

Appendix A **COMMENTS ON  
PUBLIC REVIEW DRAFT  
MSR AND RESPONSES  
TO COMMENTS**



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## **APPENDIX A: COMMENTS ON PUBLIC REVIEW DRAFT MSR AND RESPONSES TO COMMENTS**

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This appendix contains written and oral comments and responses to comments on the Public Review Draft MSR.

The following comments were submitted on the Draft MSR:

- Butte County Administration (letter dated September 7, 2006)
- Butte LAFCO Public Hearing (September 11, 2006)

Each comment within the Butte County Administration letter (denoted "BC") has been given a number. Comments received during the Butte LAFCO public hearing held on September 11, 2006, are denoted with the letter "L".

Responses are numbered so that they correspond to the appropriate comment. For example, the first comment on the Butte County Administration comment letter "BC" is numbered BC-1. Where appropriate, responses are cross-referenced.





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September 7, 2006

Steve Lucas, Executive Officer  
Butte Local Agency Formation Commission  
1453 Downer Street, Suite C  
Oroville, CA 95965-4950

RE: DRAFT Municipal Service Review – City of Chico

Dear Mr. Lucas:

Pursuant to Government Code Section 56430, the Butte Local Agency Formation Commission has prepared a Draft Municipal Service Review for the City of Chico. The County of Butte (“County”) submits the following comments, based on staff review of the document. The County looks forward to having its concerns addressed.

### Chapter 2 – INTRODUCTION

- Figure 2-2 – City of Chico Municipal Review Incorporated and Unincorporated Areas - The map reflects that there will be an island created around E. Eaton Road, south to E. Lassen Avenue, which seems odd. BC-1
- Land Use Inventory – page 2-11 - Is it anticipated that the list of targeted annexation areas greater than 100 acres be annexed prior to 1/07? BC-2
- Page 2.1, Section 2.2. The study blends analysis of the existing SOI with specific information from the Northwest Chico Specific Plan that requires an SOI expansion. It is difficult to distinguish between the two in the body of this document. As a result, it is difficult to determine how much of the document is analyzing the potential expansion and how much of the document assumes the expansion. BC-3
- Pg 2-2 What are the demand or unit count assumptions for the Unincorporated Area, Butte County? This section discusses the capacity of the reference project areas in relationship to meeting the RHAP allotment for the 2001-2008 timeframe. There is no further discussion that relates this number to the purpose of the MSR and, for example, Table 3-1 on page 3-2 BC-4



that shows projections to 2025 or the statement on page 3-3 that the City estimates a population of 13,000 more persons than BCAG's estimates.

BC-4  
(con't.)

- Section 2.3.3 Study Areas on page 2-11. Figure 2.2 cuts off parts of the SOI boundary. This figure should be revised to include the full extent of the SOI boundary to avoid any confusion about the study area. It is not always clear in the document when the existing SOI boundary is being studied and when the SOI boundary plus the Northwest Chico Specific Plan is being studied.

BC-5

### **Chapter 3 – GROWTH AND POPULATION**

- Growth projections included in the document analyze the residential expectations yet there is little or no analysis of the industrial and commercial projects and need for infrastructure. This is important as the document indicates that Chico has an estimated 46 percent of the Butte County jobs. Table 3-1 indicates a 2.3 percent growth rate of employment in the City. There is no description of the infrastructure necessary to support the job creation related to commercial and industrial growth.
- Page 3-3, Determination 3-3. How was this determination made with the preceding discussion of Section 3.2? This reveals a gross density of 2.68 units per acre with a 2.27 persons per household rate.
- Page 3-3, Determination 3-4: How was this determination made out of the preceding discussion in section 3.2 "Growth Plan"? What is the boundary of the area referenced in this determination? Is this area in the MSR study area?
- Section 3.3 discusses the residential land use and supply without a discussion of the unincorporated areas within the City SOI.

BC-6

BC-7

BC-8

BC-9

### **Chapter 4 – INFRASTRUCTURE NEEDS AND DEFICIENCIES**

#### **Section 4.1 – Water**

- Page 4.1-5 Paragraph 2 "Special precautions must be taken to prevent groundwater contamination from any development in the foothills."

This is a significant concern. Specific implementation criteria should be developed to ensure that impacts upon development are necessary and appropriate.

BC-10

- Page 4.1.5 indicates that Figure 4.1.2 "shows the area of" (nitrate) "concern throughout the city". Figure 4.1.2 appears to delineate proposed project areas for sewer extension, and does not include areas of elevated nitrate concentrations located outside of planned sewer project areas. Some sewer project areas are included because of existing high density or other factors, and may not have elevated nitrate in groundwater

BC-11

- Page 4.1-6 Paragraph 3. There are two other identified separate VOC contamination areas that are not mentioned. So this would be more accurate to say that there are six areas of known groundwater contamination.

VOC contamination is generally accurate but appears to omit additional VOC plumes identified at the Pillsbury Road area (“North Valley Cleaners plume”, PCE) and at the Speedway Ave/Hegan Lane area (TCE, responsible party not yet identified.)

BC-12

Discussion regarding groundwater quality also does not address a large plume of petroleum contamination at the Midway/Hegan Lane Area (Jesse Lange Distributing, Kinder Morgan.)

- Figure 4.1-2 Areas of Nitrate Concern This is an incorrect map. This map shows the areas proposed to be sewerred. The area of Nitrate Concern is much larger.

BC-13

- Page 4.1-13 PP-Implementation-28 “In unincorporated areas, require annexation to the City as a condition of extending City Services.”

BC-14

Exceptions are appropriate in specific circumstances. The City has extended sewer to some parcels without requiring annexation in the case of a public health problem needing correction. (See first paragraph on page 4.2-7).

- Items 4.1-7 and 4.1-8 – statements seem to conflict. 4.1-7 states that water supply is adequate to the year 2024. 4.1-8 states that production capacity is sufficient through 2015, but only if conservation measures are continued.

BC-15

- (page 4.1-2) What is the plan for groundwater after 2012 (which is only 6 years away)? How is Cal Water ensuring that conservation measures are used so that the water supply is not depleted due to the anticipated growth in the area?

BC-16

- Figure 4.1-1 The proposed growth is outside of the Cal Water District and Sphere? Is that boundary proposed for expansion also?

BC-17

- Summary of Written Determinations (page 4.1-19)  
Various years are mentioned as the point at which the water supply will no longer be adequate for the residents of the area – which date is correct? 2012, 2015, 2024, or 2030?

BC-18

- Page 4.1-12 discussion regarding SB 610 and 221 does not indicate if the City and related service providers have fulfilled these requirements to date.

BC-19

## Section 4.2 - Wastewater

- 4.2.3 Improvements

Septage (contents of septic tanks) generated from the Greater Chico Urban Area is delivered to settling ponds at the Neal Road Landfill. These ponds are scheduled to be closed in 2014 as part of a landfill expansion. A draft Butte County Septage Management Plan (2006) speaks to the need for the city and county to participate in development of a receiving facility

BC-20

and treatment for septage generated in the Greater Chico Urban Area not serviced by the municipal sewer system.

BC-20  
(cont.)

Approximately 3 million gallons per year of septage is attributable to the Greater Chico Urban area based on tracking systems used by local septage hauling companies.

- Page 4.2-9 Paragraph 3 There are some inaccuracies in this paragraph.

BC-21

The NCP was adopted by the Board into Ordinance BCC 19-13 on September 25, 2001. There are details still to be agreed upon for an MOU between the County, City, and RWQCB in order to enable implementation of the entire plan.

- Page 4.2-10 Demand section “By 2015, wastewater flow is expected to exceed the WPCP’s current capacity of 9 mgd without annexation of NAP communities.”

BC-22

This MSR is a preliminary step in a proposed expansion of the City of Chico’s SOI. It is important that the City complete efforts to increase WPCP capacity, as necessary to service areas within the current SOI that is planned to be sewerred to reduce the nitrate impact on the groundwater, and to accommodate planned future growth within the current and proposed expanded SOI.

- (page 4.2-19) States that the NCSP proposes to construct a Northwest trunk line to tie into existing infrastructure, but that no funding to construct the new line has been identified. How does this solve the wastewater problem in the NCSP?

BC-23

**Section 4.3 - Storm Drainage**

County staff only had time to review Chapter 4.3 of the MSR, all other chapters affected by the comments below should be modified by the consultant. Our comments are as follows:

BC-24

- Please provide a copy of the letter referenced in footnote 8 on page 4.3-6.

BC-25

- Page 4.3-15 paragraph 3. By agreement with the Department of Water Resources, Butte County only maintains the Sycamore-Mud Creek-Sandy Gulch levees and structures. Funding for this maintenance is provided by CSA 24. Butte County does not maintain flood control channels.

BC-26

The Department of Water Resources is responsible for maintenance of the Sycamore-Mud Creek-Sandy Gulch channels. The Department of Water Resources maintains the Little Chico Creek Diversion and Butte Creek levees with funding through State Maintenance Area 5. The City of Chico and Department of Water Resources share responsibility for maintenance of the Little Chico Creek channel.

- Page 4.3-15 paragraph 5. Funding for CSAs 22, 23 and 25, is only for the operation and maintenance of the facilities constructed as part of the original Assessment Districts. CSA funding does not provide for maintenance of new, primarily subdivision related, storm drainage facilities that connect to these original facilities.

BC-27

- Page 4.3-16 paragraph 2. Suggested wording: The maintenance and repair of diversion structures, levees, and access roads that were constructed as part of the U.S Army Corps of Engineers Big Chico Creek, Sycamore Creek, Mud Creek, Sandy Gulch and Lindo Channel improvement projects are funded by CSA No. 24, administered by the County Department of Public Works. Open ditches and certain other facilities in CSAs 22, 23, and 25 are also maintained by the County with funds generated within said CSAs. BC-27 (con't.)
- Page 4.3-16 last paragraph. Both the City and County are part of the NPDES Phase II permit requirements for the Chico Urbanized Area. We have permits and have been working cooperatively to comply with State and Federal requirements. BC-28
- Page 4.3-20 NCSP. The Shasta Union Drainage Assessment District (SUDAD) Channel and all other facilities constructed by this Assessment District are maintained by CSA 25. CSA 25 only covers a small portion of the NCSP. Peak flow attenuation is a critical part of the NCSP. There is only one drainage concept shown on Figure 6-3 of the NCSP, it does not show any detention facilities west of Highway 99. What is the source of references to proposed detention facilities west of Highway 99? Where is Powerline Drive? BC-29
- Will existing CSA's administered by the County be dissolved and service provision transferred to the City upon annexation of the planning area? When do we expect to have the mechanism for transfer of existing funding for maintenance of CSA's to the City in place? BC-30

#### Section 4.4 - Roadways

- Table 4.4-2; includes a project to install a signal on 99 at Estates Drive. This project is complete and should be removed from list. BC-31
- Page 4.4-11: Northwest Chico Specific Plan (NCSP). This section is somewhat confusing. It appears the author is discussing two (2) different specific plans in the same general area. The North Chico Specific Plan (NCSP) was approved by the County and includes sections both within the City as well as their SOI. The Northwest Chico Specific Plan (NWCSP) was approved by the City and includes areas both in and outside the SOI. The MSR should separate the two (2) specific plans with a detailed discussion of each. BC-32
- Page 4.4-14; Should revise the TEA 21 (Transportation Equity Act...) with the new federal transportation Act...SAFETEA-LU. BC-33
- Page 4.4-15 (Determination 4.4-4) Need to explain how service levels are affected as additional areas are annexed. i.e.. annexation in itself does not create additional traffic on roadways. BC-34
- The City has been depending upon fund balance (page 4.4-15) for street maintenance. Fund balance is no longer available. How will the City fund the increased need for street maintenance and improvements? BC-35

## Section 4.5 - Police Services

- Determination #4.5-1 that “The CPD is not meeting the [current] desired level of service.”
- Determination #4.5-3 discusses that new development can help contribute, through fees, towards facilities and equipment but not toward staffing.

How will the City provide the expanded services that are necessary, given the projected deficit in the City’s future budgets for existing services? Development won’t be funding operations, unless the City implements CFD’s or a similar financing mechanism.

- (page 4.5-1) Where is the Chico Police Department getting its standards (staffing goals)? The numbers don’t seem to calculate correctly based on the population figures stated.

BC-36

## Section 4.6 - Fire Services

- Determination 4.6-1 Statement does not include the fact that the Butte County Fire Department provides the same service in the same areas. In fact, the number of responses by Butte County Fire Department into the City of Chico is higher than the number of City responses in the County’s jurisdiction (statistics are available from the County). The City does not provide all these services to the sphere of influence. BCFD provides it to areas outside the City limits. Through CUAFRA they respond to emergencies with one engine to designated areas.

BC-37

- Determination 4.6-2 What are the City’s “service” and “station” ratio’s based on? Are these the NFPA guidelines for urban departments? NFPA 5.2.4.1 Addresses initial arriving companies. NFPA 5.2.4.2 Addresses the full alarm. It says the Fire Department shall have the capability to deploy an initial full alarm assignment within 8 minutes response time to 90% of the incidents as established in NFPA Chapter 4. (I think that is 14 or 15 People) This appears that it does not include any response from County Fire.

BC-38

- Determination 4.6-3 and 4.6-4 How will the City meet the build out identified? NWCSF description of fire services and station needs are not accurate. It seems like a very broad statement that says we want more fire stations. North Chico Specific Plan and Chico Urban Area Fire and Rescue plan both address cooperation and coordination that should be stated here.

BC-39

- Determination 4.6-5 The funding for design of Fire Station 7 is not included in fiscal year 06/07, it appears in fiscal year 07/08.

BC-40

- Determination 4.6-6 The 06/07 RDA budget includes \$4,000,000 to assist Butte County in moving the fire stations on Fair Street (S. Chico) and north on Highway 99 (Nord) to new sites. The \$4,000,000 consists of \$2,000,000 in grant funds and \$2,000,000 in loan funds. The new sites that are cited are not correct and are from a document that is more than 10 years old. The Fire Chiefs throughout jurisdictions within Butte County are in the process of revising old plans for station location and the City and County need to discuss revising

BC-41

CUAFRA where station locations do not meet current needs nor do they make sense based on planned annexations within and around the City of Chico.

BC-41  
(con't.)

- States that “An amendment to the Agreement (CUAFRA) to expand the service area to include the NCSP and North Sycamore areas is currently being processed.” Not as far as the County is aware.
- Statement that Stations 41 is not fully staffed is misleading. It is fully staffed for County standards, but not City standards.
- NCSP calls for expansion of CUAFA, but it has not happened to date.
- Determination 4.6-4 – states that NCSP will have adequate fire protection once planned facility construction and expansions are completed. Does not talk about the fact that the City may build the new station, but does not plan on staffing it for a number of years. In other words, it will not be operational just because it is built.
- Determination 4.6-5 and 4.6-6 Information is inaccurate regarding RDA funding for Butte County stations. There is \$4 million in FY 06-07 (combination of grant and loan) to replace two stations, not three. Stations 42 is not part of the discussion at this time. CUAFA requires Station 42 to remain as is until Station 7 is operational (based on City of Chico, this may be in 2009-10). How does set-aside funding in one-budget year lead to on going funding of operations in an additional station?
- Mutual Aid agreements – it should read that through CUAFA that the City the single closest engine for emergency response.
- Is it Chico’s position that they are the only Fire Department providing service to the sphere of influence as well as within the City?
- In CUAFA the City Fire Department responds to the River. If they will only be responding in the sphere will the County be taking back areas outside the sphere?

BC-42

BC-43

BC-44

BC-45

BC-46

BC-47

BC-48

BC-49

**Section 4.7 - Parks and Recreation**

- No mention of the CARD parks and recreation facility fees adopted by the County, which are different than the CARD fees adopted by the City.
- There is a more recent nexus study, done in 2005, by EPS for CARD, for the unincorporated areas of the District.

BC-50

BC-51

**Section 4.8 - Solid Waste**

- 4.8.1 and 4.8.3 Funding & Fees

BC-52

The City of Chico allows for approximately 20,000 tons (2005) of waste generated within the city limits to be exported to an out-of-county landfill instead of directing the waste to the county owned landfill (Neal Road Landfill).

In addition to funding the operation of the Neal Road landfill, landfill gate fees are used to fund Household Hazardous Waste programs, (including the permanent facility located at the Chico Airport), E-Waste collection from community partners in each local jurisdiction, public education programs including schools, landfill closure activities, and landfill environmental compliance activities. These programs benefit all county residents, but in effect are only funded by gate fees attributable to those communities that direct their waste to the county landfill.

BC-52  
(con't.)

The City of Chico is the most populated jurisdiction in the county and historically has contributed the majority of the waste delivered to the landfill. Closure costs realized now result from waste delivered in previous years. Closure expenses are in part funded by gate fees of waste delivered now.

Funding requirements will certainly increase in the future. Should the City of Chico allow additional waste to be exported, the current funding mechanism would be jeopardized, placing undue pressure to increase existing gate fees beyond what would be expected in annual cost of living adjustments.

*Editorial corrections:*

- 4.8.1 Recycling
- 5<sup>th</sup> line: recyclables are not delivered to Ord Ranch Transfer Station in Gridley, Waste Management exports to a processing facility out of the county.

BC-53

**Chapter 5 – REMAINING REVIEW FACTORS**

**Section 5.1 - Finance Constraints and Opportunities**

- Determination 5.1-7 Doesn't make sense. If the City already can't afford the level of services needed by existing residents, how will they provide the higher level? How does adopting a balanced budget and/or reducing expenditures realize higher revenues?

BC-54

Didn't the City Manager just do a 10-year forecast that shows budget deficits in the future if the City doesn't curb it's spending or increase it's revenues?

**Sections 5.2 – 5.4 and 5.5 - Cost Avoidance Opportunities/ Opportunities for Rate Restructuring/Opportunities for Shared Facilities/Management Efficiencies**

- Determination 5.2-2 - Examples? Where are the City and County co-located?
- Determination 5.2-3 and 5.3-1 The City needs to consider adopting County development impact fees to cover impacts of development on the Sheriff, Fire, Roads, District Attorney

BC-55

BC-56

and General County Government. Growth in Chico, without offsetting development impact fees for County services used by City residents, will be detrimental to the County and existing residents.

↑  
BC-56  
(con't.)

- Other possibilities for cost savings and cost effectiveness purposes could include: joint dispatch for emergency services (fire, police, etc.), joint information systems project, consolidation of public works yards; mechanical services for vehicles/equipment, etc. Some of these joint efforts have been successful in other jurisdictions in California.
- Determination 5.4-3 The funding the City puts forth to extend hours at the Chico Branch of the Butte County Library is not a subsidy; refer to revised contract language.
- Determination 5.4-4 It appears the planning area depends upon Butte County for some portion of law enforcement? Will substation need to move, just as the fire stations in the planning area are?
- Determination 5.4-5 The statement references four fire stations (two in the planning area and two adjacent). Stations 41 and 42 are in the planning area...which two stations are adjacent? RDA funding is to assist in relocation Stations 41 (Nord) and 44 (S. Chico), not Station 42 or a forth station that is unidentified in the report.

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BC-57

↑  
BC-58

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BC-59

↑  
BC-60

As I stated before, the County looks forward to having our questions and concerns addressed as part of the Municipal Service Review process. If I, or my staff, can be of assistance in clarifying items or providing accurate data please do not hesitate to call. You can reach me at 538-7224.

Respectfully,

Paul McIntosh  
County Administrative Officer



## **Comment Letter BC: Butte County Administration (September 7, 2006)**

### **■ Response to Comment BC-1**

Figure 2-2 accurately reflects an “island” that has been created by recent annexation activity. Due to its size and the timing of its creation, it cannot be annexed under special island annexation proceedings. It will likely remain an island until the area supports annexation or changes in state law enable it to be addressed as an island.

### **■ Response to Comment BC-2**

At the time the draft MSR was being prepared, it was the City’s intent to have filed applications for the “island” annexations listed prior to January 1, 2007, corresponding to the expiration of the “island” annexation authorization in state law. Due to workload, other priorities, and the likelihood that the law will be extended for another seven years (AB 2223), the City will not complete the annexations in the timeframe specified. A revised schedule, including actual annexation district titles (where assigned), has been prepared. Please see Chapter 2, Text Changes, for revisions to Table 2-2, which appears on page 2-10 in the Draft MSR.

### **■ Response to Comment BC-3**

As stated on page 2-11 in the Draft MSR, including Section 2.3.3., three other major targeted annexation areas planned as expansion areas for the City of Chico are located in or adjacent to the City’s northern SOI. These, shown on Figure 2-2, include the Northwest Chico Specific Plan (NCSP) Area, North Sycamore Area, and Thorntree Area. The Draft MSR assumes the three areas. Please see also Response to Comment BC-5.

For the Infrastructure Needs and Deficiencies component of the Draft MSR, separate determinations are made for the Northwest Chico Specific Plan Area.

### **■ Response to Comment BC-4**

The City of Chico MSR addresses the characteristics of the City, not Butte County. Therefore, no demand or unit count assumptions were developed for the unincorporated area surrounding the City. The only reliable County growth numbers are from the annual State Department of Finance estimates for the entire unincorporated area. Please see also Response to Comment BC-9 regarding the Regional Housing Allocation Plan (RHAP) allotment.

Table 3-1 was developed and adopted by Butte County Association of Governments (BCAG). The City of Chico Draft MSR simply reports that agency’s projections, which are used in determining housing fair share and for other purposes. It is fair to assume that the City’s 2010 population will exceed the 2010 BCAG projection of 80,570, since current City population is already in excess of 82,000. Table 3-2 clearly identifies the assumptions that lead to population growth projections identified in the Draft MSR.

### **■ Response to Comment BC-5**

Figure 2-2 in the Draft MSR has been revised to add the north airport and south Chico SOI areas. Please see Chapter 2, Text Changes.

### ■ Response to Comment BC-6

The MSR relies on population growth, which is indicative of growth trends in parallel indicators such as employment. The use of population growth to identify service/infrastructure needs is consistent with the requirements for an MSR established in the adopted MSR Guidelines (August 2003). Based on a comprehensive review of the Guidelines, which were used in the preparation of the Draft MSR, there are no requirements for the MSR to address employment growth, as suggested by the commenter. It should be noted the service and infrastructure projections in Chapter 4 in the Draft MSR do account for non-residential growth. For these reasons, no changes to the MSR are necessary as a result of this comment.

### ■ Response to Comment BC-7

Determination 3-3 is based on the report of completed and projected annexation activity listed in Table 2-2 in the Draft MSR. For the gross density and household rate values provided in the comment letter, it appears the County assumed all the land annexed or to be annexed is residential and developed, which is not correct.

### ■ Response to Comment BC-8

The discussion in Section 3.2, Growth Plan, has been supplemented to include information about the physical location of growth areas beyond the City's current SOI. Please see Chapter 2, Text Changes. The area addressed in Determination 3-4 is the Northwest Chico Specific Plan area, the boundaries are depicted in Figure 2-2, and the area is addressed by the MSR. Determination 3-4 has been revised to provide more specificity about the Northwest Chico Specific Plan.

### ■ Response to Comment BC-9

The information provided in Section 3.3, Project Absorption – Land Use Supply vs. Demand, is based almost entirely on the City of Chico's 2005 Housing Element, which addresses land within the City's sphere, and the portion of Northwest Chico Specific Plan area outside the sphere, without distinguishing between City and County jurisdictions. The Housing Element concluded, and the MSR incorporates by reference (see footnotes 3 through 6), the conclusion that there is adequate land to meet projected demand as determined by the Regional Housing Allocation Plan adopted by BCAG.

### ■ Response to Comment BC-10

Comment noted. The Draft MSR reported information previously identified (see footnote 9). It is not the purpose of the Draft MSR to evaluate the environmental effect of development projects, or to propose specific implementation criteria or to evaluate whether such criteria would be necessary and appropriate.

### ■ Response to Comment BC-11

Comment noted. The text on page 4.1-5 and Figure 4.1-2 will be revised to indicate areas to be sewerred to address nitrate contamination. Please see Chapter 2, Text Changes.

### ■ Response to Comment BC-12

The additional information provided by the commenter regarding other locations with groundwater contamination has been added to the Draft MSR on page 4.1-6. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-13**

Please see Response to Comment BC-11.

■ **Response to Comment BC-14**

Comment noted. The City of Chico Parks and Public Services Element PP-Implementation 28 listed on page 4.1-13 is quoted from the City's General Plan. It is not a policy, determination, or finding of the Draft MSR.

■ **Response to Comment BC-15**

Determination 4.1-7 on page 4.1-17 is reported information presented in the Northwest Chico Specific Plan EIR (please see the text on the previous page [page 4.1-16] and cited references. This determination reflects average maximum day *demand*. Determination 4.1-8 is based on Cal Water Chico projections related to *capacity*. Determinations 4.1-7 and 4.1-8 have been revised to provide more consistency in the conclusions regarding water availability. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-16**

The information presented on page 4.1-15 in the Draft MSR, which is assumed to be the focus of this comment, relates to projected changes in groundwater elevations identified in the Groundwater Resources Analysis (see footnote 28). The conclusions of the Groundwater Resources Analysis do not predict depletion of water supply, as suggested by the comment. The source documents for the availability of water to meet future growth in the Chico SOI are the Urban Water Management Plan prepared by the water provider, Cal Water Chico, and the City's MSR for domestic water and wastewater. These documents were made available to County staff for review and comment during their preparation and adoption hearings.

■ **Response to Comment BC-17**

The Cal Water Chico service area and sphere are determined under the Public Utility codes, not local authority.

■ **Response to Comment BC-18**

The Draft MSR has reported data from various sources as to the availability of water through certain timeframes. The reference documents for the availability of water to meet projected demand are the Cal Water Chico Urban Water Management Plan and the Domestic Water and Wastewater Services MSR for the City of Chico. Studies prepared in support of those documents present different periods for water supply/demand, such as those listed by the commenter, depending on the nature and purpose of the study. It should be noted that an MSR need only look forward five years (please see page 2-1). Therefore, in the context of this Draft MSR, all of the studies conclude an adequate water supply through 2011. Comments directed to the validity of the timeframes established in these other studies and documents are more appropriately directed to those studies and/or the water provider, in this case, Cal Water Chico.

■ **Response to Comment BC-19**

Comment noted. The Draft MSR identifies the regulatory setting that affects the service (water in this case), not an evaluation of the agency's compliance. The City is aware of these requirements and complies through project and General Plan approval processes.

■ **Response to Comment BC-20**

Comment noted. The information provided in the comment regarding the landfill has been added to page 4.8-4 in Section 4.8, Solid Waste. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-21**

Comment noted. The text in the Draft MSR has been corrected. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-22**

The "Improvements" subsection beginning on page 4.2-10 in the Draft MSR identifies the City's schedule to bring the plant capacity to 12 mgd by 2008, and 15 mgd by 2014, providing capacity for urban area buildout *and* Nitrate Action Plan (NAP) communities. The long-term projected wastewater generation (Table 4.2-3 on page 4.2-10) indicates that by 2025, the plant capacity will be exceeded by 0.2 mgd, well beyond the five-year horizon of the MSR, and would assume that no additional capacity upgrades were completed beyond the 2014 improvements.

■ **Response to Comment BC-23**

The portion of the trunk line within the Northwest Chico Specific Plan area will be constructed as part of the individual development projects proposed within the area, but the line will not extend to the Water Pollution Control Plant. Rather, a main will connect this area to the existing Northwest Chico lift station, which is being upgraded to have adequate pumping and line capacity to serve the area. Because of the cost of the complete Northwest Trunk Sewer extending to the treatment plant on River Road and the extent of the area to be served, it is likely that a special financing mechanism, such as an assessment district, will be required to fund this construction project. The last paragraph on page 4.2-12 in the Draft MSR has been revised to incorporate this information. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-24**

Comment noted.

■ **Response to Comment BC-25**

A copy of the letter referenced in footnote 8 on page 4.3-6 in the Draft MSR was provided to Butte County on September 19, 2006.

■ **Response to Comment BC-26**

Comment noted. The second full paragraph on page 4.3-15 in the Draft MSR has been revised to clarify maintenance responsibilities. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-27**

Comment noted. The text on pages 4.3-15 and 4.3-16 describing funding sources and responsibilities in CSAs No. 22, 23, and 25, and U.S. Army Corps of Engineer-constructed projects and funding in CSA No.24 has been revised as suggested by the commenter. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-28**

The second sentence in the third paragraph under the “National Pollutant Discharge Elimination System” subheading on page 4.3-16 in the Draft MSR notes that Butte County is required to comply with the NDPES Phase II MS4 permitting requirements. A statement has been added to the text to indicate that both the City and County are part of the NPDES Phase II permit requirements for the Chico Urbanized Area, and that the two jurisdictions are permitted and have been working cooperatively to comply with state and federal requirements. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-29**

Two alternatives for storm drainage detention west of the freeway, sized to attenuate peak flows to rates at or below that anticipated in the design of the Shasta Union Drainage Assessment District (SUDAD) system, are described on pages 105 through 107 of the Northwest Chico Specific Plan (NCSP) and depicted on Figures 8-4 and 8-5 in that document. The detention locations are also depicted on the NCSP Illustrative Plan, Figure 4-1. Powerline Drive is an internal collector street, running north and south, parallel with an existing powerline easement crossing the specific plan area.

■ **Response to Comment BC-30**

Butte LAFCO has suggested that some of the CSAs should be dissolved with the City assuming maintenance responsibility, and the Draft MSR echoes this position as a determination. The MSR scope does not extend to timing and identifying the mechanism to implement transfer of CSA responsibility and assets. That remains up to the affected agencies, and, despite the LAFCO correspondence recommending initiation of discussion to move in this direction (see Response to Comment BC-25), neither agency has taken steps to move forward.

■ **Response to Comment BC-31**

Comment noted. Table 4.4-2 on page 4.4-11 in the Draft MSR has been amended to delete the reference to a signal at Estates Drive and Highway 99. This project has been completed. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-32**

The commenter is correct. The reference in the third paragraph on page 4.4-11 to Hicks Lane widening and the “Village Core” comes from the North Chico Specific Plan prepared and adopted by Butte County. A brief description of the North Chico Specific Plan, distinguishing it from the Northwest Chico Specific Plan, has been added to the Draft MSR in response to County comments regarding Determination 3-4, page 3-3. The North Chico Specific Plan is not discussed in detail in other assessments of infrastructure and services, and it would be inconsistent to do so for just roadways.

### ■ Response to Comment BC-33

Comment noted. The references to the TEA 21 on pages 4.4-14 and 4.4-15 in the Draft MSR have been corrected as suggested by the commenter. Please see Chapter 2, Text Changes.

### ■ Response to Comment BC-34

Determination 4.4-4 does not refer to level of service for describing traffic volume capacity, but rather maintenance service levels. As additional roadways are added to the City's maintenance responsibility through annexation, service levels are adversely affected to the degree proportionate increases in resources are not allocated.

### ■ Response to Comment BC-35

The information presented in the second paragraph under "Funding Constraints" and Determination 4.4-5 on page 4.4-15 in the Draft MSR reflects the loss of one funding source for street maintenance; the first paragraph describes multiple sources that fund street maintenance and major roadway improvements.

### ■ Response to Comment BC-36

Comment noted. The determination acknowledges that staffing is not paid for by development impact fees, but rather from the General Fund. The discussion of funding for public safety in the Draft MSR (Police Services on page 4.5-2 and Fire Services on page 4.6-5) reflects the fact that the majority of this funding comes from the City's General Fund. Absent a special tax levy dedicated to public safety services (requiring voter approval), there is no funding dedicated exclusively to these services. As part of the biannual budget process, as well as periodic budget status reviews, the adequacy of funding for these services is examined in the context of overall City resources and priorities. Historically, these services have received adequate funding for staffing and physical assets.

Projected deficits for future budget years are a fiscal planning tool to emphasize long-term financial commitments in light of on-going obligations and priorities. By law, the City must adopt a balanced budget and it does so. Resources are allocated to different services based on resources and priorities.

The information in the first two paragraphs on page 4.5-1 in Section 4.5, Police Services, comes from a variety of sources (see footnotes) and does not necessarily represent the same time period or consistent application of terminology and goals. The important consideration is the determination that staffing goals (not standards) are not currently being met, and police staffing and other resources are evaluated regularly through the City budget process.

### ■ Response to Comment BC-37

The Chico Fire Department has legal jurisdiction over the incorporated portion of the Urban Area, and the Butte County Fire Department has legal jurisdiction over the unincorporated area. The unincorporated portion of the Urban Area is rapidly decreasing as all islands are being annexed into the city. One provision of the Chico Urban Area Fire and Rescue Agreement (CUAFRA) provides for response by the closest city or county engine to emergencies within the CUAFRA service area. Butte County Fire responds to city emergencies that are closer to their two stations within the Urban Area and vice versa. Since the implementation of CUAFRA, the number of city calls responded to by the county

has gone up as the need for these county stations at their long time traditional locations has declined. In summary, both agencies currently have jurisdictional areas within the sphere. CUAFRA does not change the local jurisdiction.

### ■ **Response to Comment BC-38**

The service measures found in the January 2005 Chico Fire Department Strategic Plan come from many sources such as the National Fire Protection Association (NFPA), Insurance Services Office (ISO), National Accreditation, etc. The service measures are designed to give the City Council and public a snapshot of the quality of fire services in the city. The two most important factors are ISO rating and response times (see page 4.6-2 in the Draft MSR). ISO is an independent rating service that completed its on-site survey of the City in 2004 during which the City retained its enviable ISO 2 designation. This provides potential insurance reductions for City residents over unincorporated residents. Butte County Fire is rated as an ISO 4 in areas served by fire hydrants. They are currently being re-rated. The City General Plan targets a 4-minute average response (driving) time throughout the city. This closely parallels the NFPA Standard. During the ISO rating process, the incorporated area had an average response time of 4.1 minutes. This includes the response several times a day of Butte County Fire engines to City calls.

The City meets the NFPA target of the first alarm arriving at scene within 8 minutes in most areas of the City. A City first alarm for a confirmed structure fire includes a Chief Officer, 4 Captains, 12 suppression personnel and a Fire Prevention Officer for a total of 18 full time personnel. In addition, the City volunteer fire company is dispatched, adding an average of 12 additional personnel. This exceeds the NFPA Standard. If a County fire engine were closer to the fire, an additional two personnel would be at scene.

### ■ **Response to Comment BC-39**

General Plan buildout will require construction of two new fire stations (#6 and #7), expansion of one station (#3), relocation of one station (#2), and upgrades to the Fire Training Center. The expansion of Fire Station 3 is currently under construction. Fire Station 6 design and construction is fully funded in the current budget. Fire Station 7 is included in the City 10-Year Plan with design already funded in 2007 08, construction funded in 2008 09, and standard 3 person staffing in 2009 10. The design for the expansion and relocation of Fire Station 2 is planned following completion of Fire Station 7. All of these projects are included in the City Budget Capital Improvement Plan, NEXUS Study, EIR or 10 Year Plan, as appropriate. At this time, the only project that does not have a specific timetable is the Fire Training Center improvements, which is a \$50,000 upgrade.

### ■ **Response to Comment BC-40**

The commenter is correct. The first sentence of the paragraph under "Funding and Fees" on page 4.6-9 in the Draft MSR has been revised to indicate fiscal year 2007-08 funding instead of 2006-07. Please see Chapter 2, Text Changes.

### ■ **Response to Comment BC-41**

The RDA has budgeted \$4 million (half grant, half loan) to assist Butte County to move Stations 41, 42, and 44 to mutually agreed-upon "ideal" locations. An interagency agreement to implement this has not

been consummated between the parties. The CUAFRA Plan adopted by the Board and Council in 1999 suggested locations that have since been modified in numerous documented discussions between City and County. Similar discussions have taken place in developing the County Fire Chiefs' Association Draft Fire and Rescue Plan. The revised recommendation has been that Station 44 would move to a location closer to Southgate rather than Estates Drive because of lack of available property and the location of a future interchange at Southgate. Station 41, because of its age and dangerous Highway 99 location, and Station 42 from its temporary site would move to the area of Keefer Road and Highway 99, possibly as a two-company station. The County has indicated that it has been looking for sites at these two locations. A component of this solution and in recognition of the grant and loan, the County would provide the 1.6 acres it owns at Hicks Lane and Eaton Road to the city as the site for Fire Station 7.

Both the last paragraph in the "Funding and Fees" section on page 4.6-9 and Determination 4.6-6 have been revised to correctly identify funding allocations. Please see Chapter 2, Text Changes.

#### ■ **Response to Comment BC-42**

Two Amendments to the Chico Urban Area Fire and Rescue Agreement (CUAFRA), expanding the service area boundaries, have been requested by Butte County Fire. The Amendment has been approved as to form by the City Attorney and is being returned to Butte County Fire for forwarding to the Board as an agenda item. The primary area being added is that west of the airport, east of Highway 99, and bounded by Keefer Road on the north.

#### ■ **Response to Comment BC-43**

The text on page 4.6-8 in the Draft MSR regarding Station 41 has been revised to note that the station is staffed to County standards, but operates with one-third less staffing than a City engine and frequently does not have a captain-in-charge. Please see Chapter 2, Text Changes.

#### ■ **Response to Comment BC-44**

The Northwest Chico Specific Plan Area is within current Chico Urban Area Fire and Rescue Agreement (CUAFRA) boundaries and requires no further action.

#### ■ **Response to Comment BC-45**

Station 7 will be staffed in 2009-10 pursuant to the City's 10-Year Plan, Northwest Chico Specific Plan EIR mitigation requirements, and City Council direction. It will not be vacant.

#### ■ **Response to Comment BC-46**

It is correct that City and County Fire realize that the Station 42 crew would remain in place until Station 7 opens in 2009-10. This is probably a moot point because the construction of a new station for the County would take that long, considering a site has not yet been acquired.

The RDA offer of \$4 million (half grant, half loan) is directly related to the moves for Stations 42 and 44 from the core of the Urban Area, where the value of their location has diminished significantly. Combining Stations 41 and 42 at the new north location was proposed by Butte County Fire.

The financial planning processes for the city have changed with the new City Manager. The financial commitment to staffing Station 7 is now found in the 10-Year Finance Plan rather than a set-aside budget item.

■ **Response to Comment BC-47**

The Chico Urban Area Fire and Rescue Agreement (CUAFRA) provides that the closest engine responds, regardless of jurisdiction. The last paragraph on page 4.6-2 discussing mutual aid has been revised to clarify this. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-48**

There is no language in the Draft MSR that states that the City of Chico is the only agency within the Sphere of Influence with fire protection jurisdiction. Butte County Fire responsibilities are referred to frequently. Ultimately, the purpose of the sphere is to delineate an area where the City would be able to provide all necessary municipal services including fire protection.

■ **Response to Comment BC-49**

The Draft MSR does not state that the City only responds to fires within the City limits or Sphere of Influence. The City responds automatically to Chico Urban Area Fire and Rescue Agreement (CUAFRA) areas, including the Sacramento River, which are outside of these boundaries. The City has also responded to mutual aid requests from as far away as the Mississippi River.

■ **Response to Comment BC-50**

A second paragraph has been added to the "Funding and Fees" subsection on page 4.7-2 in the Draft to describe the Butte County Chico Area Parks and Recreation District (CARD) Parks and Recreation Facility Fee. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-51**

The text revision noted in BC-50 regarding the Butte County CARD fee also notes the 2005 nexus study referenced in the comment.

■ **Response to Comment BC-52**

Comment noted. The City has considered adoption of a "Flow Control Ordinance" requiring disposal of waste collected under City franchises to be disposed of exclusively at the County Neal Road Landfill. Based on an opinion from the City Attorney's office, it was concluded that such an ordinance had the potential to expose the City to liability, and the ordinance was not pursued. (A copy of that opinion was delivered to the County at the time the issue was discussed in 2004.)

The City is not opposed to paying for its share of the costs for hazardous waste and other recycling programs and landfill closure costs, but would rather implement that funding through an AB939/Closure administration fee or some other mechanism than directing the flow of trash to the Neal Road Landfill.

### ■ Response to Comment BC-53

Comment noted. The third sentence in the “Recycling” section on page 4.8-1 in the Draft MSR has amended to indicate that recyclables are not delivered to the Ord Ranch Transfer Station in Gridley.

### ■ Response to Comment BC-54

Services provided by the City are adequately funded, and service levels are appropriate as demonstrated by this MSR. The City regularly reviews services and service levels through budget adoption and on-going status reviews. The 10-year forecast is a budget planning tool used to ensure that current fiscal decisions are made in the context of long-term commitments. The forecast demonstrates the costs of a fiscal decision beyond the current budget period.

The last two sentences on pages 5.1-3 and 5.1-4 and Determination 5.1-7 on page 5.1-5 in the Draft MSR have been revised to clarify the information regarding the City’s budget. Please see Chapter 2, Text Changes.

### ■ Response to Comment BC-55

Butte County Environmental Health maintains an office and vehicle fleet at the Chico Municipal Center, 411 Main Street. The County Building Division has maintained an office at the same location in the past. City meeting facilities are available for County use. City fueling facilities have been available for County use. It is recognized that future opportunities may be realized, as envisioned in the Municipal Affairs Agreement (1987). Determination 5.2-2 on page 5.2-3 in the Draft MSR has been revised to recommend that future collaborative efforts, such as the examples listed above, should be encouraged. Please see Chapter 2, Text Changes.

### ■ Response to Comment BC-56

The City has considered the County’s request to adopt County development impact fees to cover impacts of development on the Sheriff, Fire, Roads, District Attorney, and General County Government in the past, and declined to impose these development impact fees on City development. The County may renew this discussion at its option, but the imposition of development impact fees, except for those providing facilities enabling the City to provide services, is beyond the scope of the Draft MSR.

Determination 5.3-1 addresses the costs to provide services, not development impact fees. To the extent City residents use a service provided by the County, they will pay any applicable fees or service charges.

### ■ Response to Comment BC-57

The City is open to discussion on specific proposals related to consolidation of services wherein there are efficiencies and savings while still maintaining an equal or better level of service to Chico citizens. Internally, the City already operates a consolidated Police/Fire Dispatch Center and a consolidated Central Garage. Another alternative that has been discussed is to have the city build the two new fire stations and then lease them to the County for an extended period. This provides flexibility for both agencies in the future as the city grows into these areas.

Please see also Response to Comment BC-55.

■ **Response to Comment BC-58**

Comment noted. The City of Chico allocates \$157,359 (in fiscal year 2006/2007) from City funds to Butte County for the sole purpose of increasing the Chico Branch of the Butte County Library's hours of operation from 35 hours per week to 60 hours per week. The last sentence in the "Library" discussion on page 5.4-2 and Determination 4.4-3 have been revised to be consistent with the contract language summarized above. Please see Chapter 2, Text Changes.

■ **Response to Comment BC-59**

The unincorporated portions of the planning area are under the jurisdiction of Butte County law enforcement. Deployment of County law enforcement, including siting of facilities, is solely a County decision.

■ **Response to Comment BC-60**

The two stations within the planning area that are specifically tied to the \$4 million for relocation are Stations 42 and 44. The two stations adjacent to, but outside the planning area, are Stations 41 and 45. As stated in the discussion of Fire Services (Section 4.6 in the Draft MSR), sufficient quarters for the Station 41 crew to be located at one of the two new stations was added at the request of County Fire. County Fire Station 42 would not relocate to one of the new sites until City Station 7 was in operation.



Verbal comments on the Chico MSR recorded by staff at the September 11, 2006 hearing:

<b><u>Source</u></b>	<b><u>Comment</u></b>	
Beck	Page 4.1-5: Wants to see some discussion of naturally occurring nitrates and their contribution to the groundwater quality.	L-1
	Page 4.4-2: Concerned with the lack of discussion on street conditions and LOS issues. What are the City's LOS standards?	L-2
	Page 4.7-10 – There are two Park Ranger Program headings on this page, and it appears that the first one can be deleted since the same information is found under the second heading.	L-3
	Provide a page of acronym definitions.	L-4
	Page 4.8-1: Wants more discussion of compost facility at airport and a clear description of the landfill capacity and projected life span.	L-5
	Questioned the use of developer fees to fund the planning program and if this was a reasonable expectation?	L-6
Leverenz	Questioned the discussion of sewer plant capacity with respect to annexation of nitrate parcels and on-going growth.	L-7
	Are there plans for additional trunk lines to the treatment plant?	
Dolan	Questioned possible discrepancies between the MSR and the Nitrate Compliance Plan with respect to the connection of septic parcels to the sewer system. Perhaps a more clear discussion of the relationship between annexation and implementation of the Nitrate Compliance Plan?	L-8
Connelly	Questioned the water availability section with respect to groundwater pumping and the Tuscan aquifer. Concerned about the lack of hard science available at this time to accurately predict future groundwater levels.	L-9
Adams	Questioned the discussion of the availability of public safety based on a lack of secured funding. Used West Avenues Plan for Services as an example of incomplete information related to public safety services.	L-10
Mann	Urged the Commission to adopt MSR citing the urgent need for housing and the relationship of the MSR to the Northwest Chico Specific Plan.	L-11



## **Butte LAFCO Public Hearing (September 11, 2006)**

A public hearing to receive oral comments on the Draft MSR was held September 11, 2006. Butte LAFCO staff recorded the comments from the Commission. Two members of the public submitted comments (Comments L-10 and L-11).

### **■ Response to Comment L-1**

The last sentence in the second paragraph under the heading "Groundwater Quality" on page 4.1-5 in the Draft MSR notes that studies have shown that nitrate concentrations in groundwater may not be solely due to septic tanks. However, Commissioner/Supervisor Dolan pointed out that extensive testing has confirmed septic as clearly the major source of contamination (see also page 4.2-2 in the Draft MSR).

### **■ Response to Comment L-2**

Determination 4.4-1 and the preceding discussion on pages 4.4-2 and 4.4-3 in the Draft MSR address the physical condition of the roadways, not the operating conditions (i.e., traffic congestion).

The Draft MSR discusses the Level of Service (LOS) on major roadways on pages 4.4-1 and 4.4-2. General Plan Policy T-G-11 on page 4.4-3 contains the City's policy on acceptable level of service. An additional plan policy (T-G-12) addresses circumstances where a lower level of service may be accepted. An additional determination (new Determination 4.4-1) has been added, with subsequent renumbering of the determinations presented in the Draft MSR. The list of policies on page 4.4-3 has also been revised to include Guiding Policy T-G-12. Please see Chapter 2, Text Changes.

### **■ Response to Comment L-3**

Comment noted. Please see Chapter 2, Text Changes.

### **■ Response to Comment L-4**

A comprehensive list of abbreviation used in the Draft MSR has been prepared (new Chapter 6 in the MSR) and the Table of Contents revised accordingly. Please see Chapter 2, Text Changes.

### **■ Response to Comment L-5**

Based on current permit conditions for the landfill and the discussion at the Butte LAFCO public meeting on September 11, 2006, the information regarding landfill capacity and life span, as presented on page 4.8-4, in the Draft MSR is correct, and no additional explanation is required. The description of the compost program on page 4.8-1 has been expanded. Please see Chapter 2, Text Changes.

### **■ Response to Comment L-6**

The text on page 4.9-2 in the Draft MSR has been revised to clarify the source of funding for planning programs. Please see Chapter 2, Text Changes.

### ■ Response to Comment L-7

The “Improvements” section beginning on page 4.2-10 in the Draft MSR identifies the City’s schedule to bring the plant capacity to 12 million gallons per day (mgd) by 2008, and 15 mgd by 2014, providing capacity for urban area buildout *and* Nitrate Action Plan (NAP) communities. The long-term projected wastewater generation (Table 4.2-3) indicates that by 2025, the plant capacity will be exceeded by .2 mgd, well beyond the five-year horizon of the MSR, and also assuming that no additional capacity upgrades were completed beyond the 2014 improvements.

The sewer master plan includes a new trunkline extending to the sewer treatment plant, as well as numerous capacity upgrades to the existing trunk system. The new line would serve the airport, the area along Eaton Road west of Cohasset, the area along Hicks Lane north of Sycamore Creek, and future growth areas in northwest Chico. The text on page 4.2-11 in the Draft MSR has been revised to more clearly identify sewer trunk line improvements. Please see Chapter 2, Text Changes.

### ■ Response to Comment L-8

The Nitrate Compliance Plan (NCP) discussion on pages 4.2-2 and 4.2-7 in the Draft MSR appears to be accurate. Table 4.2-3 and discussion under “Improvements” on page 4.2-10 is also helpful in understanding the increase in treatment capacity needed to implement the NCP. Of the 3.3 million gallons per day (mgd) increase in demand projected between 2005 and 2010, 2 mgd (roughly equivalent to 8,000 units) is attributable to NCP connections. During this same period, the City will expand the treatment plant capacity to 12 mgd, resulting in treatment capacity in excess of projected demand of 10.6 mgd. Even if NCP connections were accelerated, additional capacity is available to accommodate additional connections. A further plant expansion to 15 mgd is planned for completion by 2014, providing capacity beyond 2020 for new development and continued connection of units currently on septic systems.

The relation between annexation and sewer connection for NCP implementation is described on page 4.2-7 as follows:

The City and Butte County have entered into an agreement to permit existing developed properties to connect to the sanitary sewer without first annexing. However, sewer lines have not yet been extended to many of these areas, so connection is not currently feasible. Providing this service without annexation may also require approval of the Butte LAFCO pursuant to Government Code Section 56133.

### ■ Response to Comment L-9

Comment noted. The Draft MSR relied on the best available information from Cal Water Chico, the purveyor of domestic water in the Chico area.

The City-prepared Groundwater Resources Analysis Study concluded that groundwater resources in the Butte Basin are sufficient through 2012 (Determination 4.1 5), while the California Water Service (CWS) estimates sufficient supplies through 2030 (Determination 4.1 6). In addition, CWS projects in Table 4.1 3 that the projected maximum day demand in 2020 of 88.7 mgd will exceed the current 85.7 mgd capacity of the company's 63 wells by the year 2020. While these concerns may be inconsequential over the five-year life span of the MSR, it does require attention to accurately evaluate water services.

The two studies noted above represent different timeframes and purposes. The City study was intended to forecast supply and demand for the period of the 1994 General Plan update or 15 years (from the date of the study), while the Cal Water Chico study addressed a longer period to satisfy their needs, possibly imposed by legislation regulating private utilities. While it is correct that demand will exceed current supply by 2020, Cal Water Chico and the Chico MSR recognize this condition, and the MSR includes the following statement on page 4.1-15: “As regional supply conditions dictate, Cal Water Chico will urge its customers to *reduce demand* accordingly and will *construct new wells and storage facilities as the need arises*.” [emphasis added].

At this time, there is no other source of different or better information, although numerous studies are underway that may provide that information. This issue is beyond the scope of the Chico MSR. In any case, it is recognized that long-term water supply is of critical importance in the County. Should additional information become available, the adopted “Domestic Water and Wastewater Service MSR” would need to be amended to include the additional information, and the Chico MSR updated to be consistent.

### ■ Response to Comment L-10

The discussion of funding for public safety in the Draft MSR (Police Services on page 4.5-2 and Fire Services on page 4.6-5) reflects the fact that the majority of this funding comes from the City’s General Fund. Absent a special tax levy dedicated to public safety services (requiring voter approval), there is no funding dedicated exclusively to these services. As part of the biannual budget process, as well as periodic budget status reviews, the adequacy of funding for these services is examined in the context of overall City resources and priorities. Historically, these services have received adequate funding for staffing and physical assets.

The comment is correct in noting that discussion of services in conjunction with individual annexation applications is minimal. The MSR is intended to bridge that gap by detailing services and capabilities.

### ■ Response to Comment L-11

Comment noted. As a follow-up to this comment, Butte LAFCO staff also reiterated the conclusions of the Draft MSR regarding population projections and demand for services, noting that the City of Chico population is forecast to grow at a rate of 3% over the next 20 years, resulting in the City gaining an even greater share of housing and employment growth within the county. If projections prove accurate, by 2025, the City population will surpass the unincorporated County as the largest governance unit with a population of 125,920. This represents an approximately 46,000-person increase over the 20-year period, which will require significant investments in infrastructure and service capacity at all levels.

The 3% growth rate noted above is the BCAG projection. The City’s General Plan projects growth at 2 to 2½%, and historically the growth rate (exclusive of annexation) has been about 2%. The reader is referred to Tables 3-1 and 3-2 in the Draft MSR. Regardless of which growth rate is used, the City recognizes that significant investment in infrastructure and service capacities will be required to maintain adequate service levels. As a tool to ensure that adequate funding is provided, the City is developing a ten-year budget projection to forecast resources and demand.

