
**BUTTE LOCAL AGENCY FORMATION COMMISSION (LAFCO)
EXECUTIVE OFFICER'S REPORT**

TO: Local Agency Formation Commission

FROM: Stephen Betts, Deputy Executive Officer

SUBJECT: *LAFCo File 17-08 – Paradise Irrigation District – Mountain View Drive Annexation No. 1*

DATE: January 25, 2017, for the February 2, 2017, LAFCo Meeting

Summary

Proposed is the annexation of a 6.7-acre parcel to the Paradise Irrigation District (PID) (See *Exhibit A*). The proposal has the support of the effected landowner. The proposal substantially conforms to LAFCo policy and the Executive Officer recommends approval of this proposal. Draft Resolution 12 2016/17 (*Exhibit B*) contains recommended conditions of approval.

General Information

Application Submitted: November 18, 2016

Application Deemed Complete: December 15, 2016

100% Landowner Consent: Yes

Notice and Hearing Required: No

Proponent: Paradise Irrigation District Board of Directors, by Resolution 2016-20

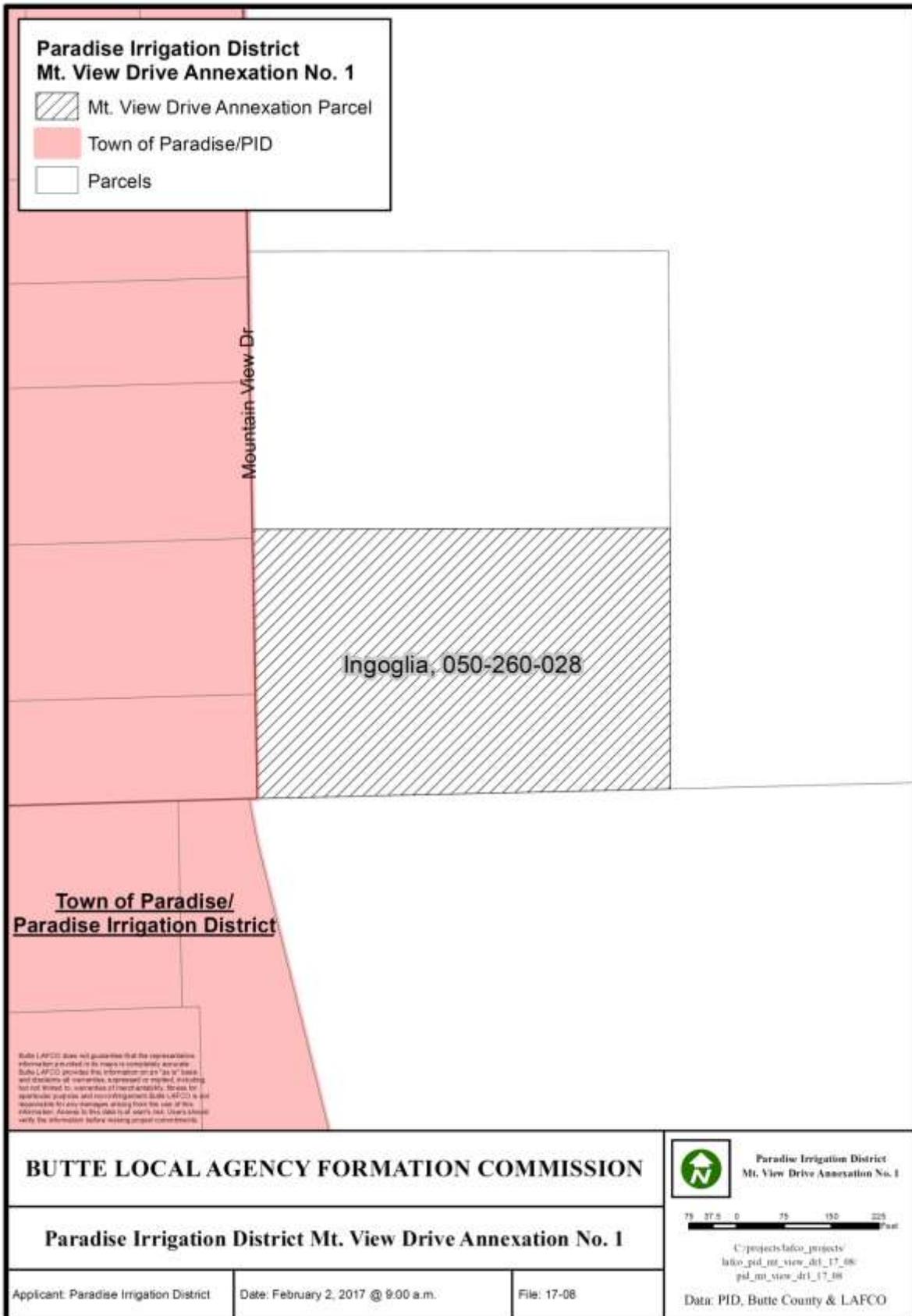
Landowners: Joseph & Arlene Ingoglia Trust

Location: The subject territory is located on the east side of Mountain View Drive, approximately 1,000 feet south of Stark Lane, in the unincorporated area of east Paradise. The parcel is identified as Assessor's Parcel Number 050-260-028 (6250 Mountain View Drive, Paradise). The territory is located in Supervisorial District 5.

Proposal: Annexation of APN 050-260-028, totaling approximately 6.7 acres, to the Paradise Irrigation District.

Requested

Action: Adopt Resolution 12 2016/17 (*Exhibit C*) approving the annexation.



DISCUSSION AND ANALYSIS

Background

Proposed is the annexation of one parcel to the Paradise Irrigation District for the provision of irrigation and treated water. The parcel, which is developed with a single-family dwelling, obtains its domestic water from an on-site well, which is not capable of producing adequate quantities of water to support the existing residential use. Annexation of the parcel to PID will ensure that the subject parcel has an adequate and dependable source of water.

Project Site

The parcel proposed to be annexed to the Paradise Irrigation District is located in the unincorporated area immediately east of the Town of Paradise, overlooking the West Branch Feather River canyon. Access to the parcel is from Mountain View Drive, which is maintained by the Town of Paradise. Approximately half of the width of the Mountain View Drive right-of-way is located on the subject parcel. The parcel is within the Paradise Irrigation District's and the Town of Paradise's Sphere of Influences.

The parcel is approximately 6.7 acres in size and is developed with a single-family dwelling. Wastewater disposal for the parcel is via an on-site septic system and domestic water is obtained from an on-site well. The well has not been producing an adequate supply of water in recent years and produces approximately 0.5 gallons of water per minute. The landowner reports that he has run completely out of water on several occasions.

The site is relatively level on the western portion of the parcel, but then slopes steeply into the West Branch Feather River canyon on the east side. The parcel is heavily vegetated with black oaks and a few pine trees. No agricultural uses are found on the territory. No new development is proposed for the territory. Surrounding uses include single-family dwellings and a Christmas tree farm.



Project Parcel - 6250 Mountain View Drive

The Butte County General Plan designates the subject territory as Very Low Density Residential and the territory is zoned VLDR (Very Low Density Residential, 1-acre minimum parcel size). The existing residential use is consistent with the land use policies of Butte County. The parcel is within the Town of Paradise's Sphere of Influence but the Town has not rezoned the parcel. The parcels on the west side of Mountain View Drive are within the jurisdictional boundaries of

the Town of Paradise and are designated by the Town's General Plan as Rural Residential and are zoned RR-1 (Rural Residential, 1-acre minimum parcel size).

Paradise Irrigation District

LAFCo adopted the *Domestic Water and Wastewater Services Municipal Service Review (MSR)* in 2006, which included an evaluation of the structure and operation of the Paradise Irrigation District and made specific determinations on that agency's ability to provide domestic water service. LAFCo Staff has approached PID in recent years about the need to update the District's MSR. LAFCo Staff does not believe that PID's MSR needs to be updated to support this annexation because there will no significant impacts to PID's water system.

PID has taken measures to enhance their water supply, such as replacing older, leaking pipes, and PID will soon begin construction of the Process Water Recycle Project, which will add between 600 to 800 acre feet of water annually to PID's water system. Finally, an inspection of PID's water system was conducted by the State Water Resources Board, Division of Drinking Water, in January 2016. The inspection report stated that "*The Paradise Irrigation District's public water system is generally well operated and maintained and appears to be in overall compliance with drinking water regulations. Paradise Irrigation District maintains excellent communications with the Division and does a commendable job of operating its drinking water facilities. No deficiencies were noted.*"¹

Although PID's MSR does not need to be updated to support the current annexation proposal, LAFCo Staff firmly believes that PID's MSR and Sphere of Influence Plan should be updated. At the Commission's January 5, 2017, meeting, PID's General Manager stated that the District would like to have the MSR and the District's Sphere of Influence updated, but would like to wait to have these prepared until the District's water rights area application is approved by the State. PID has already prepared and submitted an environmental impact report to the State, which has been slow to complete its review of this document.

Annexation

According to the County of Butte Registrar of Voters, there are less than 12 registered voters within the proposal area. Given this information, the proposal area is considered uninhabited in terms of LAFCo annexation proceedings.

Individual Factors for Consideration

California Government Code § 56668 provides a list of factors to be considered in the review of a proposal. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process. An evaluation of these factors as it relates to the proposal follows.

(a) Population; land use; topography; proximity to other populated areas; the likelihood of significant growth in the area.

The affected territory is unincorporated and lies adjacent to the Town of Paradise's jurisdictional boundaries. The territory is located in an area that is developed with low density residential uses. The affected territory is developed with a single-family dwelling. With one dwelling, the territory has a population of approximately three people. The

¹ State Water Resources Board, Division of Drinking Water - Paradise Irrigation District, Public Water System No. 0410007 – Fiscal Year 2015-2016 Annual Inspection.

affected territory is legally uninhabited given there are fewer than 12 registered voters based on the most recent data provided by County Elections Department.

Most of the territory is relatively level, with no significant natural features, but the eastern-most portions of the territory slope steeply into the West Branch Feather River canyon. The territory has no significant natural features that would adversely affect the annexation.

Future growth in the area is limited due to the large minimum parcel sizes required by both the Town of Paradise and Butte County for the parcels in the area. Future growth is also limited in the area due to the large parcels sizes needed to accommodate on-site sewage disposal systems and due to inadequate vehicular access.

(b) The need for organized community services; probable effect of the proposed annexation on the cost and adequacy of services and controls in the area and adjacent areas.

The present need for municipal services within the affected territory is limited to public domestic and irrigation water for the existing single-family residence within the territory. The affected territory currently relies on a private on-site well for its water source, but the well is not capable of providing adequate quantities of water for residential use on the territory. Core municipal services already provided or available to the affected territory include fire, emergency medical, law enforcement, roads, and garbage collection; all at levels deemed adequate given current and planned uses. PID is the only provider of domestic and irrigation water in the area.

(c) The effect of the proposed action and of alternative actions.

The proposal would recognize and strengthen existing social and economic ties between PID and the affected territory. These ties were initially established when the territory was included in PID's SOI, marking an expectation the site would eventually develop for urban type uses and require public water service from the District as the region's sole service provider.

(d) The conformity of the proposal with the adopted commission policies on providing planned, orderly, efficient patterns of urban development.

The proposal is consistent with the Commission's Policies and Procedures as found in the Commission's Operations Manual. This includes consistency with the land use designation of the affected territory under the County General Plan, avoidance of premature conversion of agricultural uses, and consistency with PID's adopted SOI. The annexation of the subject territory to the Paradise Irrigation District is consistent with the planned, orderly, and efficient patterns of urban development within the adopted Spheres of Influences of the affected agencies.

(e) The effect of the proposal on agricultural lands.

The parcel proposed for annexation is developed with a single-family dwelling. Neither the territory nor the surrounding parcels are developed with agricultural uses or are subject to a Williamson Act contract. Annexation of the subject territory to PID would not contribute to the loss of agricultural lands.

(f) Boundaries of the territory.

The subject territory is parcel specific, with definite and certain boundaries. There are no conflicts with lines of assessment or ownership. A portion of the Mountain View Drive right-of-way is found on the parcel proposed for annexation.

(g) Consistency with city or county general and specific plans.

The proposal would provide a dependable and permanent public domestic and irrigation water service to the affected territory. The availability of this municipal service is generally consistent with the County of Butte's General Plan, which designates the subject territory as Very Low Density Residential. Butte County has zoned the territory VLDR (Very Low Density Residential, 1-acre minimum parcel size). The proposal is consistent with the land use policies of Butte County. The parcel is within the Town of Paradise's Sphere of Influence, and is adjacent to the Town's jurisdictional boundaries, but the Town has not pre-zoned the parcel.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The proposed annexation is consistent with the Sphere of Influences for the Town of Paradise and the Paradise Irrigation District. The annexation does not conflict with the Sphere of Influence of any other district.

(i) The comments of any affected local agency.

On November 29, 2016, LAFCo staff circulated copies of the application materials for review and comment from local public agencies. The only substantive comments received were from the Butte County Environmental Health Division and the Town of Paradise.

The Environmental Health Department stated:

"This annexation is a positive option from an Environmental Health Division perspective for the future services available to the parcel through Paradise Irrigation District. This will provide a reliable source of potable and irrigation supply for the applicant."

The Town of Paradise stated:

Thank you for the opportunity to provide comments regarding a proposed annexation for property located at 6250 Mountain View Drive, Paradise. The Town of Paradise annexation policy encourages potential annexation by existing water supply service purveyors and the Town of Paradise for land areas adjoining jurisdictional boundaries of both agencies. This particular property does appear to be a good candidate for annexation to the Town of Paradise as well as to PID and is certainly encouraged in this case. Though the Town has not yet adopted pre-zoning for properties adjoining the east side, the Town is requesting LAFCO delay taking any action of this PID application so that the Town can pre-zone the area and annex this property.

A subsequent discussion with the Town Manager considered the necessary steps to move forward with an annexation to the Town including pre-zoning, negotiating a tax sharing agreement with the County and any related additional environmental review. This discussion resulted in the Town removing its request for a delay in the annexation to PID so as to not impede the delivery of water service to the landowner. The Town does remain interested in considering a future larger annexation along Mountain View Drive to create a more logical Town boundary that would allow these residents to receive the full array of Town services.

Staff response to the Town of Paradise's comments: *Staff greatly appreciates the Town Manager's thoughtful reconsideration of this issue and to remove its desire for annexation at this time as being in the best interest of the landowner experiencing a water availability hardship. LAFCo staff believes that the Town's desire to annex the subject parcel is commendable and that the Town should consider initiating a standalone annexation of the 14 unincorporated parcels on the east side of Mountain View Drive, to eliminate a difficult area to serve by the County and to ensure the creation of logical, efficient, and effective jurisdictional boundaries along the ridge. This direction will allow time for the Town to prezone the area and seek a tax sharing agreement with the County. Such a process would allow the landowner to immediately resolve water issues due to a failed well. It would be possible to allow PID to extend water service to the*

subject parcel under a LAFCo-approved extension of services agreement before the Town completes its rezoning and annexation process, but this seems unnecessary given that annexation to PID is the most desirable means to allow PID to provide the needed water service. The immediate annexation of the subject parcel to PID will not preclude or impede the Town from seeking annexation of the parcel.

(j) The ability of the receiving entity to provide the services.

The Paradise Irrigation District (PID) provides domestic and irrigation water to the Paradise area. PID's water treatment plant has a capacity (actual) of 21.1 million gallons per day, and PID has the ability to store 10 million gallons of treated water. In 2014, PID has 10,473 active meter connections with a population of approximately 27,212. In 2014, PID produced approximately 1,750 million gallons of water. The water treatment plant provides approximately 3 million gallons per day during the winter months and approximately 7 million gallons per day during the summer months.²

The Domestic Water and Wastewater Services MSR, adopted by the Commission in 2006, states that PID can provide adequate supplies of water during years of normal precipitation, but has inadequate supplies of potable water during drought periods (Determination PID-2). To ensure that the District has an adequate water supply, PID has undertaken a comprehensive program to replace older, leaky pipes. Water losses in the District's water distribution system has significantly decreased in recent years, from 1,570 acre feet lost in 2007 to 335 acre feet lost in 2015. According to PID, about 40% of the District's pipes still need to be replaced, which is expected to take about 25 years to complete.

Additional water supply will be obtained from the District's Process Water Recycle Project, which is scheduled to be completed in 2018. This project will allow the District to treat and recycle waste washwater (process water) back to the treatment plant, which will add between 600-800 acre feet of water annually to PID's water system.

PID is also looking into various ways to increase the amount of raw water stored by the District, which is currently provided by the Magalia and Paradise reservoirs. One option is to place a bladder dam in the spillway at Paradise Lake, which would increase the lake level by approximately three feet. Other options include raising one or both dams or by building another dam between the two existing reservoirs.

An inspection of PID's water system was conducted by the State Water Resources Board, Division of Drinking Water, in January 2016. The inspection report stated that "The Paradise Irrigation District's public water system is generally well operated and maintained and appears to be in overall compliance with drinking water regulations. Paradise Irrigation District maintains excellent communications with the Division and does a commendable job of operating its drinking water facilities. No deficiencies were noted."³

(k) Availability of adequate water supplies.

The Domestic Water and Wastewater Services MSR, approved by LAFCo in 2006, states that PID can provide adequate supplies of water during years of normal precipitation, but has inadequate supplies of potable water during drought periods (Determination PID-2). However, as noted in (j) above, PID has taken steps to increase the amount of water available to the District and will continue to seek other ways to increase the amount of water they store in their reservoirs.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs.

² Paradise Irrigation District, 2016 Annual Consumer Confidence Report (for water testing performed in 2015)

³ State Water Resources Board, Division of Drinking Water - Paradise Irrigation District, Public Water System No. 0410007 – Fiscal Year 2015-2016 Annual Inspection

The subject territory is developed with a single-family dwelling. This annexation proposal makes no significant impact on the ability of Butte County to meet its regional housing needs determination.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

No comments were offered.

(n) Any information relating to existing land use designations.

None.

(o) The extent to which the proposal will promote environmental justice.

The proposed annexation is intended to benefit the existing residents of the subject territory by providing a long-term source of public domestic and irrigation water.

Based upon the above responses, the proposal appears to be consistent with the listed factors.

Applicable Butte LAFCo Policies

Section 2.0 (*LAFCo General Policies and Standards*) and Section 4.0 (*Annexation and Detachments*) of Butte LAFCo Policies and Procedures provides the Commission with general standards for annexation proposals. The relevant policies for consideration and guidance for this proposal include:

- The creation of logical boundaries. (2.11.2)
- That a need for service exists and whether a lack of the service creates a demonstrated threat to the public health and safety. (2.14.1)
- Consistency of a proposal with the Sphere of Influence and Municipal Service Review of the affected jurisdiction(s). (4.1.1)
- Determination of the most efficient service provider. (4.2)

The proposal is substantially consistent with the above policies in that:

- The annexation does not create illogical boundaries;
- The well providing domestic water to the territory does not produce sufficient quantities of water to support the existing residential use found on the territory; and
- PID is the only agency that provides public water in the Paradise area.

ADDITIONAL INFORMATION

Property Tax Agreement

In accordance with provisions of Revenue and Taxation Code § 99, a Master Property Tax Transfer Agreement was executed between the Paradise Irrigation District and the Butte County Board of Supervisors on June 12, 2007. The Master Property Tax Transfer Agreement states that no property tax transfer will occur as a result of any annexation to PID.

Support/Protest

On October 19, 2016, the Paradise Irrigation District Board of Directors adopted Resolution No. 2016-20 initiating the annexation proposal. The sole landowner supports the annexation and there is no known opposition to this proposal.

Conducting Authority Proceedings

The proposed annexation has 100% consent of the property owner and the subject territory is uninhabited, with only two registered voters. No subject agency has provided written opposition to a waiver of protest proceedings. Accordingly, conducting authority proceedings may be waived pursuant to California Government Code § 56663(c) if the Commission approves the annexation.

Environmental Analysis

The Paradise Irrigation District, acting as lead agency, found the project to be Categorically Exempt from the California Environmental Quality Act pursuant to Section 15319, Annexation of Existing Facilities and Lots for Exempt Facilities. This action is based on the current developed status of the territory. The Paradise Irrigation District filed a Notice of Exemption on October 25, 2016, with the Butte County Recorder's Office, which is inserted as "**Exhibit D**" of this report. Staff concurs with PID's use of the Section 15319 exemption.

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposals as submitted:

- A. Move to adopt Resolution 12 2016/17 making determinations approving the proposed *Paradise Irrigation District – Mountain View Drive Annexation No. 1*.

OPTION 2 - DENY the proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

ACTION REQUESTED:

Approve OPTION 1.

Respectfully submitted,



Stephen Betts
Deputy Executive Officer

Attachments:

Exhibit A: Annexation Area Map (Page 2)

Exhibit B: Draft LAFCo Resolution No. 12 2016/17 (Page 10)

Exhibit C: Notice of Exemption (Page 13)

DRAFT

RESOLUTION NO. 12 2016/17

Exhibit B

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF BUTTE
MAKING DETERMINATIONS AND ORDERING THE ANNEXATION OF
TERRITORY DESIGNATED AS 17-08
PARADISE IRRIGATION DISTRICT – MOUNTAIN VIEW DRIVE ANNEXATION NO. 1**

RESOLVED, by the Local Agency Formation Commission of the County of Butte, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the Paradise Irrigation District in the County of Butte was heretofore filed by the Paradise Irrigation District and accepted for filing on December 15, 2016, by the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56658, set February 2, 2017, as the hearing date on this proposal and gave the required notice of public hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission called for and held a hearing on February 2, 2017, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, this Commission considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of Butte **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Environmental Findings:

- A. The Commission concurs with the Paradise Irrigation District determination that the proposed project is Categorically Exempt from the California Environmental Quality Act pursuant to Section 15319, Annexation of Existing Facilities and Lots for Exempt Facilities. A Notice of Exemption was prepared by the Paradise Irrigation District and filed on October 25, 2016.

Section 2. General Findings and Determinations:

- A. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Sphere of Influence and General Plan consistency, the Domestic Water and Wastewater Service Providers Municipal Service Review, and Commission Policies and other factors specified in Government Code Section 56668 and as described in the staff report dated January 25, 2017, for the meeting of February 2, 2017.

- B. The Commission finds that the proposal has 100% support of the affected property owner and orders the annexation complete without a protest hearing pursuant to Government Code Section 56663.
- C. The annexation area shall consist of one (1) parcel, Assessor's Parcel Number 050-260-028, totaling approximately 6.7 acres, as submitted by the Paradise Irrigation District and described in Exhibit "A."
- D. The subject area is found to be uninhabited, and is assigned the following short form designation: 17-08 – Paradise Irrigation District – Mountain View Drive Annexation No. 1.
- E. The proposal is consistent with the Paradise Irrigation District Sphere of Influence.
- F. Pursuant to Butte LAFCO Policy 2.13.1, the Commission determines that agricultural and/or open space lands will not be adversely affected by this proposal as the subject parcel is developed; will not result in a change in land use or a significant increase in density on the subject parcel; the adjacent parcels are not developed with agricultural uses nor are agricultural uses expected to be established due to lack of adequate soil, lack of adequate water, and heavy brush; and the adjacent parcels are not considered to be "prime agricultural land" as defined in §56064. Therefore, no conversion of designated agricultural or open space lands will occur because of the requested annexation.
- G. A Master Property Tax Transfer Agreement, which states that there will be no transfer of property taxes, was executed between the Paradise Irrigation District Board of Directors and the Butte County Board of Supervisors on June 12, 2007.

Section 3. Conditions requested by LAFCO:

- A. All LAFCO, County of Butte and State of California fees must be paid in full prior to filing the Certificate of Completion.
- B. The legal description and map, if amended by action of the Commission, will be revised at the expense of the applicant, prior to filing the Certificate of Completion.
- C. The map and legal description shall comply with the State Board of Equalization requirement and if rejected by the State Board of Equalization, will be revised at the expense of the applicant.

Section 4. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.

Section 5. Further protest proceedings are waived and the Commission orders the annexation, pursuant to Part 4 commencing with Section 57000.

Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Section 56882 of the Government Code.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Butte, on the 2nd day of February 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINS:

Clerk of the Commission

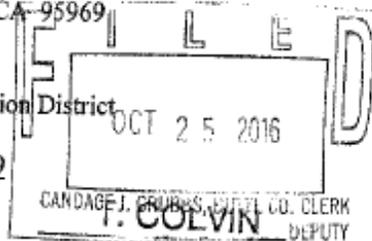
CARL LEVERENZ, Chair
Butte Local Agency Formation Commission

Exhibit C

NOTICE OF EXEMPTION

To: County Clerk
County of Butte
25 County Center Drive
Oroville, CA 95965

From: Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969



Project Title: Mountain View Drive Parcel Annexation into Paradise Irrigation District

Project Location - Specific: 6250 Mountain View Drive, Paradise, CA 95969

Project Location - City: Paradise Project Location - County: Butte

Description of Nature, Purpose, and Beneficiaries of Project: The project applicant is requesting annexation into the Paradise Irrigation District boundaries and subsequently tie-in to an existing water line that is located in Mountain View Drive for irrigation and domestic water. The parcel currently has a single family residence with a failing well.

Name of Public Agency Approving Project: Paradise Irrigation District

Name of Person or Agency Carrying Out Project: Joseph and Arlene Ingoglia, 6250 Mountain View Drive, Paradise, CA 95969

Exempt Status: (Check One)

Ministerial Exemption (Public Resources Code Section 21080(b)(1); 14 CCR 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: 15319 (b) - Annexations of Existing Facilities and Lots for Exempt Facilities

Statutory Exemption. State type and code number: _____

Reasons why project is exempt: The project is the annexation of an individual small parcel to a district containing existing public facilities that have been developed to the allowed density under the current zoning. The existing facility has the capacity to serve the existing rural residential parcel.

Lead Agency Contact Person: George Barber, District Manager, Paradise Irrigation District

(Area Code)/Telephone/Extension: (530) 877-4971

George M. Barber, General Manager

10/4/16
Date

PRELIMINARY ENVIRONMENTAL REVIEW

PARADISE IRRIGATION DISTRICT
6332 CLARK ROAD
PARADISE, CA 95969

Name of Project: Mountain View Drive Parcel Annexation into the Paradise Irrigation District

Location: 6250 Mountain View Drive, Paradise, Ca 95969

Entity or Person Undertaking Project

A. PARADISE IRRIGATION DISTRICT

B. Other

_____ Name
_____ Address

Staff Determination:

The District staff, having undertaken and completed a preliminary review of this project in accordance with the District Guidelines Implementing the California Environmental Quality Act, has concluded that this project does not require further environmental assessment because:

- _____ 1. The activity does not involve the exercise of discretionary powers by a public agency.
- X 2. The Activity will not result in a direct or reasonably foreseeable indirect physical change on the environment.
- _____ 3. The proposed action does not constitute a Project within the meaning of 14 Code of Cal. Regs., Section 15378.
- _____ 4. The project involves another public agency which constitutes the Lead Agency.

Name of Lead Agency: _____

- _____ 5. The project will be rejected or disapproved by another public agency.

Rejecting Agency: _____

10/5/16
Date


George Barber, General Manager, Paradise Irrigation District