RESOLUTION NO. 17-12

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WHEATLAND APPROVING THE APPLICATION FOR
ANNEXATION OF THE HOP FARM PROPERTY AND WHEATLAND PARCELS
TO THE CITY OF WHEATLAND

WHEREAS, the City Council of the City of Wheatland hereby finds as follows:

a. The property owners of the Hop Farm property having Yuba County Assessor's Parcel Nos. 015-360-033, 015-360-052, 015-360-053, and 015-360-051 and the City, on behalf of non-participating Wheatland Parcels having Yuba County Assessor's Parcel Nos. 015-191-006, 015-191-014, 015-213-009, 015-360-001, and 015-360-007 (collectively, the "Properties"), have requested that the City Council: (i) adopt a resolution of annexation of the Properties to the City and request that Yuba County Local Agency Formation Commission approve that annexation; and (ii) pre-zone the Properties as Planned Development (PD) (collectively, the "Annexation"). The Hop Farm property and the Wheatland Parcels total 674 acres and 14.4 acres, respectively, and are identified on the map attached hereto as Exhibit 1 and incorporated by reference herein.

b. A California Environmental Quality Act ("CEQA") Environmental Impact Report (the "EIR") was prepared to evaluate the proposed Annexation's effects on the physical environment, as specified in the EIR. Because the EIR concluded that any potentially significant Annexation-related effects could be mitigated to a less than significant level through the incorporation of appropriate mitigation measures, a mitigation monitoring and reporting plan (MMRP) also was prepared.

c. In its Resolution No. 16-12, the City Council certified the EIR for the proposed Annexation, which adopted findings of fact and a statement of overriding considerations, as well as incorporated the mitigation measures identified in the MMRP.

d. The Properties are within the sphere of influence of the City, as adopted by the Yuba County Local Agency Formation Commission, and are adjacent to the existing City limits.

e. The City Planning Commission reviewed the proposed Annexation at a duly noticed hearing on July 17, 2012 and, after such hearing, recommended that the City Council approve the proposed annexation.

WHEREAS, Government Code section 56654, subdivision (a), authorizes the City to adopt a resolution of application for annexation of the Properties to the City.

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Wheatland as follows:
1. The City Council approves the filing of an application for annexation of the Properties with the Yuba County Local Agency Formation Commission in order to annex the Properties to the City, pursuant to Government Code section 56654, subdivision (a). The following information is provided pursuant to Government Code sections 56654, subdivision (d), and 56700:

   a. The City’s application for annexation is made pursuant to Government Code section 56000, et seq.

   b. The nature of the proposal is the proposed annexation of approximately 688.4 acres of real property, which is identified on the map attached hereto as Exhibit 1. The Properties and the proposed annexation are more particularly described in the EIR that was prepared for the proposed Annexation.

   c. The boundaries of the Properties are as shown on the attached map (Exhibit 1) and as more particularly described in the EIR that was prepared for the proposed Annexation. The application for annexation submitted to LAFCO will ensure that the annexation area includes the entirety of the Sphere of Influence in the vicinity of the Hop Farm property and the Wheatland Parcels.

   d. The proposed terms of the annexation shall include: (i) any terms regarding the rezoning of the Properties, which would become effective after annexation; and (ii) any terms that are included in the future Master Tax Sharing Agreement between the City and Yuba County, which would apply to tax revenues for the Properties after annexation.

   e. The annexation is being initiated by the approval of this resolution of application of the City Council. The City’s contact person for this annexation is Tim Raney, Community Development Director, 111 C Street, Wheatland, CA 95692.

   f. The City Council requests that formal proceedings be taken before the Yuba County LAFCO on this resolution of application in accordance with Government Code sections 56000, et seq.

   g. This proposal to annex the Properties to the City is consistent with the City’s sphere of influence and the Properties are adjacent to the City’s existing boundary.

2. City staff shall take all actions that may be necessary to process the proposed annexation with the Yuba County LAFCO, which may include preparing and providing LAFCO with a plan of service for how the City will provide City services to the Properties.
PASSED AND ADOPTED on this the 14th day of August 2012 by the following vote of the City Council:

AYES: WEST, MCINTOSH, PENDERGRAPH
NOES:
ABSENT: ELPHICK, COE
ABSTAIN:

Attest:

Lisa J. Thomason, City Clerk

Enita Elphick, Mayor
RESOLUTION NO. 18-12
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WHEATLAND APPROVING THE APPLICATION FOR
ANNEXATION OF THE JOHNSON RANCHO PROPERTY
TO THE CITY OF WHEATLAND

WHEREAS, the City Council of the City of Wheatland hereby finds as follows:

a. The property owners of the Johnson Rancho property having Yuba County Assessor’s Parcel Nos. 015-160-029, 015-160-088, 015-036-024, 015-036-025, 015-037-001, 015-080-020, 015-360-038, 015-160-095, 015-160-096, 015-360-026, 015-360-028, 015-360-029, 015-360-030, 015-360-031, 015-360-032, 015-057-006, and 015-056-005 (the “Property”) has requested that the City Council: (i) adopt a resolution of annexation of the Property to the City and request that Yuba County Local Agency Formation Commission approve that annexation; and (ii) pre-zone the Property as Planned Development (PD). The Johnson Rancho property totals 3,461 acres and is identified on the map attached hereto as Exhibit 1 and incorporated by reference herein.

b. A California Environmental Quality Act (“CEQA”) Environmental Impact Report (the “EIR”) was prepared to evaluate the proposed Annexation’s effects on the physical environment, as specified in the EIR. Because the EIR concluded that any potentially significant Annexation-related effects could be mitigated to a less than significant level through the incorporation of appropriate mitigation measures, a mitigation monitoring and reporting plan (MMRP) also was prepared.

c. In its Resolution No.18-12, the City Council certified the EIR for the proposed Annexation, which adopted findings of fact and a statement of overriding considerations, as well as incorporated the mitigation measures identified in the MMRP.

d. The Property is within the sphere of influence of the City, as adopted by the Yuba County Local Agency Formation Commission, and is adjacent to the existing City limits.

e. The City Planning Commission reviewed the proposed Annexation at a duly noticed hearing on July 17, 2012 and, after such hearing, recommended that the City Council approve the proposed annexation.

WHEREAS, Government Code section 56654, subdivision (a), authorizes the City to adopt a resolution of application for annexation of the Property to the City.

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Wheatland as follows:

1. The City Council approves the filing of an application for annexation of the Property with the Yuba County Local Agency Formation Commission in order to annex the Property to the City, pursuant to Government Code section 56654, subdivision (a).
The following information is provided pursuant to Government Code sections 56654, subdivision (d), and 56700:

  a. The City's application for annexation is made pursuant to Government Code section 56000, et seq.

  b. The nature of the proposal is the proposed annexation of approximately 3,461 acres of real property, which is identified on the map attached hereto as Exhibit 1. The Property and the proposed annexation are more particularly described in the EIR that was prepared for the proposed Annexation.

  c. The boundaries of the Property are as shown on the attached map (Exhibit 1) and as more particularly described in the EIR that was prepared for the proposed Annexation. The application for annexation submitted to LAFCO will ensure that the annexation area includes the entirety of the Sphere of Influence in the vicinity of the Johnson Rancho property.

  d. The proposed terms of the annexation shall include: (i) any terms regarding the prezoning of the Property, which would become effective after annexation; (ii) any terms that are included in the future Master Tax Sharing Agreement between the City and Yuba County, which would apply to tax revenues for the Property after annexation; and (iii) any terms and conditions contained in the development agreement between the Property owners and the City, which would become operative after annexation.

  e. The annexation is being initiated by the approval of this resolution of application of the City Council. The City's contact person for this annexation is Tim Raney, Community Development Director, 111 C Street, Wheatland, CA 95692.

  f. The City Council requests that formal proceedings be taken before the Yuba County LAFCO on this resolution of application in accordance with Government Code sections 56000, et seq.

  g. This proposal to annex the Property to the City is consistent with the City's sphere of influence and the Property is adjacent to the City's existing boundary.

2. City staff shall take all actions that may be necessary to process the proposed annexation with the Yuba County LAFCO, which may include preparing and providing LAFCO with a plan of service for how the City will provide City services to the Property.
PASSED AND ADOPTED on this the 14th day of August, 2012 by the following vote of the City Council:

AYES: PENDERGRAPH, WEST, ELPHICK, MCINTOSH
NOES:
ABSENT: COE
ABSTAIN:

Attest:

Lisa J. Thomason, City Clerk
**Hop Farm Plan for Services**

In accordance with Government Code 56653 the following is a plan for services for the Hop Farm annexation area.

1. **An enumeration and description of the services to be extended to the affected territory.**

   The City of Wheatland will provide full urban services to the Hop Farm annexation area, including domestic water service, wastewater service, and police protection. Fire protection services for the annexation area are currently provided by the Wheatland Fire Authority, which would continue to serve the area upon annexation. A detailed description of the necessary infrastructure extensions is provided below. It should be noted at the outset that the Hop Farm annexation area was included in the Wheatland General Plan Update Study Area and the urban designations applied to the Hop Farm project site as part of the 2006 General Plan Update would not change as a result of this annexation proposal. Therefore, the public services demands associated with future urban buildout of the Hop Farm annexation area were previously addressed in the technical master plan reports prepared for the General Plan Update.

   **Water**

   Currently the Wheatland Public Works Department (WPWD) service area consists of approximately 1.5 square miles (960 gross acres) providing retail water service to 1,058 customers. The WPWD provides all water within the City boundaries except for a private irrigation well at a senior apartment housing complex. Upon annexation, the Hop Farm area would receive water service from the WPWD. The water supply for the proposed project would be provided by groundwater wells connected to the City's well system. The water supply for the Hop Farm annexation area would be provided by three new groundwater wells connected to the City's well system (See Figure 1, Proposed Water System Infrastructure). It should be noted that Figure 1 is an update to the original figure included in the Water Master Plan prepared for the 2006 Wheatland General Plan Update. The figure was updated to account for the provision of water to the Johnson Rancho annexation area. The General Plan Update Water Master Plan and associated Water Line Exhibit already account for water demand associated with buildout of the Hop Farm annexation area.

   The Johnson Rancho and Hop Farm Annexation Draft EIR includes several mitigation measures related to water supply, including but not limited to the requirement that in conjunction with the submittal of each zoning or tentative map application for any development within the Hop Farm annexation area, a Water Supply Verification (SB 221) shall be conducted to ensure that sufficient water supply needed for the project is available and can be provided by the City (See Draft EIR Mitigation Measure 4.13-1(b)).
In addition, Mitigation Measure 4.13-1(c) includes the requirement that prior to issuance of building permits, future applicant(s) shall pay the City’s Development Water Impact Fees, as determined by the City Engineer and Department of Public Works. For a complete list of the water mitigation measures included in the Draft EIR, see Mitigation Measures 4.13-1(a through e).

Wastewater

As discussed in detail in Impact 4.13-2, Adequate Wastewater Facilities for New Residents, of the Johnson Rancho and Hop Farm Annexation Draft EIR, the current Wheatland Wastewater Treatment Plant (WWTP) capacity of 0.62 mgd ADWF is adequate to meet the WWTP demands within the existing City limits when buildout occurs, which includes serving the Heritage Oaks Estates and Jones Ranch tentative maps should these projects ultimately be constructed. However, the WWTP is not sized to provide for any substantial new proposed annexation development areas.

The Hop Farm annexation area, including the five Wheatland Parcels, would generate an additional 0.502 mgd ADWF sewer demand, thus exceeding the existing WWTP capacity. The buildout of the remainder of the General Plan Study Area would result in a combined total sewer demand of 8.98 mgd. Therefore, in order for adequate wastewater service to be provided to the Hop Farm annexation area, either a new WWTP would need to be constructed or the existing WWTP would need to be improved.

Treatment Plant Site Options

The 2.1-acre parcel that contains the City’s existing Wastewater Treatment Plant lacks sufficient space to construct a new 9 mgd average dry weather flow capacity wastewater treatment plant capable of meeting potential future effluent discharge requirements. Land area requirements are dependent upon a number of factors; however, for planning purposes it is reasonable to assume that between about 10 and 30 acres of land will be required, not including a buffer zone. While the properties surrounding the existing WWTP site to the west and east are not owned by the City, the possibility exists for these lands to be purchased for the purpose of expanding the existing WWTP to accommodate buildout of the Hop Farm annexation area and/or other future development within the General Plan Study Area (i.e., Johnson Rancho annexation area). It should be noted that the City has recently amended the Heritage Oaks Estates – East Development Agreement to allocate five acres formerly designated for parks to be used for potential expansion of the WWTP.

As an alternative to improving the existing WWTP to provide additional needed treatment capacity, consistent with the Wheatland General Plan Update Policy Document and accompanying Sewer Collection System Master Plan, the City is considering constructing a new wastewater treatment plant on a different site – preliminarily identified in the northwest quadrant of the GP Study Area. Figures 2 and 3 show the two different options for providing wastewater treatment to future development, including the backbone conveyance infrastructure that would be needed for each alternative.
Figure 2

Proposed Wastewater System Option – Conveyance to Existing WWTP

WHEATLAND GENERAL PLAN UPDATE
SEWER LINE EXHIBIT (JOHNSON RANCHO TO EXISTING TREATMENT PLANT)
JANUARY 12, 2010 FIGURE 2A
Conclusion

In order for adequate wastewater service to be provided to the Hop Farm annexation area, either a new WWTP would need to be constructed or the existing WWTP would need to be improved. As a result, the Johnson Rancho and Hop Farm Annexation Draft EIR included several mitigation measures, including the requirement that the City shall not approve any tentative map for the proposed project until after the City has approved and implemented a WWTP construction plan and related financing plan. Should such a plan be approved and implemented then development cannot occur until such time that adequate wastewater treatment and sewer collection system capacity exists to accommodate the project, as determined by the City Engineer. The mitigation measures also include the requirement that prior to issuance of building permits, the project applicant(s) shall be required to pay the City's Wastewater Development Impact Fees, as determined by the City Engineer. For a complete list of the sewer mitigation measures included in the Draft EIR, see Mitigation Measures 4.13-2(a through f).

It should be noted that the Draft EIR wastewater mitigation measures acknowledge the possibility of a regional WWTP solution, and should such a solution be approved prior to submittal of the first zoning or tentative map application for any development within the Hop Farm annexation area, the project applicant(s) shall comply with the plans and fee program for the WWTP including, but not limited to, payment of any applicable fees.

Police

Upon annexation to the City of Wheatland, the Hop Farm area would be located within the jurisdiction of the Wheatland Police Department (WPD). Buildout of the Hop Farm annexation area would require additional WPD personnel and equipment. An additional police department facility would also be needed. In order to ensure that the Wheatland Police Department has adequate officers and related equipment to sufficiently provide police protection services to the Hop Farm annexation area, prior to issuance of building permits for any future development within the Hop Farm annexation area, the applicant(s) shall be required to pay the City's Police Development Impact Fees (See Draft EIR Mitigation Measure 4.13-4(a)).

Fire

Effective January 1, 2006, the Plumas-Brophy Fire District and the Wheatland Fire Department merged operations under a joint powers agreement. The joint powers agreement established a Joint Powers Authority (JPA) called the Wheatland Fire Authority (WFA), which operates as a regional fire protection agency. The WFA currently provides fire protection services to the rural Hop Farm annexation area and would continue to provide services to the area once the project site is annexed to the City of Wheatland. The Interim Fire Chief has indicated that a new three-bay fire station with sleeping/living quarters would be needed to serve the Hop Farm annexation area as well as the anticipated Johnson Rancho annexation.
In order to ensure that the WFA has adequate personnel, equipment, and facilities to sufficiently provide fire protection services to the Hop Farm annexation area, prior to issuance of building permits for any future development within the Hop Farm annexation area, the applicant(s) shall be required to pay the City's Fire Protection Development Impact Fees (See Draft EIR Mitigation Measure 4.13-5(a)).

(2) **The level and range of those services.**

The level and range of the public services that will be provided to the Hop Farm annexation area by the City of Wheatland as the area is developed have been discussed in detail above.

(3) **An indication of when those services can feasibly be extended to the affected territory.**

Fire protection services and police protection services would be uninterrupted and could be provided to the annexation area as development begins to occur. Payment of Public Facilities Financing Plan impact fees would be required prior to issuance of building permits for development within the annexation area, so any necessary additional personnel could be hired as needed to serve increased demands. Similarly, construction of any necessary facilities (three-bay fire station, police department facility) could likely begin soon after impact fees are collected prior to issuance of building permits, though these facilities may not be needed to serve initial development within the annexation area. It is anticipated that the annexation area would be developed over a relatively long period of time; therefore, the fire and police protection demands generated by project development would gradually increase over time.

Potable water services would be available to the Hop Farm annexation area upon water supply verification, payment of City Water Impact Fees, installation of on-site wells, and extension of potable water lines to connect to the City's water system. All of the aforementioned requirements would need to be met by future applicants prior to occupancy, and in most cases, prior to issuance of building permits.

Provision of wastewater service to the Hop Farm annexation area is predicated upon many factors. The Draft EIR mitigation measures preclude the City from approving any tentative maps until after the City has approved and implemented a WWTP construction plan and related financing plan. Should such a plan be approved and implemented then development cannot occur within the annexation area until adequate wastewater treatment and sewer collection system capacity exists to accommodate the project, as determined by the City Engineer. Therefore, the timing for provision of wastewater service is dependent upon the timing of the implementation of either a new City WWTP, an expansion of the existing WWTP, or regional WWTP solution that would create sufficient WWTP capacity to serve the future development within the annexation area. Regardless of the ultimate solution selected, future applicant(s) will be required to pay fair share fees.
An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

As discussed above, and as indicated in Figure 1, the project includes the installation of three new wells located throughout the Hop Farm annexation area. In addition, several 12-inch water lines would be constructed within future on-site roadways to deliver needed water to future developed areas. In order to collect wastewater from the proposed on-site residential, public, and commercial areas, new wastewater lines would be constructed within future on-site roadways, ranging in size from 8-42 inches (See Figure 3). A new WWTP or expansion of the City’s existing WWTP would need to be constructed in order to provide adequate wastewater services to the project site in the event that a regional solution is not on-line prior to submittal of the first zoning or tentative map application for any development within the Hop Farm annexation area. All public infrastructure would be required to meet current City of Wheatland development and engineering standards, including new on-site roadways.

Information with respect to how those services will be financed.

Given that the major infrastructure improvements needed to serve planned development within the Hop Farm annexation area were previously included in the City of Wheatland Public Facilities Financing Plan, the Draft EIR mitigation measures for water, sewer, police, and fire require future applicants for projects within the Hop Farm annexation area to pay current Development Impact Fees. The major Hop Farm infrastructure improvements were identified during the preparation of the General Plan Update technical master plan reports. Per the Johnson Rancho and Hop Farm Annexation Draft EIR mitigation measures, prior to issuance of building permits for any future development within the Hop Farm annexation area, project applicant(s) within the Hop Farm annexation area shall be required to pay the City’s Fire, Police, Water, and Wastewater Development Impact Fees.

Additional Public Services Questions from Yuba County LAFCo Application Form (REV. 8.2009)

9 b. How would approval of this proposal affect the type or level of services within the subject property?

The Hop Farm annexation area is currently characterized by lands in agricultural production with an associated complex of residential structures and outbuildings. Natural habitats occur on-site in limited extent. The Hop Farm property has two distinct woodland riparian corridors – two riparian corridors along each branch of Grasshopper Slough in the northern/northwestern portion of the Hop Farm property. As a result of the largely undeveloped nature of the annexation area, public services/utilities have not been extended to the area. As a result, the proposal would not adversely affect the type or level of services within the subject property.
9 c. How would approval of this proposal affect public services outside the subject property?

The public services that would be extended to the annexation area would not adversely affect public services outside the subject property. For example, the water and wastewater service needed for future on-site development would not result in the degradation of existing public facilities serving other users outside of the subject territory. Rather, the project would include the installation of wells and associated water lines to provide the necessary water needed to serve the project. The Water Supply Assessment (WSA) prepared for the project determined that the amount of groundwater needed to meet the calculated buildout demand of the proposed project, as well as Wheatland General Plan buildout, is available in the groundwater basin.

Regarding wastewater, prior to development and occupancy of the project, a new WWTP, expansion of the existing Wheatland WWTP, or regional WWTP solution will need to be in place. Regardless of the ultimate solution selected by the City, future applicants would be required to pay fair share fees, as appropriate for the selected solution. Because adequate wastewater treatment capacity will ultimately be available for the Hop Farm annexation area, and the project is conditioned so that development cannot proceed until capacity is available, impacts to public services outside of the subject property would not occur.

Police and fire protection services outside of the subject territory would not be adversely affected by this proposal because, as discussed above, prior to issuance of building permits future applicants will be required to pay City development impact fees related to police and fire. The impact fees would account for the costs attributable to the personnel, equipment, and facilities needed to serve the Hop Farm annexation area.

9 d. Will approval of this proposal place additional burden on a public service provider? If so, what revenue will the change in organization generate to compensate the provider for the additional services?

For reasons discussed above in detail (i.e., payment of City development impact fees and construction of necessary on-site infrastructure), the proposal will not place additional burdens on public service providers.
JOHNSON RANCHO PLAN FOR SERVICES

In accordance with Government Code 56653 the following is a plan for services for the Johnson Rancho annexation area.

(1) An enumeration and description of the services to be extended to the affected territory.

The City of Wheatland will provide full urban services to the Johnson Rancho annexation area, including domestic water service, wastewater service, and police protection. Fire protection services for the annexation area are currently provided by the Wheatland Fire Authority, which would continue to serve the area upon annexation. A detailed description of the necessary infrastructure extensions is provided below.

Water

Currently the Wheatland Public Works Department (WPWD) service area consists of approximately 1.5 square miles (960 gross acres) providing retail water service to 1,058 customers. The WPWD provides all water within the City boundaries except for a private irrigation well at a senior apartment housing complex. Upon annexation, the Johnson Rancho area would receive water service from the WPWD. The water supply for the proposed project would be provided by groundwater wells connected to the City's well system. The project includes the installation of four new wells located throughout the Johnson Rancho annexation area (See Figure 1, Proposed Water System Infrastructure). In addition, as indicated in Figure 1 below, several 12-inch water lines would be constructed within future on-site roadways to deliver needed water to future developed areas. It should be noted that Figure 1 is an update to the original figure included in the Water Master Plan prepared for the 2006 Wheatland General Plan Update. The figure has been updated to account for the provision of water to the Johnson Rancho portion of the project.

The Johnson Rancho and Hop Farm Annexation Draft EIR includes several mitigation measures related to water supply, including but not limited to the requirement that in conjunction with the submittal of each zoning or tentative map application for any development within the Johnson Rancho annexation area, a Water Supply Verification (SB 221) shall be conducted to ensure that sufficient water supply needed for the project is available and can be provided by the City (See Draft EIR Mitigation Measure 4.13-1(b)). In addition, Mitigation Measure 4.13-1(f) includes the requirement that prior to issuance of building permits for any future development within the Johnson Rancho annexation area, the City of Wheatland Public Facilities Financing Plan shall be updated to include the water supply and conveyance improvements, and their associated costs, needed to provide the water required by the Johnson Rancho annexation area. The project applicant(s) within the Johnson Rancho annexation area shall be required to pay the City's updated Water Impact Fees, as determined by the City Engineer and Department of Public Works. For a complete list of the water mitigation measures included in the Draft EIR, see Mitigation Measures 4.13-1(a through e).
Wastewater

As discussed in detail in Impact 4.13-2, Adequate Wastewater Facilities for New Residents, of the Johnson Rancho and Hop Farm Annexation Draft EIR, the current Wheatland Wastewater Treatment Plant (WWTP) capacity of 0.62 mgd ADWF is adequate to meet the WWTP demands within the existing City limits when buildout occurs, which includes serving the Heritage Oaks Estates and Jones Ranch tentative maps should these projects ultimately be constructed. However, the WWTP is not sized to provide for any substantial new proposed annexation development areas.

The Johnson Rancho annexation area would generate an additional 3.832 mgd ADWF sewer demand, thus exceeding the existing WWTP capacity. The buildout of the remainder of the General Plan Study Area would result in a combined total sewer demand of 8.98 mgd. Therefore, in order for adequate wastewater service to be provided to the Johnson Rancho annexation area, either a new WWTP would need to be constructed or the existing WWTP would need to be improved.

Treatment Plant Site Options

The 2.1-acre parcel that contains the City’s existing Wastewater Treatment Plant lacks sufficient space to construct a new 9 mgd average dry weather flow capacity wastewater treatment plant capable of meeting potential future effluent discharge requirements. Land area requirements are dependent upon a number of factors; however, for planning purposes it is reasonable to assume that between about 10 and 30 acres of land will be required, not including a buffer zone. While the properties surrounding the existing WWTP site to the west and east are not owned by the City, the possibility exists for these lands to be purchased for the purpose of expanding the existing WWTP to accommodate buildout of the Johnson Rancho annexation area and/or other future development within the General Plan Study Area (i.e., Hop Farm annexation area). It should be noted that the City has recently amended the Heritage Oaks Estates – East Development Agreement to allocate five acres formerly designated for parks to be used for potential expansion of the WWTP.

As an alternative to improving the existing WWTP to provide additional needed treatment capacity, consistent with the Wheatland General Plan Update Policy Document and accompanying Sewer Collection System Master Plan, the City is considering constructing a new wastewater treatment plant on a different site – preliminarily identified in the northwest quadrant of the GP Study Area. Figures 2 and 3 show the two different options for providing wastewater treatment to future development, including the backbone conveyance infrastructure that would be needed for each alternative.
WHEATLAND GENERAL PLAN UPDATE
SEWER LINE EXHIBIT (JOHNSON RANCHO TO EXISTING TREATMENT PLANT)
JANUARY 12, 2010  FIGURE 2A
WHEATLAND GENERAL PLAN UPDATE
SEWER LINE EXHIBIT
JANUARY 12, 2010  FIGURE 2B

Sewer Legend:
- ITEM NUMBER
- SEWER LINE
- DIAMETER, IN INCHES
- EXISTING LIFT STATION
- SEWER JUNCTION
- MODIFIED OUTWALL

- CITY LIMITS
- STUDY AREA
- COUNTY LINE
- QUADRANT BOUNDARIES
- ADDITIONAL QUADRANT BOUNDARIES

Figure 3
Proposed Wastewater System Option – Conveyance to New WWTP
Conclusion

In order for adequate wastewater service to be provided to the Johnson Rancho annexation area, either a new WWTP would need to be constructed or the existing WWTP would need to be improved. As a result, the Johnson Rancho and Hop Farm Annexation Draft EIR included several mitigation measures, including the requirement that the City shall not approve any tentative map for the proposed project until after the City has approved and implemented a WWTP construction plan and related financing plan. Should such a plan be approved and implemented then development cannot occur until such time that adequate wastewater treatment and sewer collection system capacity exists to accommodate the project, as determined by the City Engineer. The mitigation measures also require the City’s Public Facilities Financing Plan to be updated to include the sewer treatment and conveyance improvements, and their associated costs, needed to accommodate the 3.832 mgd ADWF sewer demand created by the Johnson Rancho portion of the proposed project. The project applicant(s) within the Johnson Rancho annexation area shall be required to pay the City’s updated Wastewater Development Impact Fees, as determined by the City Engineer. For a complete list of the sewer mitigation measures included in the Draft EIR, see Mitigation Measures 4.13-2(a through f).

It should be noted that the Draft EIR wastewater mitigation measures acknowledge the possibility of a regional WWTP solution, and should such a solution be approved prior to submittal of the first zoning or tentative map application for any development within the Johnson Rancho annexation area, the project applicant(s) shall comply with the plans and fee program for the WWTP including, but not limited to, payment of any applicable fees.

Police

Upon annexation to the City of Wheatland, the Johnson Rancho area would be located within the jurisdiction of the Wheatland Police Department (WPD). Buildout of the Johnson Rancho annexation area would require additional WPD personnel and equipment. An additional police department facility would also be needed. In order to ensure that the Wheatland Police Department has adequate officers and related equipment to sufficiently provide police protection services to the Johnson Rancho annexation area, prior to issuance of building permits for any future development within the Johnson Rancho annexation area, the City of Wheatland Public Facilities Financing Plan will be updated to include the law enforcement personnel and equipment, and their associated costs, needed to provide adequate service to the Johnson Rancho annexation area. The project applicant(s) within the Johnson Rancho annexation area shall be required to pay the City’s updated Police Development Impact Fees (See Draft EIR Mitigation Measure 4.13-4(b)).

Fire

Effective January 1, 2006, the Plumas-Brophy Fire District and the Wheatland Fire Department merged operations under a joint powers agreement. The joint powers
agreement established a Joint Powers Authority (JPA) called the Wheatland Fire Authority (WFA), which operates as a regional fire protection agency. The WFA currently provides fire protection services to the rural Johnson Rancho annexation area and would continue to provide services to the area once the project site is annexed to the City of Wheatland. The Interim Fire Chief has indicated that a new three-bay fire station with sleeping/living quarters would be needed to serve the Johnson Rancho annexation area as well as the anticipated Hop Farm annexation.

The City of Wheatland Public Facilities Financing Plan, February 1, 2006, includes a Capital Facilities (Development) Impact Fee for new development of $1,431 per single family dwelling unit; $1,199 per multi-family unit; and $0.26 per commercial square foot. Policy 5.H.4 states “The City shall require new development to develop or fund fire protection facilities that, at a minimum, maintain the above service level standards.” Implementation Program 5.15 states that “The City shall update the plan for fire protection services including the location of fire stations based on future development trends. The City shall incorporate necessary service equipment and facilities in the Infrastructure Financing Plan.” Mitigation Measures 4.13-5(a through d), require, among other things, that prior to issuance of building permits for any future development within the Johnson Rancho annexation area, the City of Wheatland Public Facilities Financing Plan shall be updated to include the fire protection personnel and equipment, and their associated costs, needed to provide adequate service to the Johnson Rancho annexation area, including but not limited to a new three-bay fire station. The project applicant(s) within the Johnson Rancho annexation area shall be required to pay the City’s updated Fire Protection Development Impact Fees.

(2) The level and range of those services.

The level and range of the public services that will be provided to the Johnson Rancho annexation area by the City of Wheatland as the area is developed have been discussed in detail above.

(3) An indication of when those services can feasibly be extended to the affected territory.

Fire protection services and police protection services would be uninterrupted and could be provided to the annexation area as development begins to occur. Payment of Public Facilities Financing Plan impact fees would be required prior to issuance of buildings permits for development within the annexation area, so any necessary additional personnel could be hired as needed to serve increased demands. Similarly, construction of any necessary facilities (three-bay fire station, police department facility) could likely begin soon after impact fees are collected prior to issuance of building permits, though these facilities may not be needed to serve initial development within the annexation area. It is anticipated that the annexation area would be developed over a relatively long period of time; therefore, the fire and police protection demands generated by project development would gradually increase over time.
Potable water services would be available to the Johnson Rancho annexation area upon water supply verification, payment of City Water Impact Fees, installation of on-site wells, and extension of potable water lines to connect to the City’s water system. All of the aforementioned requirements would need to be met by future applicants prior to occupancy, and in most cases, prior to issuance of building permits.

Provision of wastewater service to the Johnson Rancho annexation area is predicated upon many factors. The Draft EIR mitigation measures preclude the City from approving any tentative maps until after the City has approved and implemented a WWTP construction plan and related financing plan. Should such a plan be approved and implemented then development cannot occur within the annexation area until adequate wastewater treatment and sewer collection system capacity exists to accommodate the project, as determined by the City Engineer. Therefore, the timing for provision of wastewater service is dependent upon the timing of the implementation of either a new City WWTP, an expansion of the existing WWTP, or regional WWTP solution that would create sufficient WWTP capacity to serve the future development within the annexation area. Regardless of the ultimate solution selected, future applicant(s) will be required to pay fair share fees.

An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

As discussed above, and as indicated in Figure 1, the project includes the installation of four new wells located throughout the Johnson Rancho annexation area. In addition, several 12-inch water lines would be constructed within future on-site roadways to deliver needed water to future developed areas. In order to collect wastewater from the proposed on-site residential, public, and commercial areas, new wastewater lines would be constructed within future on-site roadways, ranging in size from 10-33 inches (See Figures 2 and 3). A new WWTP or expansion of the City’s existing WWTP would need to be constructed in order to provide adequate wastewater services to the project site in the event that a regional solution is not on-line prior to submittal of the first zoning or tentative map application for any development within the Johnson Rancho annexation area. All public infrastructure would be required to meet current City of Wheatland development and engineering standards, including new on-site roadways.

Information with respect to how those services will be financed.

As discussed above, given that the Johnson Rancho annexation area was not previously included in the City of Wheatland Public Facilities Financing Plan, the Draft EIR mitigation measures for water, sewer, police, and fire require the Public Facilities Financing Plan to be updated prior to issuance of building permits for any future development within the Johnson Rancho annexation area to include the fire and police protection personnel and equipment, and water and wastewater infrastructure improvements, and their associated costs, needed to provide adequate services to the Johnson Rancho annexation area. The project applicant(s) within the Johnson Rancho
annexation area shall be required to pay the City's updated Fire, Police, Water, and Wastewater Development Impact Fees.

**ADDITIONAL PUBLIC SERVICES QUESTIONS FROM YUBA COUNTY LAFCO APPLICATION FORM (REV. 8.2009)**

9 b. **How would approval of this proposal affect the type or level of services within the subject property?**

The Johnson Rancho annexation area is currently characterized by open cattle grazing land as well as a large walnut orchard on the AKT portion of the property, which has several accompanying operations-related structures. Natural habitats occur on-site in limited extent. The Johnson Rancho area has three distinct woodland riparian corridors. As a result of the largely undeveloped nature of the annexation area, public services/utilities have not been extended to the area. As a result, the proposal would not adversely affect the type or level of services within the subject property.

9 c. **How would approval of this proposal affect public services outside the subject property?**

The public services that would be extended to the annexation area would not adversely affect public services outside the subject property. For example, the water and wastewater service needed for future on-site development would not result in the degradation of existing public facilities serving other users outside of the subject territory. Rather, the project would include the installation of wells and associated water lines to provide the necessary water needed to serve the project. The Water Supply Assessment (WSA) prepared for the project determined that the amount of groundwater needed to meet the calculated buildout demand of the proposed project, as well as Wheatland General Plan buildout, is available in the groundwater basin.

Regarding wastewater, prior to development and occupancy of the project, a new WWTP, expansion of the existing Wheatland WWTP, or regional WWTP solution will need to be in place. Regardless of the ultimate solution selected by the City, future applicants would be required to pay fair share fees, as appropriate for the selected solution. Because adequate wastewater treatment capacity will ultimately be available for the Johnson Rancho annexation area, and the project is conditioned so that development cannot proceed until capacity is available, impacts to public services outside of the subject property would not occur.

Police and fire protection services outside of the subject territory would not be adversely affected by this proposal because, as discussed above, prior to issuance of building permits future applicants will be required to pay updated City development impact fees related to police and fire. The updated impact fees would account for the costs attributable to the personnel, equipment, and facilities needed to serve the Johnson Rancho annexation area.
9 d. Will approval of this proposal place additional burden on a public service provider? If so, what revenue will the change in organization generate to compensate the provider for the additional services?

For reasons discussed above in detail (i.e., payment of updated City development impact fees and construction of necessary on-site infrastructure), the proposal will not place additional burdens on public service providers.