

RESOLUTION NO. LAFC 2013-05-0807-02-13

THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

***ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING
CONSIDERATIONS FOR THE FORMATION OF COUNTY SERVICE AREA No. 13,
DETACHMENT OF CSA No. 4B, ANNEXATION TO SACRAMENTO REGIONAL COUNTY
SANITATION DISTRICT, AND SACRAMENTO AREA SEWER DISTRICT
FOR THE COUNTY OF SACRAMENTO (LAFC 02-13)
(State Clearinghouse # 2010062069)***

WHEREAS, on June 18, 2013, the County of Sacramento (County) submitted an application to the Sacramento Local Agency Formation Commission (“Commission”) for the formation of a County Service Area (CSA) and detachment from CSA No 4B (CSA 4B);

WHEREAS, the landowners have concurrently submitted a petition to annex Sacramento Regional County Sanitation District and Sacramento Area Sewer District into the Cordova Hills project territory to provide sewer service to the Cordova Hills Development Project;

WHEREAS, a Draft EIR and Final EIR were prepared and circulated for public review and comment by the County of Sacramento for the project known as Cordova Hills;

WHEREAS, Sacramento Local Agency Formation Commission (LAFCo) is a Responsible Agency under CEQA;

WHEREAS, LAFCo reviewed and provided comments as a Responsible Agency;

WHEREAS, the County of Sacramento certified the Final EIR, adopted a Mitigation, Monitoring, and Reporting Program, and adopted Findings of Fact and Statement of Overriding Considerations for the Cordova Hills Development Project;

WHEREAS, the Commission as a Responsible Agency must consider the following:

- Prior to reaching a decision on the project, the responsible agency must consider the environmental effects of the project as shown in the EIR or Negative Declaration.
- In considering the environmental conclusions of the EIR or Negative Declaration, the responsible agency must evaluate whether any of the conditions set forth in Sections 15162 or 15163 of the CEQA Guidelines requiring preparation of a subsequent or supplemental environmental document exist.
- When considering alternatives and mitigation measures, a responsible agency is more limited than a Lead Agency. A responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.
- When an EIR has been prepared for a project, the responsible agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.

- The responsible agency shall make the findings required by Section 15091 for each significant effect of the project and shall make the findings in Section 15093 if necessary.
- The responsible agency should file a Notice of Determination in the same manner as a lead agency under Section 15075 or 15094 except that the responsible agency does not need to state that the EIR or Negative Declaration complies with CEQA. The responsible agency should state that it considered the EIR or Negative Declaration as prepared by a lead agency.

WHEREAS, the Commission has considered the statutory CEQA requirements set forth above;

WHEREAS, the Commission held a Public Hearing on August 7, 2013, and considered all public comments and the Executive Officers Report, and all other information related to the LAFCo action;

WHEREAS, the Commission has considered the EIR (**State Clearinghouse # 2010062069**) and has determined that it was prepared in accordance with the requirements of the California Environmental Quality Act;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION RESOLVES AS FOLLOWS:

1. The Commission hereby approves and adopts the Findings of Fact and Statement of Overriding Consideration attached hereto as Exhibit "A", which are incorporated herein, pursuant to CEQA Guidelines § 15162 and § 15163.

2. The Commission declares that it has considered the Final EIR prepared by the Lead Agency (County of Sacramento Final EIR SCH 2010062069) that has been presented to the Commission. The Commission has reviewed the Final EIR and has considered the information contained in the Final EIR prior to acting on the County's application for the formation of CSA No. 13, detachment from CSA No. 4B, annexation to Sacramento Regional County Sanitation District, and Sacramento Area Sewer District, together with the respective Sphere of Influence Amendments, and that the Final EIR reflects the Commission's independent judgment and analysis.

3. The Commission finds that the County of Sacramento did adopt all of the mitigation measures set forth in the Final EIR and has adopted the Mitigation, Monitoring and Reporting Program as required by CEQA.

4. LAFCo finds that it is imperative to balance competing goals in approving the Project and the remaining environmental impacts resulting from the Project. Not every policy or environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. Accordingly, in some instances LAFCo has chosen to accept certain environmental impacts because to eliminate them would unduly compromise some other important economic, social, environmental, educational or other goal. LAFCo finds and determines that the Project and the supporting environmental documentation provide for a positive balance of the competing goals and that the economic, fiscal, social, environmental, educational and other

benefits to be obtained by the Project outweigh any environmental and related potential detriments from the Project.

Any remaining significant effects on the environment attributable to the Project that are found to be unavoidable, irreversible or not substantially mitigated to a less-than-significant level are acceptable due to the overriding considerations set forth above. LAFCo has concluded that with all the environmental trade-offs of the Project taken into account, the Project's implementation will represent a net positive impact on the County, and based upon such considerations after a comprehensive analysis of all the underlying planning and environmental documentation, LAFCo has approved the Project.

5. The Commission directs that, upon approval of the County's application for the Formation of CSA No 13, the detachment of CSA No. 4B, the annexation of Sacramento Regional County Sanitation District, and the annexation of Sacramento Area Sewer District the Executive Officer is directed to file a Notice of Determination with the County Clerk of Sacramento County

6. Pursuant to CEQA Guideline § 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the Commission has based its decision are located in and may be obtained from the Commission Clerk at 1112 I Street Suite No.100, Sacramento, California.

BE IT FURTHER RESOLVED that Resolution No. ***LAFC 2013-05-0807-02-13*** was adopted by the ***SACRAMENTO LOCAL AGENCY FORMATION COMMISSION***, on the ***7th day of August 2013***, by the following vote, to wit:

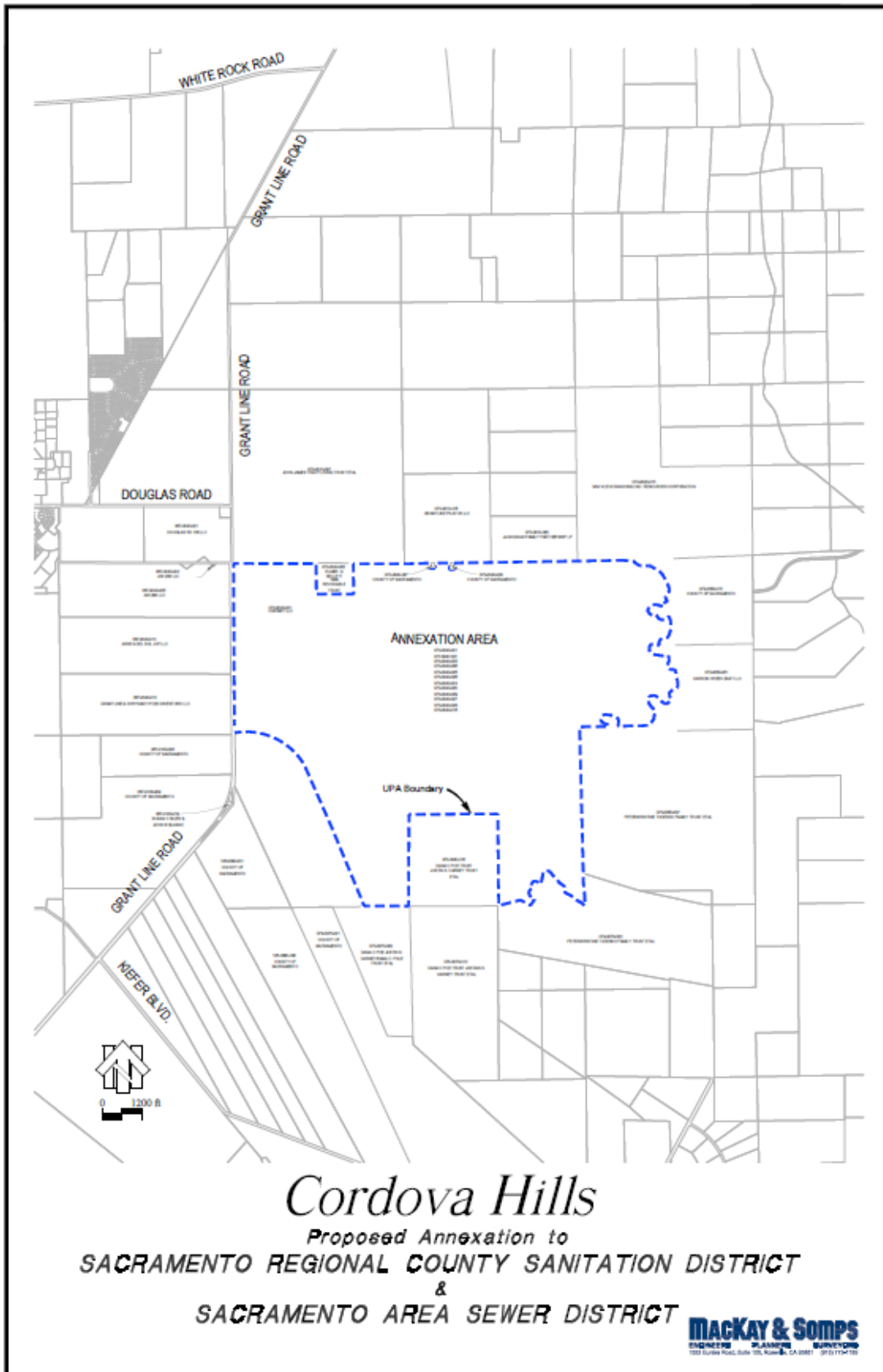
	Motion	2nd	Aye	No	Absent	Abstain
Susan Peters	_____	_____	_____	_____	_____	_____
Christopher Tooker	_____	_____	_____	_____	_____	_____
Kevin McCarty	_____	_____	_____	_____	_____	_____
Mike Singleton	_____	_____	_____	_____	_____	_____
Jimmie Yee	_____	_____	_____	_____	_____	_____
Ron Greenwood	_____	_____	_____	_____	_____	_____
Gay Jones	_____	_____	_____	_____	_____	_____
Commission Vote Tally			Aye _____	No _____	Absent _____	Abstain _____
Passed			Yes _____	No _____		

By: _____
Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:

Diane Thorpe

Commission Clerk



CORDOVA HILLS PROPERTY

Legal Description for CSA Formation and CSA-4B Detachment

Being a portion of Sections 13, 14, 22, & 23, Township 8 North, Range 7 East & a portion of Section 18, Township 8 North, Range 8 East, Mount Diablo Meridian, County of Sacramento, State of California, being more particularly described as follows:

Beginning at the Northwest corner of said Section 14, said corner being the **TRUE POINT OF BEGINNING**;

1. thence South 89°53'53" East along the North line of said Section 14 a distance of 2648.35 feet;
2. thence leaving said North line South 00°41'41" East along the West line of the Kellett property a distance of 987.11 feet;
3. thence North 89°43'47" East along the South line of said Kellett property a distance of 932.73 feet;
4. thence North 00°42'22" West along the East line of said Kellett property a distance of 981.05 feet to a point on the North line of said Section 14;
5. thence South 89°53'53" East along said North line a distance of 1694.42 feet to the Northeast corner of said Section 14;
6. thence North 89°04'12" East along the North line of said Section 13 a distance of 1706.57 feet;
7. thence leaving said North line South 00°55'48" East along the West line of Well Site #4 as described in Book 20090205, Page 0974 Official Records Sacramento County a distance of 200.00 feet;
8. thence North 89°04'12" East along the South line of said Well Site #4 a distance of 100.00 feet;
9. thence North 00°55'48" West along the East line of said Well Site #4 a distance of 200.00 feet to the North line of said Section 13;
10. thence North 89°04'12" East along said North line a distance of 839.33 feet to the North ¼ corner of said Section 13;
11. thence continuing along said North line North 89°06'59" East a distance of 2630.68 feet to the Northeast corner of Said Section 13;
12. thence North 88°53'52" East along the North line of said Section 18 a distance of 2933.82 feet ;
13. thence leaving said North line South 01°14'05" East along the West line of that certain real property as described in Book 3660, Page 633 Official Records Sacramento County a distance of 2639.82 feet to the Southwest corner of said property;
14. thence continuing South 01°14'05" East along the West line of that certain real property as described in Book 20080930, Page 0331, Official Records Sacramento county a distance of 2641.07 feet to the Southwest corner of said property coincident with the South line of said Section 18;
15. thence South 88°53'27" West along said South line a distance of 2917.90 feet to the southwest corner of said Section 18;

16. thence leaving said South line South 00°43'33" East along the East line of said Section 24 a distance of 5297.55 feet to the Southeast corner of said Section 24;
17. thence South 89°42'30" West along the South line of said Section 24 a distance of 2656.25 feet to the South ¼ corner of said Section 24;
18. thence North 00°48'17" West along the West line of the Southeast ¼ of said Section 24 a distance of 2634.97 feet to the Northwest corner of said Southeast 1/4;
19. thence South 89°49'29" West along the South line of the northwest ¼ of said Section 24 a distance of 2662.82 feet to the West ¼ corner of said Section 24;
20. thence South 00°56'45" East along the East line of said Section 23 a distance of 2640.45 to the southeast corner of said Section 23;
21. thence South 89°34'49" West a distance of 2542.76 feet to the South ¼ corner of said Section 23;
22. thence South 89°32'16" West a distance of 1128.58 feet;
23. thence North 23°48'54" West a distance of 1525.00 feet;
24. thence North 23°24'29" West a distance of 875.00 feet;
25. thence North 23°37'04" West a distance of 1345.77 feet;
26. thence South 40°32'21" West a distance of 246.75 feet;
27. thence North 00°35'59" West a distance of 73.89 feet;
28. thence North 71°23'31" West a distance of 118.02 feet;
29. thence in a northerly direction with a non-tangent curve turning to the left with a radius of 2540.00 feet, having a chord bearing of North 13°20'05" East and a chord distance of 462.81, having a central angle of 10°27'16" and an arc length of 463.46;
30. thence North 00°35'59" West a distance of 1479.04 feet;
31. thence North 00°52'14" West a distance of 5273.59 feet; to the point of beginning.

Containing 2667.835 acres, more or less..