



SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION  
STAFF REPORT

LAFCO NO. 926  
TROUT GULCH MUTUAL WATER COMPANY EXTRATERRITORIAL WATER  
SERVICE FROM THE SOQUEL CREEK WATER DISTRICT

To: Commissioners  
Date: September 26, 2008 for October 1st Agenda  
From: Patrick M. McCormick, Executive Officer

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*Summary: The Commission will consider an application by the Trout Gulch Mutual Water Company in Aptos to receive an emergency water connection from the Soquel Creek Water District.*

*Recommendation: Authorize the Soquel Creek Water District to provide emergency water service to the Trout Gulch Mutual Water Company.*

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The Trout Gulch Mutual Water Company in Aptos, has applied for the company to receive emergency water service from the Soquel Creek Water District. The company's service area is adjacent to and outside the boundary of the Soquel Creek Water District. Government Code 56133 allows a District to provide water service outside its boundaries only with the approval of LAFCO.

The Trout Gulch Mutual Water Company serves approximately 186 connections along Trout Gulch Road, Valencia Road, and adjoining side roads in Aptos. This service area can be accessed by turning off Soquel Drive at Trout Gulch Road and continuing past the Aptos Post Office.

The service area of the Trout Gulch Mutual Water Company is located outside the boundaries of the Soquel Creek Water District. Most of the service area of the water company is located within the adopted Sphere of Influence LAFCO has adopted for the Soquel Creek Water District. The land uses in the service area are suburban single-family houses. The service area is substantially developed, but has a few undeveloped parcels. Also, there are approximately four property owners in the service area who currently use private wells and are considering service from the mutual water company.

The reason that the applicant is requesting emergency service from the Soquel Creek Water District is that the company's water supply consists of two wells. One has limited capacity due to a clogged casing. This well needs to be repaired or replaced, and the company will need a supplemental water source when this well is out of service.

The proposed intertie line between the Soquel Creek Water District and the Trout Gulch Mutual systems would run under Valencia Road at its intersection with Aptos School Road.

The Soquel Creek Water District has approved the emergency service (see attached agreement). The emergency service is also supported by the Aptos/La Selva Fire Protection District and the Santa Cruz County Department of Health Services Environmental Services Division (see attached letter and email).

### Environmental Review

As the extraterritorial service authorization would provide an alternate water supply during emergency periods, would serve the existing houses, and would not increase the development potential of parcels within the service area, the staff has determined that this project is exempt from further review under the California Environmental Quality Act.

### Law and Policies

I have attached the current language of the key statute, Government Code Section 56133.

In 1994, LAFCO adopted a set of local rules concerning its processing of extra-territorial service requests (see attachment). The substantive local policies are:

- The Executive Officer shall not file an application unless the affected agency issues a will-serve letter.
- The state law and Santa Cruz LAFCO's policies stress the primacy of spheres of influence in coordinating services and protecting resources. Therefore, LAFCO intends to reinforce that as the standard manner in which services will be extended.
- LAFCO shall limit its extraterritorial service authorizations to public health emergencies and circumstances where facilities are already in place, and annexation would not be practical.

- Service would be consistent with the policies of the Local Government Reorganization Act (efficient services, conservation of agricultural lands and open spaces, etc.).

### Alternatives

The Commission may take any of the following actions at its October 1, 2008 meeting:

1. Approve the application for the Soquel Creek Water District to provide emergency water service to the Trout Gulch Mutual Water Company under the agreement authorized by the Soquel Creek Board of Directors.
2. Deny the application,
3. Continue the matter to a future LAFCO meeting.

### Discussion and Recommendation

Concerning the extraterritorial service, the emergency connection would maintain the water supply while the Trout Gulch Mutual well is repaired or replaced.

It is RECOMMENDED that the Commission authorize the Soquel Creek Water District to provide emergency water service to the Trout Gulch Mutual Water Company consistent with the agreement approved by the Soquel Creek Board of Directors.

This authorization will expire if the connection has not been made within one year--October 1, 2009.

### Attachments:

- Map
- Agreement
- Letter of Support from Aptos/La Selva Fire Protection District
- Email of Support from Santa Cruz County Environmental Services
- Government Code 56133
- Santa Cruz LAFCO Extraterritorial Service Policies

cc: Jim Brownson, Trout Gulch Mutual Water Company  
Jeff Naess, Trout Gulch Mutual Water Company  
Soquel Creek Water District  
Aptos-La Selva Fire Protection District  
Santa Cruz County Environmental Services