to the vacant, agricultural land. Both LFPD and OPUD reported that they could respond more quickly than the other provider to this area. The area is within both districts' fire SOIs, but is outside the bounds of both districts. This area is proposed to be included in the LFPD SOI.

Sphere of Influence Determinations

Present and Planned Land Uses

The District bounds encompass residential and commercial areas, as well as some farmlands. Local business activities include construction, auto sales, storage, restaurants, retail, food processing, the Peach Tree Golf and Country Club, the Plumas Lake Golf and Country Club, and Yuba Community College.

Further growth is anticipated within the District in the next few years as planned developments begin and continue construction within the East Linda Specific Plan (ELSP), Plumas Lake Specific Plan (PLSP) and North Arboga Study Areas. The development area within the District bounds and SOI is in excess of 6,300 acres (including 91 acres of non-residential), with over 20,500 planned dwelling units.

Major developments currently under construction within the District are the 535-acre Plumas Lake Cobblestone development, the 475-acre Rio Del Oro development, the 795-acre Wheeler Ranch development, and the 390-acre Edgewater development. A majority of the Edgewater development has been completed with all major infrastructure completed and 963 dwellings constructed of the proposed 1,358. Major planned development areas include the 577-acre Country Club Estates development and the 550-acre Bear River development. The Plumas Lake Cobblestone, Rio Del Oro, Wheeler Ranch, and Country Club Estates developments are located within the PLSP area. The Bear River development is now located in the PLSP area. The Edgewater development is located within the ELSP area. The northwestern portion of the 1,633-acre Woodbury Specific Plan proposal is partially located within the bounds and SOI of the District, east of SR 70 and south of Erle Road (Note: the County is sent a notice of withdrawal for inactivity and the expected withdrawal date is March 16, 2012).

The District anticipates further growth in the near future in the Arboga area and in the eastern portion of the District, near Erle Road and Griffith Avenue and towards Beale AFB. To accommodate new development, the

development impact fee study recommends replacing the North Arboga station and building two new stations in East Linda and Plumas Lake (in addition to the recently completed Plumas Lake station). Land has been purchased for a new Fire Station 2 in Arboga—the site was chosen after a study determined the most advantageous location. The timing of new stations will be determined by the pace of construction and the threshold number of structures to finance the construction and operations of the facilities.

Present and Probable Need for Public Facilities and Services

The District considers its customer base to be the structures within the District service area and individuals living or traveling in the District. LFPD protected approximately 2,700 structures prior to 2003, according to the District. Since then, the area has experienced significant development resulting in building and population growth. Between 2003 and April 2007, the District estimates an additional 2,600 structures have been constructed—totaling approximately 5,300 structures protected by the District. DOF population estimates provided by LFPD show a 36 percent growth in population from 16,477 in 2003 to 22,455 in 2006. The District's population density is approximately 510 per square mile, compared with the countywide density of 114.

To accommodate growth, the District projects service needs for facility planning and financing purposes. The District's 2003 development impact fee study outlines facility, equipment, and staffing required to minimize response times by maintaining a designated ratio of fire engines to structures as growth occurs. When planning for a new fire station, the District prepares revenue and cost projections and monitors development activity, through assessor parcel data and county recorder planned development data, to optimize timing of new facility construction.

Present Capacity of Public Facilities and Adequacy of Public Service

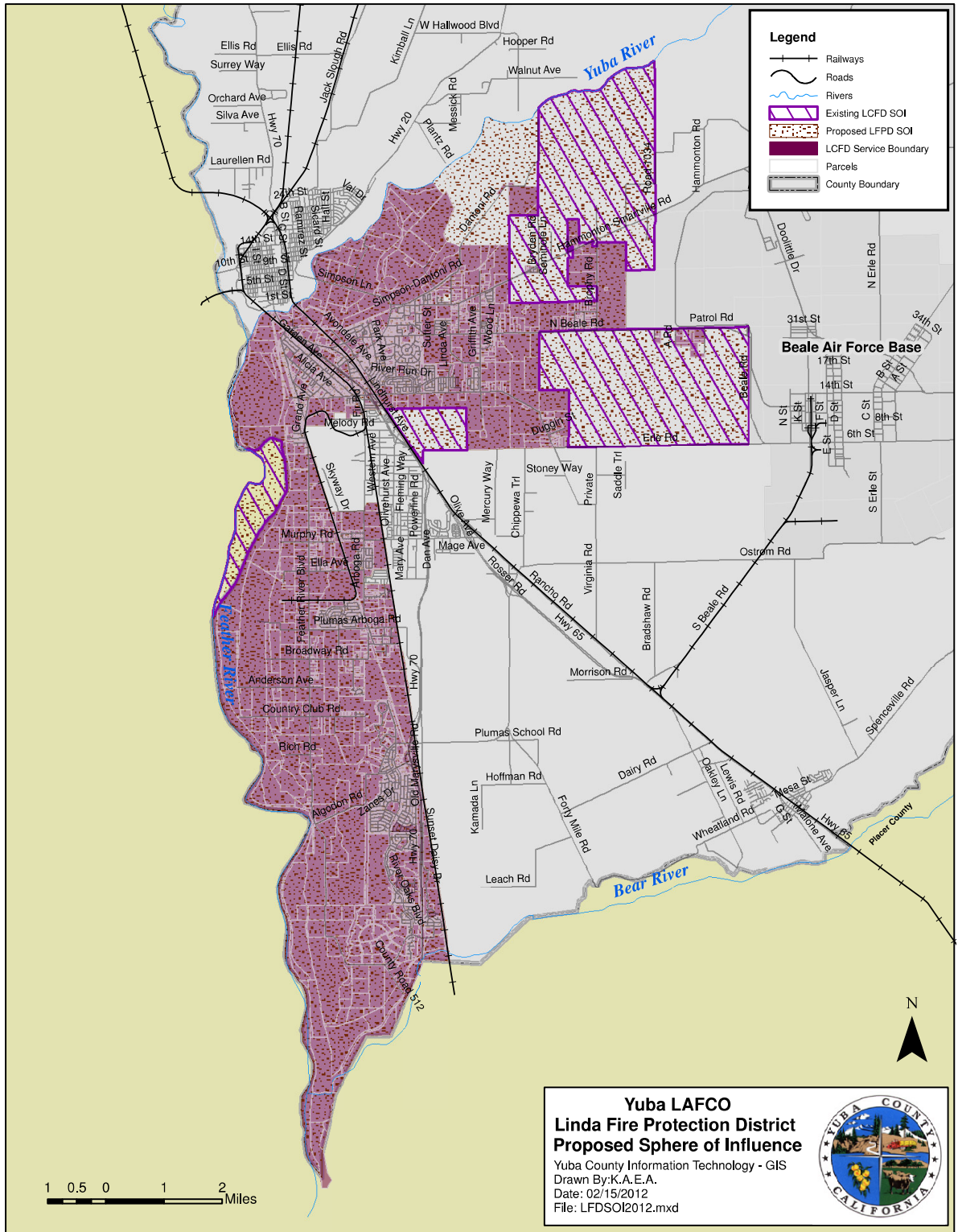
Key infrastructure owned by the District includes three fire stations and 16 trucks. Due to recent growth and development the District has made plans for additional stations to service the increased population. Station 3 was recently erected in the Plumas Lake area and began operations in January 2007. The District anticipates replacing Station 2 within the next two to five years; the District has purchased property on Plumas Arboga Road. However, the construction timeline will depend on the rate of development. An additional station is planned to be built in Plumas Lake around 2013, if growth occurs as anticipated in the DIF study. The District did not report any other vehicle needs or deficiencies; however, as the District constructs new stations, additional equipment will be needed.

The District's financial ability to provide services is constrained by available revenues and legal limitations on revenue increases; however, LFPD has managed to provide adequate service levels within these resource constraints.

Existence of Any Social or Economic Communities of Interest

Within the existing boundary and SOI area, communities of interest include Plumas Lake, Linda and Brophy.

Recommendation: Staff recommends the four overlap areas (with OPUD) described above be included in the SOI for the LFPD as shown on the map below. In addition staff recommends the Dantoni Road Area also be included in the SOI for the LFPD. See Attachment #2 a Resolution adopting a Sphere of Influence for Fire and EMS services provided by the Linda Fire Protection District, the Plumas Brophy Fire Protection District and a limited Sphere of Influence for Fire and EMS Services provided by the Olivehurst Public Utility District.



4. Sphere of Influence Update – Plumas Brophy FPD

The Plumas Brophy Fire Protection District (PBFPD) provides fire protection and emergency medical services.

Existing Bounds and SOI

The PBFPD boundary area extends north to Erle Road in the northwest and the southern boundary of Beale AFB in the northeast, west to the Western Pacific Railroad and SR 70 in the northwest, south to the Yuba-Sutter and Yuba-Placer county lines, and east to the Yuba-Nevada county line. Most of the City of Wheatland is excluded from the District, although recent annexations remain within District bounds.

The District's SOI includes only a small portion of the boundary area—the eastern Camp Far West area and a parcel in the south of the City of Wheatland. Most of the area within District bounds is not within the existing SOI, apparently due to an oversight when the SOI was originally adopted in 1986.

The Plumas Brophy FPD has 48,990 acres within its boundary and a 4,990.26-acre sphere of influence. The proposed Sphere of Influence will include 50,723.20 acres with 45,732.94 acres being added at this time to bring territory within the district into its sphere of influence. Much of the additional territory is within the district's boundary excepting portions within Placer and Sutter Counties north of the Bear River.

Service Area

Wheatland Fire Authority (WFA) provides first-in service to all areas within both PBFPD and City of Wheatland bounds with three exceptions: 1) Linda FPD serves a triangular area just west of SR-70 that is within PBFPD bounds through an automatic aid agreement, 2) OPUD serves the Summerfield subdivision within PBFPD bounds, and 3) Beale Air Force Base (AFB) serves the portion of PBFPD bounds that overlaps the AFB in the vicinity of the AFB "Wheatland Gate" on Spenceville Road .

WFA provides mutual aid services outside its bounds. Due to proximity, mutual aid is often provided outside of district bounds to OPUD and California Department of Forestry and Fire Protection (CALFIRE) in Sheridan (Placer County).

Planning Area

The District does not conduct formal planning efforts. The District has not adopted a mission statement, a strategic plan or a capital improvement plan. However, the WFA conducts regular comparisons of itself with other districts of similar geographic size and population based on response times, training, age of equipment, staffing levels and finances.

Overlapping Providers

The City of Wheatland boundary overlaps the PBFPD boundary in the southeast of the City along Wheatland Road and in the southwest of the City along Malone Avenue. The majority of the City of Wheatland's updated SOI overlaps PBFPD bounds. Historically, areas annexed to the City had been detached from PBFPD; however, 2006 City annexations were not detached from PBFPD. The City of Wheatland is an overlapping service provider, as the City and PBFPD both provide fire services; however, services are integrated and provided by Wheatland Fire Authority, which is a JPA formed by the two agencies. Both agencies benefit financially from the arrangement.

The PBFPD overlaps the OPUD fire service area to the northwest in the Summerfield subdivision. A recently urbanized subdivision, Summerfield was not detached from PBFPD in spite of being annexed in 2003 to OPUD, receiving fire protection service from OPUD, and paying fire assessments to OPUD. Property taxes in this area continue to be allocated to PBFPD. OPUD reported that it can respond more quickly to this area than PBFPD.

During the MSR process OPUD did not explicitly propose a SOI for fire protection, as the District expressed opposition to the existing limited service SOI for fire services that was adopted by LAFCO in 1985. Since that time OPUD has been working with adjacent Fire Departments and LAFCo Staff identifying areas to be within their SOI. OPUD is precluded by its principal act from extending fire services into the bounds of a fire district without the other district's consent.¹

Linda FPD serves a triangular area just west of SR-70 that is within PBFPD bounds through an automatic aid agreement. Linda FPD staff had proposed that this area be included within its SOI upon SOI update. The recommended SOI for LFPD does not include this area. This area will remain in the SOI for the PBFPD.

The PBFPD boundary overlaps a small portion of Beale AFB, including a portion of Spenceville Road on the base. The AFB provides its own fire and EMS services on the base. PBFPD does not serve territory located on the base, and does not receive property tax or assessment revenue from this overlap area. This area is not proposed to be within the PBFPD Sphere.

Present and Planned Land Uses

The boundary area includes a wide range of land use areas including residential, commercial, schools, open space, and agriculture. The majority of the District is zoned by Yuba County as exclusive agricultural, with minimum 80-acre (AE-80), 40-acre (AE-40) and 10-acre (AE-10) lots. Urban uses are located in the City of Wheatland.

Planned land uses within the recommended SOI include the development areas of Johnson Rancho, Nichols Grove and Eagle Meadows.

Present and Probable Need for Public Facilities and Services

There is a present and probable need for public facilities and services in the area. The area already receives fire and EMS services.

Present Capacity of Public Facilities and Adequacy of Public Service

The District presently has the capacity to serve the recommended SOI, and is already serving the area. The District presently lacks facilities to serve planned urban developments in the vicinity of Ostrom Road outside the recommended SOI. And the District reported financial strains preclude significant changes to the fire infrastructure at this time. At this time, it appears that an urban provider would be a more compatible provider for serving developments in that area. However, that will be re-evaluated upon expiration of the provisional SOI.

PBFPD is an appropriate service provider for rural areas. Response times are adequate for a suburban area based on state guidelines. The District offers partially staffed service during weekdays and on-call service in the evenings and on weekends. Allowing PBFPD to overlap the City of Wheatland's future growth areas would help promote adequate financing of service levels to these areas.

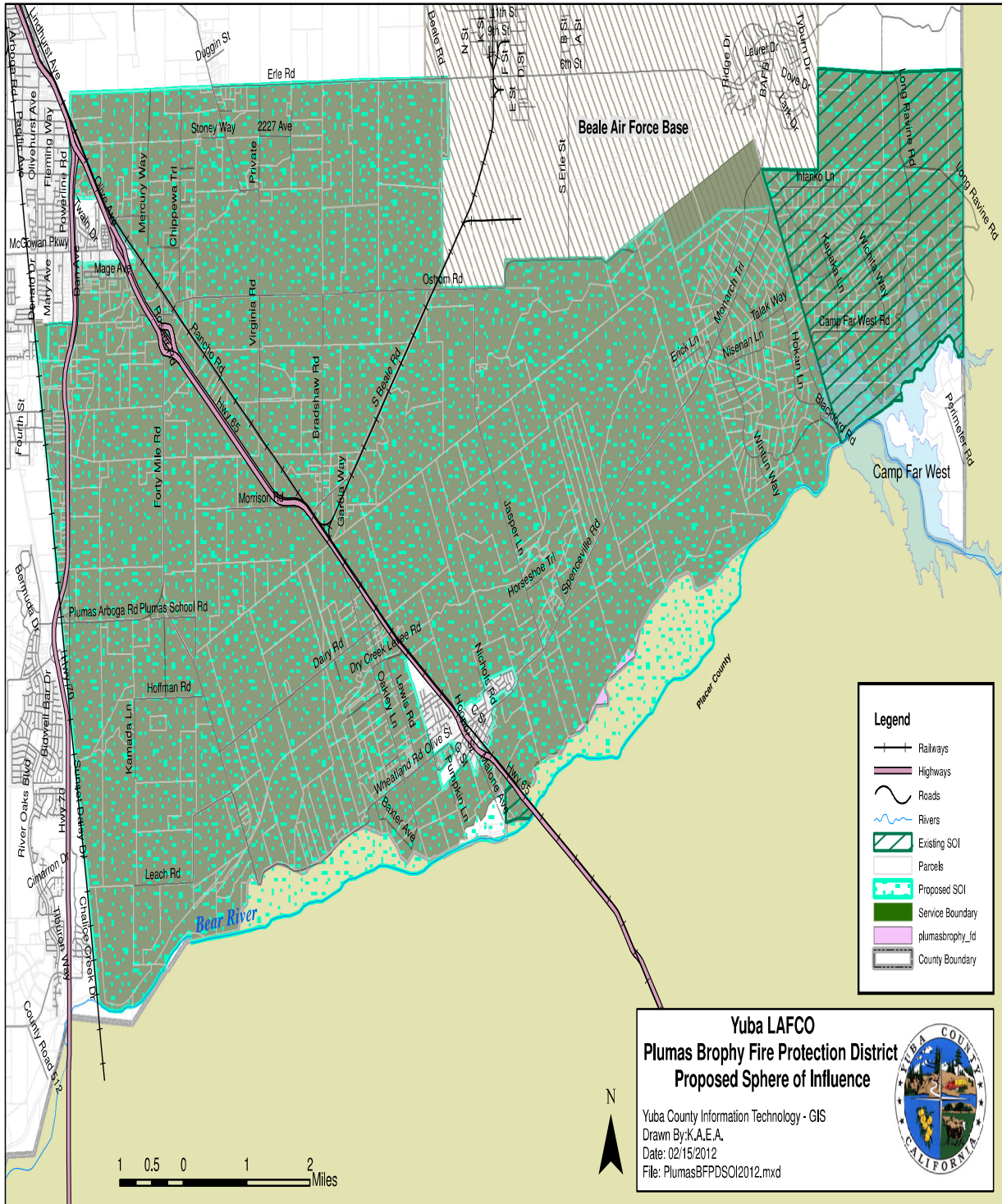
Existence of Any Social or Economic Communities of Interest

Communities of interest within the boundary area include the City of Wheatland and the Camp Far West community. Also partially located within the boundary area is the Spenceville Wildlife Recreation Area, operated by the California Department of Fish and Game. Other communities of interest include the numerous planned and proposed development projects in the area.

Recommendation: The recommended SOI for the PBFPD includes all areas within its boundaries including Camp Far West, territory south of the Beale River south to the Sutter and Placer county lines and excluding the territory which overlaps with the Beale AFB as shown on the map below. See Attachment #2 a Resolution adopting a Sphere of Influence for Fire and EMS services provided by the Linda Fire Protection District, the

¹ Public Utilities Code, §16463.5(b).

Plumas Brophy Fire Protection District and a limited Sphere of Influence for Fire and EMS Services provided by the Olivehurst Public Utility District.



5. Sphere of Influence Update – Olivehurst Public Utility District – Fire and EMS

The Olivehurst Public Utility District (OPUD) provides water, wastewater, park maintenance, drainage, and street lighting services to the Olivehurst and Plumas Lake areas, and provides fire protection and emergency medical services to the Olivehurst area.

Existing Bounds and SOI

The OPUD boundary is made up of two noncontiguous areas. The northernmost noncontiguous area encompasses the Yuba County Airport in the northwest, the community of Olivehurst in the center and east, and areas along Plumas Arboga Road and south of Broadway Road in the southwest. The second noncontiguous boundary area is located south of Broadway Road in Arboga and into the Plumas Lake area, just north of the Yuba-Sutter county line. The District has a boundary area of nine square miles.

The existing SOI for OPUD contains two distinct sphere areas for the District: a limited-service SOI and an all-services (including fire) SOI. LAFCO limits OPUD’s services to “recreation, lighting, domestic water and sewer services only” generally in areas of overlap between OPUD and Linda Fire Protection District (LFPD) or Plumas Brophy Fire Protection District (PBFPD).² The limited service SOI is located in select areas north of the District, in a rectangular-shaped area east of the District, south of McGowan Parkway in the Olivehurst area, along and adjacent to the Rancho Road-SR 65 corridor, in the Arboga area to the Yuba-Sutter county line in the west, and south of Plumas Arboga Road into the community of Plumas Lake. The bounds extend beyond the existing SOI north of Furneaux Road on two parcels.

The OPUD all-services SOI is effectively an SOI constraining where OPUD is authorized to provide fire and EMS services, hereafter called its fire SOI. The existing fire SOI area includes the community of Olivehurst, the Yuba County Airport and Industrial Park, and certain areas northeast of the junction of SR 70 and 65, as shown in Figure 4-15. The fire SOI extends into neighboring fire district bounds in three small areas, which are discussed below under “Overlapping Providers.” The fire SOI extends beyond District bounds to the northeast of the junction of SR 70 and 65, although this area is also within the LFPD SOI (but not its bounds).

OPUD’s fire and EMS limited sphere of influence includes 2,554.45 acres with 2,678.72 acres within its fire/EMS service area. The proposed fire/EMS Service sphere area for the district is approximately 1,755.00 acres. 95.10 acres will be added while 894.19 acres will be removed from the of the district’s sphere, as proposed.

Service Area

OPUD provides fire protection services in its original 1949 response and protection area (4.1 square miles), including Olivehurst, the Yuba County Airport, and a portion of the North Arboga Study Area. LFPD provides fire services to the remainder of the area within OPUD’s boundaries, with the exception of small pockets within PBFPD bounds. OPUD’s fire service area extends beyond the District’s fire SOI between Catalpa Street and Aspen Way on the east side of SR 70 to an area not within the bounds of another fire district.

Fire SOI

In 1988, Yuba LAFCO adopted a limited service SOI for OPUD, limiting OPUD’s services to water, sewer, lighting and recreation in areas where fire protection was being provided by LFPD or PBFPD. OPUD has expressed a desire to do away with its limited service sphere, and instead have only a single SOI that includes all

² LAFCO resolution 1988-15, Section 6.

services. Eliminating the OPUD fire SOI would create uncertainty and could lead to competition among service providers, particularly in undesignated areas east of Lindhurst Avenue. Competition among providers has already been revealed by LFPD and OPUD comments and discussion relating to territory east of Lindhurst Avenue that was historically assigned (apparently inadvertently) by LAFCO to both the LFPD and OPUD SOIs. To promote public safety and efficiency, this report recommends retaining the OPUD fire SOI, and fine tuning the OPUD fire SOI to ensure it does not overlap with adjacent fire district SOIs.

Although OPUD is compliant with a requirement in its principal act precluding it from providing fire services in neighboring fire districts' bounds without their consent, OPUD provides automatic and mutual aid services outside its existing fire SOI to areas such as Summerfield Estates.

OPUD reports frequently providing mutual aid services outside its bounds and fire SOI in PBFDP boundaries to the area south of McGowan Parkway, east of Rancho Road and south along SR 65 to Forty Mile Road. Such aid may be needed when an adjacent fire district receives simultaneous 911 calls or receives inadequate response from its on-call firefighters or when disasters or wildfires elsewhere require an extraordinary level of assistance. It is clearly in the public interest for LAFCO to authorize OPUD to provide occasional or extraordinary fire and EMS services outside its fire SOI area when requested to do so by the County Sheriff, the California Office of Emergency Services, or adjacent fire districts.

An OPUD service area outside its fire SOI is the Summerfield subdivision in PBFDP where OPUD is the first responder and where it receives assessment revenues. With respect to aid provided on a regular basis, such as OPUD service to the Summerfield area in PBFDP, it is important that appropriate boundary, property tax and other important considerations receive the scrutiny and review that a regional policy-making body provides. Hence, it would best promote the public interest to continue to require OPUD to seek LAFCO approval for ongoing aid or automatically dispatched services. The Summerfield area should be added to the OPUD fire SOI.

Overlapping Providers

OPUD's existing fire SOI and fire service area overlap the boundaries and existing SOI of two fire districts—Linda FPD and Plumas Brophy FPD—in five locations. These areas have been discussed under the Spheres of Influence for LFPD and PBFDP Above

The LFPD boundary and OPUD fire SOI overlap in an approximately 30-acre area (area A on the map) where LFPD is providing fire service to a property owned by Caltrans, north of Furneaux Road and just west of Arboga Road. LFPD reports that it is being dispatched to service calls at the property. OPUD reported that it is not the first-in service provider to this property. The property was placed in the OPUD fire SOI in 1985; however, that appears to have been an inadvertent error, as the OPUD fire SOI was intended to exclude territory within the bounds of fire districts and the property was within LFPD bounds at that time. This area is recommended to be part of the LFPD SOI.



The LFPD boundaries overlap with OPUD's fire service sphere at the animal control facility north of the Yuba County Airport (area B). LFPD is providing service to this area. OPUD reported that it is not the first-in service provider to this property. This area is recommended to be part of the LFPD SOI.

LFPD's SOI and the OPUD SOI area overlap on two parcels east of Lindhurst Ave between Second and Sixth avenues (area C). The site is vacant agricultural land, but had been a potential school facility in the past. OPUD reports that it is presently providing fire service to this area. LFPD reports that its fire station has readier access

to the property than OPUD. OPUD reports that it can respond more quickly to this area than LFPD, as LFPD would have to drive several miles around to access the area. This area is recommended to be part of the LFPD SOI.

LFPD's SOI and OPUD's fire SOI overlap on three parcels east of the intersection of SRs 70 and 65 (area D). Both agencies reported providing service to the vacant, agricultural land, but there is presently no designated fire provider. Both LFPD and OPUD reported that they could respond more quickly than the other provider to this area. This area is recommended to be part of the LFPD SOI.

OPUD overlaps PBFPD in the 36-acre area of the Summerfield subdivision (shown in fuchsia on the drawing to the right), south of McGowan Parkway. Summerfield, a recently urbanized subdivision, was not detached from PBFPD in spite of being annexed in 2003 to OPUD, receiving fire protection service from OPUD, and paying fire assessments to OPUD. Property taxes in this area continue to be allocated to PBFPD. OPUD reported that it can respond more quickly to this area than PBFPD.



SOI Determinations

Present and Planned Land Uses

Existing land uses within OPUD bounds are primarily urban residential and commercial areas. Residential zoning is concentrated in the Olivehurst and Plumas Lake areas, and ranges from low density single family residential to high density multi-family residential. Other land uses located within OPUD bounds are highway and community commercial areas, parks, and other public uses. The limited Sphere of Influence does not include the overlap areas with the Linda FPD including Plumas Lakes.

Present and Probable Need for Public Facilities and Services

There were 10,271 residents in the District in 2000, according to 2000 Census data and GIS analysis. The District has experienced significant growth and urban development since the 2000 Census; the District's 2007 population was approximately 12,259.³

Further growth is anticipated within the District in the coming years as planned developments begin and continue construction within the Plumas Lake Specific Plan (PLSP) and North Arboga Study Areas (NASA). Future developments within the District bounds and SOI encompass over 5,000 acres (including 73 acres of non-residential), with over 16,000 planned and proposed dwelling units. Build-out of the residential development projects located within the recommended SOI planning area would add additional dwelling units and non-residential development. The Fire and EMS Sphere for OPUD will not include most of the major growth areas.

Present Capacity of Public Facilities and Adequacy of Public Service

The District's financial ability to provide services is constrained by available revenues and legal limitations on revenue increases; however, OPUD has managed to provide adequate service levels within its Fire and EMS Service territory with these resource constraints. The District reported that the current level of financing is adequate to deliver services "based on anticipated cash flows and scheduled rate increases for the next ten years."⁴

³ Burr Consulting, *Municipal Service Review Appendix A: Report to the Yuba Local Agency Formation Commission*, 2008.

⁴ OPUD, Memorandum from Glen P. Phillips, Office Manager, 3/26/08.

Existence of Any Social or Economic Communities of Interest

Within the existing boundary and Limited SOI area, the primary community of interest is Olivehurst.

Recommendation: It is recommended that the limited SOI for the Olivehurst Public Utility District remain the same for fire and EMS excepting the following: include an area north of Furneaux Road and an area between Highway 70 and Lindhurst Avenue and exclude the four areas described in A, B, C and D in the “Overlapping Providers” as noted and as shown on the attached map. See Attachment #2 a Resolution adopting a Sphere of Influence for Fire and EMS services provided by the Linda Fire Protection District, the Plumas Brophy Fire Protection District and a limited Sphere of Influence for Fire and EMS Services provided by the Olivehurst Public Utility District.

