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Stand taken by EID on 2 plans

Board urges 'yes' vote on general plan referendum and 'no' vote on Highway 50 amendment.

By Cathy Locke -- Bee Staff Writer
Published 2:15 am PDT Sunday, October 24, 2004

El Dorado Irrigation District directors abandoned their neutrality on county land-use issues and agreed to take stands on two measures slated for the March ballot.

They voted unanimously Monday to support a "yes" vote on a referendum on the 2004 general plan and to oppose a county charter amendment that would tie future development to Highway 50 improvements.

In presenting the board with his analysis of the effect the measures would have on district water rights and finances, General Counsel Tom Cumpston said a neutral position on county land-use issues generally has served the district well.

"It's really not our war to fight," he said.

The board did not endorse a particular general plan alternative, he said, nor did it take a position on last March's Measure G, which called for adopting a general plan at the ballot box.

In this case, however, a position is warranted to protect the district's essential interests, Cumpston said.

"For most of the last 15 years, the lack of a county general plan has greatly complicated district planning, because we don't know what we're planning for," he said.

A "yes" vote on the referendum need not be seen as an endorsement of the 2004 general plan, Cumpston said.

"It's not a question of which general plan, but whether the county has a general plan, that causes those impacts," he said.

Without a general plan, El Dorado Irrigation District cannot fully exercise existing rights to 17,000 acre-feet of water annually under a permit granted by the state Water Resources Control Board in 2001. In addition, Cumpston said, the district is prevented from acquiring its share of 15,000 acre-feet annually under a federal water contract. In the latter case, he said, an environmental report is required, but it can't be finalized until a county general plan is in place.

To put the situation in perspective, Director George Osborne said the total of the two allocations, 32,000 acre-feet, is equivalent to three-fourths of the water in Sly Park's Jenkinsen Lake, or about three times the amount of water currently available to El Dorado Hills.

"If we can't exercise our water rights, we run the risk of losing them," he said.

In addition to concerns about water rights, Cumpston said enactment of the charter initiative would increase the risk that existing ratepayers would have to cover costs for part of the Deer Creek Wastewater Treatment Plant and related facility improvements that the district had expected to recover from future customers.

The charter amendment would prohibit the Board of Supervisors from adopting a general plan that would allow traffic congestion on Highway 50 west of Placerville to reach gridlock during peak commute hours at general plan build-out. To prevent such congestion, the measure would prohibit approval of single-family residential lot splits or subdivisions of three or more parcels until Highway 50 is widened to eight lanes between Cameron Park Drive and the Sacramento County line.

The district's facilities and financing plans are flexible enough to accommodate changes in projected growth, Cumpston said.

The facilities master plan used the growth allowed under the court writ of mandate, which has governed development in the county in the absence of a general plan, as the lowest growth figure, he said, and development allowed under the 1996 general plan as the highest projection.

But the Deer Creek Wastewater Treatment Plant was constructed while the 1996 general plan was in effect, and it was built to serve development projected in that plan, Cumpston said.

The lack of a general plan also hampers the district in its dealings with other agencies, Director John Fraser said. He cited his recent appearance before the Sacramento Municipal Utility District board as part of a delegation seeking additional water for the county through SMUD's Upper American River Project relicensing process.

"People keep throwing back up at us that El Dorado County does not have a general plan," Fraser said, adding that in many instances, agencies use it as an excuse for inaction.

Responding to directors' questions about what board members or the district could do beyond endorsing or opposing the measures, Cumpston said the district is not permitted to expend resources on a ballot measure.

"You can't spend public money on advocacy, only information," he said.

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