

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center ◊ 200 South School Street ◊ Ukiah, California 95482
Telephone: 707-463-4470 Fax: 707-462-2088 E-mail: eo@mendolafco.org Web: www.mendolafco.org

CHAIR

Richard Shoemaker
Russian River Flood Control
And Water Conservation
Improvement District

VICE-CHAIR

John McCowen
County Board
Of Supervisors

MEMBERS

Dan Hamburg
County Board
Of Supervisors

Doug Hammerstrom
Fort Bragg City Council

Holly Madrigal
Willits City Council

Theresa McNerlin
Ukiah Valley Sanitation District

Jerry Ward
Public Member

ALTERNATE MEMBERS

Carre Brown
County Board
Of Supervisors

Kevin Doble
Ukiah City Council

Carol Rosenberg
Public Member

Angela Silver
Calpella County Water District

Executive Officer
George Williamson

Counsel
Scott Browne

Analyst
Colette Metz

Commission Clerk
Elizabeth Salomone

Regular Meetings
First Monday
of each month
at 9:00 AM
at the Mendocino
County Board
Of Supervisors Chambers
501 Low Gap Road

A G E N D A

Regular Meeting of Monday, October 5, 2015 9:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Call to Order and Roll Call

CONSENT CALENDAR

The following consent items are expected to be routine and non-controversial, and will be acted on by the Commission in a single action without discussion, unless a request is made by a Commissioner or a member of the public for discussion or separate action.

1. Approval of the September 14, 2015 Meeting Summary Minutes
2. Approval September 2015 claims
3. Acceptance of the Monthly Financial Report

PUBLIC EXPRESSION

4. The Commission welcomes participation in the LAFCo meeting. Any person may address the Commission on any subject within the jurisdiction of LAFCo which is not on the agenda. There is a three minute limit and no action will be taken at this meeting. Individuals wishing to address the Commission under Public Expression are welcome to do so throughout the meeting.

PUBLIC HEARINGS

5. Fire District Municipal Services Reviews (CONTINUED)

Commission consideration and possible adoption of the Final Municipal Service Reviews (Part 2) for the following:

Albion-Little River Fire Protection District
Mendocino Fire Protection District
Potter Valley Community Service District
Redwood Valley-Calpella Fire Protection District

Comments and suggestions by the Commission, participating agencies, and members of the public.

6. Sphere of Influence (SOI) Updates (CONTINUED)

Commission consideration and possible adoption of the Final Draft SOI Updates for the following:

City of Point Arena
Elk County Water District
Caspar South Water District

Comments and suggestions by Commission, participating agencies, and members of the public. The Final Draft SOI Updates are available for review at www.mendolafco.org or by contacting the LAFCo office.

WORKSHOPS

7. Sphere of Influence (SOI) Updates

Staff presentation of the Draft SOI Updates for the following:

Laytonville County Water District
Westport County Water District

Comments and suggestions by the Commission, participating agencies, and members of the public. The Draft SOI Updates are available for review at www.mendolafco.org or by contacting the LAFCo office.

MATTERS FOR DISCUSSION & POSSIBLE ACTION

8. Status of MSRs and SOI Updates

Staff presentation of the status of MSR and SOI updates. Questions and comments from Commission, participating agencies, and members of the public.

9. SOI Update Format Template

Staff to present revised SOI Update Format Template. Questions and comments from Commission, participating agencies, and members of the public.

10. Status of Current and Future Projects

Staff presentation of the status of active and future projects. Questions and comments from Commission, participating agencies, and members of the public.

OTHER ITEMS

11. Correspondence

Staff report of correspondence received. No action will be taken on these items at this meeting.

12. Executive Officer's Report

EO report on status of FY 2013-14 Audit and the Policies and Procedures Update by the Planning Committee. No action will be taken at this meeting.

13. Commissioner Reports, Comments or Questions

Commissioner opportunity to make announcements, comments, etc. No action will be taken on these items.

14. Legislation Report

Staff and Commissioner opportunity to make announcements, comments, etc. on legislation. No action will be taken on these items at this meeting.

ADJOURNMENT

The next Regular Commission Meeting is scheduled for
Monday, November 2, 2015 at 9:00 AM
in the County Board of Supervisors Chambers
501 Low Gap Road, Ukiah, California

Notes: Participation on LAFCo Matters

All persons are invited to testify and submit written comments to the Commission on public hearing items. Any challenge to a LAFCo action in Court may be limited to issues raised at a public hearing or submitted as written comments prior to the close of the public hearing.

Americans with Disabilities Act (ADA) Compliance: If you are a disabled person and need a disability-related modification or accommodation to participate in a meeting, please contact the LAFCo office at 707-463-4470, by e-mail to eo@mendolafco.org, or by FAX to 707-462-2088. Requests must be made as early as possible, and at least two full business days prior to the meeting.

Fair Political Practice Commission (FPPC) Notice: State Law requires that a participant in LAFCo proceedings who has a financial interest in a Commission decision, and who has made a campaign contribution of more than \$250 to any Commissioner in the past 12-months, must disclose the contribution. If you are affected, please notify the Commission prior to the agenda item.

MENDOCINO

Local Agency Formation Commission

Ukiah Valley Conference Center ◊ 200 South School Street ◊ Ukiah, California 95482
Telephone: 707-463-4470 Fax: 707-462-2088 E-mail: eo@mendolafco.org Web: www.mendolafco.org

CHAIR

Richard Shoemaker
Russian River Flood Control
And Water Conservation
Improvement District

Agenda Item No. 1

VICE CHAIR

John McCowen
County Board
Of Supervisors

MINUTES

LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, September 14, 2015

County Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California

MEMBERS

Dan Hamburg
County Board
Of Supervisors

Call to Order & Roll Call

Vice Chair McCowen called the meeting to order at 9:10am.

Doug Hammerstrom
Fort Bragg City Council

Members Present:

Commissioners Dan Hamburg, Doug
Hammerstrom (departed 11:19am), John
McCowen, Theresa McNerlin, and Jerry Ward

Holly Madrigal
Willits City Council

Members Absent:

Commissioners Holly Madrigal and Richard
Shoemaker

Theresa McNerlin
Ukiah Valley Sanitation District

Alternate Members Present:

Commissioners Carre Brown, Kevin Doble, and
Angela Silver

Jerry Ward
Public Member

ALTERNATE MEMBERS

Carre Brown
County Board
Of Supervisors

Alternate Members Absent:

Commissioner Carol Rosenberg

Kevin Doble
Ukiah City Council

Staff Present:

George Williamson, Executive Officer
Elizabeth Salomone, Clerk

Carol Rosenberg
Public Member

*Alternate Commissioners immediately took seat: Commissioner Silver for
Commissioner Shoemaker and Commissioner Doble on behalf of Commissioner
Madrigal*

Angela Silver
Calpella County Water District

Executive Officer
George Williamson

Consent Calendar

1. Approval of the August 3, 2015 Regular Meeting Summary Minutes
2. Approval August 2015 Claims
3. Acceptance of the Monthly Financial Report

Counsel
Scott Browne

Analyst
Colette Metz

Commissioner Ward asked for Items 2 and 3 to be pulled from the Consent Calendar for discussion.

Commission Clerk
Elizabeth Salomone

Upon motion by Commissioner Ward and second by Commissioner Hamburg, Item 1 of the Consent Calendar was approved by unanimous consent:

Regular Meetings

Frist Monday
of each month
At 9:00 AM
At the Mendocino
County Board
Of Supervisors Chambers
501 Low Gap Road

Ayes:

Commissioners Doble, Hamburg, Hammerstrom, McCowen,
McNerlin, Silver, and Ward

Absent:

Madrigal, Shoemaker

Commissioner Ward gained Commission consent to provide the FY 2015-2016 Application Track on a second page in order to clearly itemize the fees received and monies expended on applications. Commissioner Ward noted edits to the requested Profit and Loss Quarterly Statement that Mr. Williamson will provide at the October 2015 meeting.

Upon motion by Commissioner Ward and second by Commissioner Silver, Items 2 and 3 of the Consent Calendar were approved by unanimous consent:

Ayes: Commissioners Doble, Hamburg, Hammerstrom, McCowen, McNerlin, Silver, and Ward

Absent: Madrigal, Shoemaker

4. Public Expression. No member of the public indicated an interest in speaking.

NOTE: With no objections from fellow Commissioners, Vice Chair McCowen moved to Agenda items during meeting to accommodate attendees for those items.

Vice Chair McCowen called a break from 11:55am to 11:07am.

Workshop

5. Format Discussion for Sphere of Influence (SOI) Updates

George Williamson presented a reorganized format for the SOI Updates. Comments and questions were offered by Commissioners Hammerstrom, Ward, Silver, and McCowen. The Commission commended staff for the work on this new format.

Vice Chair McCowen spoke regarding recognizing the historical records of SOI boundary maps and cautioned against granting validity for SOI boundary maps that were not approved by LAFCo in the past.

Commissioner Hammerstrom noted that at one time, the law allowed the District to establish its own SOI outside of LAFCo approval. He also noted the Planning Committee needs to review the SOI Report format regarding the Policies & Procedures at their next meeting.

Public Hearing

6. Fire District Municipal Services Reviews (MSRs) CONTINUATION

Commission consideration and possible adoption of the Final MSRs for the following Districts:

**Potter Valley Community Service District
Redwood Valley-Calpella Fire Protection District
Mendocino Fire Protection District
Albion-Little River Fire Protection District**

The Public Hearing was opened at 9:48am on July 13, 2015 and Vice Chair McCowen noted the Public Hearing is continued to this meeting.

George Williamson summarized a Staff Report emailed to the Commissioners by Bruce Baracco late Sunday night regarding the Fire District Municipal Services Reviews. The Commission directed Mr. Williamson to communicate to Bruce Baracco the urgency of completing the MSRs, distributing them to the Districts and

Commissioners with more time to review, and with more clarity on the most up to date draft under consideration. Comments and questions were offered by Commissioners Ward, Doble, Hamburg, Brown, and McCowen.

Potter Valley Community Service District

The Administrative Draft MSR comments and audit were received from District, though the boundary issue is not yet resolved. Public Review Draft MSR on hold pending resolution of District boundary.

Redwood Valley-Calpella Fire Protection District

Administrative Draft MSR comments and audit received from District and Public Review Draft to be issued pending resolution of “exceptions” within the District boundary.

Commissioner Brown reported after meeting with Fire Chief regarding resolution to the District Boundary maps. Comments and questions were offered by Commissioners McCowen, Ward, and Brown. The Commission directed Commissioner Brown to represent LAFCo with Bruce Baracco and the District to complete accurate mapping.

Mendocino Fire Protection District

Administrative Draft MSR comments and audit received from District and Public Review Draft to be issued pending receipt of District comments.

Albion-Little River Fire Protection District

Administrative Draft MSR comments and audit received from District and Public Review Draft to be issued this week.

Action on Public Hearing CONTINUATION

Vice Chair McCowen continued the Public Hearing for the Fire District Municipal Services Reviews of Potter Valley Community Service District, Redwood Valley-Calpella Fire Protection District, Mendocino Fire Protection District, and Albion-Little River Fire Protection District to the October 5, 2015 Regular Commission Meeting.

7. Sphere of Influence (SOI) Updates

Commission consideration and possible adoption of the Final MSRs for the following Districts:

**Caspar South Water District
City of Point Arena
Elk County Water District
Irish Beach Water District
Round Valley County Water District**

Vice Chair McCowen opened the Public Hearing at 10:53 am for the Sphere of Influence Updates. (Note: Calpella County Water District SOI Update remains at workshop level for this meeting. See Agenda Item 8.)

George Williamson presented the SOI Updates, requesting time for staff to adapt the reports to the newly approved format.

Caspar South Water District

Continuation was requested to allow staff to reformat the SOI Update based on the approved template.

City of Point Arena

George Williamson noted he received City comments after the City Council review at their August meeting. Comments and questions were offered by Commissioners McCowen and Hamburg.

Elk County Water District

Continuation was requested to allow staff to reformat the SOI Update based on the approved template.

Irish Beach Water District

Continuation was requested to allow staff to reformat the SOI Update based on the approved template.

Also, the SOI Update will potentially be affected by Commission action on the proposed De Ruiter detachment.

Round Valley County Water District

George Williamson presented the Round Valley County Water District SOI Update. Lee Marder, General Manager for the District, shared the work and challenges of RVCWD that support the Districts request to alter the SOI. Comments and questions were offered by Commissioners Hammerstrom, Ward, Hamburg, Brown, McCowen, Doble, and Mr. Williamson.

Highlights from comments and questions:

- The Sphere of Influence does not provide access to land without owner permission.
- Possibility of a District name change may be tied in with formation though will be explored by District.
- SOI boundaries do not have to follow parcel boundaries and will not adversely affect possible future annexations.
- An overlap review of the Mendocino National Forest area will be explored by Planwest.
- Expansion of SOI will allow the District to look at the aquifer historically and allow them to work with the greater community to contribute to conservation.
- The District has no plans for expensive work outside of District boundaries.
- The draft SOI will be provided to the Tribe by Planwest and the District will make time available to meet with Tribe for discussions.
- AVCS D is exploring activating latent powers.

Action on Public Hearing for SOIs

Vice Chair McCowen continued the Public Hearing for the Caspar South Water District, City of Point Arena, Elk County Water District, Irish Beach Water District, and Round Valley County Water District to the October 5, 2015 Regular Commission Meeting.

Workshop (Part 2)

8. Sphere of Influence (SOI) Updates

George Williamson presented the Administrative Draft SOI Updates for the following Districts:

Anderson Valley Community Services District
Calpella County Water District
Pacific Reefs Water District

Anderson Valley Community Services District

Mr. Williamson noted the Draft SOI Update for AVCS D is presented in the new format, commending the District on their support and cooperation. Comments and questions were offered by Commissioners Ward, McCowen, Hammerstrom, and Doble.

Highlights from comments and questions:

- Points on format and edit suggestions.
- Islands in a Districts boundary are allowable for Special Districts both in the SOI and in annexations.

- Mr. Williamson will develop the map to show SOIs for adjoining Districts, though he noted at this time, none have been found for the four Special Districts surrounding AVCSD. The legend will also be more thoroughly developed.

Joy Andrews, General Manager for AVCSD, offered comments and questions. In response, comments and questions were offered by Commissioners McCowen, Hamburg, Hammerstrom, Doble, McNerlin, Ward, and Mr. Williamson.

Highlights from comments and questions:

- The response area for the District is twice as large as the District boundary. The response area is based on where Howard Dispatch sends AVCSD and not based on District boundaries.
- Out of area service contract customers within the SOI but outside of District boundary will not be enveloped into the tax basis. The District can apply for annexation of these areas in order to include them within the District and tax basis.
- Suggestion to include Emergency Services description in SOI.
- Criteria for out of service customer contracts and approval of contracts by LAFCo were discussed. It was suggested that with the approval of the draft SOI, all current out of area service contracts would be approved by LAFCo.

Pacific Reefs Water District

Mr. Williamson reported being unable to contact any representative for the District after much effort to do so. No comment or confirmation of receipt of draft SOI has been received from the District. Comments and questions were offered by Commissioners Ward, Doble, McNerlin, and McCowen.

Calpella County Water District (Continued)

Mr. Williamson reported the data collected for the SOI does not reconcile with the currently approved MSR completed in May 2015. He also noted the final SOI will be adapted to the approved format for the final draft. Comments and questions were offered by Commissioners McNerlin, Doble, Ward, and McCowen.

Action on Workshop SOIs

The Public Hearings for the Anderson Valley Community Services District, Calpella County Water District, Pacific Reefs Water District will be held at the November 2, 2015 Regular Commission Meeting.

Matters for Discussion & Possible Action

9. Proposed De Ruitter Detachment from the Irish Beach Water District

Mr. Williamson reported discussions are still under way between the two parties and does not anticipate this issue being before the Commission again until December 2015.

10. Status of Current and Future Projects

No comments were offered on the staff report.

11. Status of MSR and SOI Updates

No comments were offered on the staff report.

Other Items

12. Correspondence - Nothing to report.

13. Executive Officer's Report

George Williamson reported a scheduling conflict for his attendance at the October 5, 2015 Regular Commission Meeting. It was decided that Analyst Colette Metz, Services Specialist Sarah West, and Clerk Elizabeth Salomone would staff the October meeting.

14. Commissioners Reports, Comments or Questions

Commissioners Silver (and Rosenberg): Provided a written report of their recent CALAFCO conference.

Commissioner Brown: Provided a verbal report of the CALAFCO conference.

Commissioner Ward: Pointed to the layout of the CALAFCO minutes, noting the more expanded description of comments in comparison to Mendocino LAFCO minutes. No direction was given by Commission to Staff to change the current level of description in minutes.

15. Legislation Report – There was no report presented.

Adjournment

There being no further business, at 12:18pm the meeting was adjourned to the next regular meeting on Monday, October 5, 2015 at 9:00 AM in the County Board of Supervisors Chambers at 501 Low Gap Road, Ukiah, California.

MENDOCINO
Local Agency Formation Commission
Staff Report

DATE: October 5, 2015
 TO: Mendocino Local Agency Formation Commission
 FROM: George Williamson, Executive Officer
 SUBJECT: Claims for the Period September 1-28, 2015

 The following claims are recommended for payment authorization:

Name	Account Description	Amount
Planwest Partners	5500 Basics Services – EO/Analyst, 7501 - SOI Updates, 6200 Bookkeeping, 8008 & 8009 Applications: \$ 10,492.00 5500 Basic Services – Clerk: \$ 1,251.25	\$ 11,743.25
Ukiah Valley Conf. Center	5502 Office space: \$375.00 5503 Work room: \$ 30.00 5603 Photocopy: Estimated \$75.00 5605 Postage: Estimated \$75.00	\$ 555.00
Carre Brown	6750 CALAFCO Conference Hotel, expenses, mileage	\$ 365.39
Angela Silver	6750 CALAFCO Conference Hotel, expenses, mileage	\$ 541.26
Carol Rosenberg	6750 CALAFCO Conference Hotel and expenses	\$ 400.43
P. Scott Brown	6300 Legal Counsel: August flat fee: \$500.00	\$ 500.00

Please note that copies of all invoices, bank statements, and petty cash register were forwarded to Commission Treasurer, Jerry Ward for review at time of Agenda Packet distribution.



INVOICE

DATE: September 28, 2015

INVOICE #: 15-218-09

TO: Mendocino LAFCo

PROJECT: LAFCo Planning/Staffing Services & Expense – September 1-28, 2015

September 1 - 28 COSTS SUMMARY

Acct 5500 - Basic Services (includes Clerk Services)	\$ 5,521.25
Acct 8008 - Application City of Ukiah SOI Reduction	\$ 520.00
Acct 8009 - Application DeRuiter Detachment from IBWD	\$ 832.00
Acct 7501 - Sphere of Influence Updates	\$ 4,350.00
Acct 6200 - Other Services	\$ 520.00
TOTAL AMOUNT DUE	\$11,743.25

Basic Services Acct 5500

Executive Officer, George Williamson	19.5 hours at \$104 per hour	\$ 2,028.00
Analyst, Colette Metz	13.5 hours at \$78 per hour	\$ 1,053.00
Clerk, Elizabeth Salomone	35.75 hours at \$35 per hour	\$ 1,251.25
GIS Analyst	2 hours at \$58 per hour	\$ 116.00
Service Specialist	18.5 hours at \$58 per hour	\$ 1,073.00

Application - City of Ukiah SOI Reduction Acct 8008

Executive Officer, George Williamson	5 hour at \$104 per hour	\$ 520.00
--------------------------------------	--------------------------	-----------

Application - Irish Beach Water District – Proposed Detachment (De Ruiter) Acct 8009

Executive Officer, George Williamson	5 hours at \$104 per hour	\$ 520.00
Analyst, Colette Metz	4 hours at \$78 per hour	\$ 312.00

SOI Updates Acct 7501

Analyst, Colette Metz	7 hours at \$78 per hour	\$ 546.00
GIS Analyst	4 hours at \$58 per hour	\$ 232.00
Service Specialist	58 hours at \$58 per hour	\$ 3,364.00
Executive Officer, George Williamson	2 hours at \$104 per hour	\$ 208.00

Other Services Acct 6200

Executive Officer, George Williamson	5 hours at \$104 per hour	\$ 520.00
--------------------------------------	---------------------------	-----------

Basic Services/Administration

Prepared and posted agenda and packet materials and updated website by adding table for SOI and MSR status. Coordinated meeting preparations packet preparations, and staffed September 14 2015 commission meeting. Transcribed and reviewed draft September meeting minutes for review at October meeting. Staffed office in September. Prepared September meeting agenda and staff reports including SOI and MSR status, status of filed and pending applications. Compiled commissioner claims from CALAFCO Conference for payment in October. Provided policy materials and staffed Policy committee meeting Monday, September 18th, 2015. This included discussion of SOI Update policy and whether these are included in SOI appendices. Reviewed audit format as provided by treasurer . Responded with QBooks export to Excel with reformatting to adapt to audit format.

TEL: (707) 825-8260
FAX: (707) 825-9181

P.O. Box 4581
Arcata, CA 95518

planners@planwestpartners.com
www.planwestpartners.com

Applications

8008 - City of Ukiah SOI Reduction.

Met with selected consultant LACO Associates for Draft Environmental Impact Report startup meeting. Reviewed prior environmental documents including City General Plan and Ukiah Valley Area Plan.

8009 - Irish Beach Water District – Proposed Detachment (De Ruitter)

Attended September 12 Irish Beach Water District Board meeting where Proposed De Ruitter Detachment was on agenda. Board discussed and took action on resolution intended to keep De Ruitter parcel in the District. Proposed De Ruitter Detachment was on agenda and scheduled for September 14 Commission meeting. Application continued at property owner request. Received Coastal Commission letter on referral stating need for Local Coastal Plan amendment for detachment. Forwarded letter to applicant's representative and requested response.

Sphere of Influence Updates/ Municipal Service Reviews

Prepared the following Draft SOI Updates for September 14 hearing:

City of Point Arena; Calpella County Water District;; Elk County Water District; Irish Beach Water District; and Caspar South Water District.

Preparing the following Administrative Draft SOI Updates for Workshops:

Laytonville County Water District; Round Valley County Water District; Willow County Water District, Pacific Reefs Water District; Westport County Water District; Millview County Water District; and Anderson Valley Community Services District.

Other Services

Compiled claims for commissioner review and approval at September meeting. Finalized budget tracking and QuickBooks accounting/checks for claims to be considered at October 5 2015 meeting.

To: Planwest Partners on behalf of Mendocino LAFCo

Invoice

Invoice Detail for Elizabeth Salomone

<u>Date</u>	<u>Item</u>	<u>Hours</u>		<u>Total Hours</u>
		5302 Contract Services	Other Services	
9/8/2015	Basic Service Office Duties	5.00		5.00
9/10/2015	Basic Service Office Duties & Delivery	5.25		5.25
9/11/2015	Basic Service Office Duties & Delivery	2.00		2.00
9/14/2015	Regular Meeting & Admin	4.00		4.00
9/15/2015	Basic Service Office Duties	4.25		4.25
9/17/2015	Basic Service Office Duties	4.00		4.00
9/22/2015	Basic Service Office Duties	4.25		4.25
9/24/2015	Basic Service Office Duties	4.00		4.00
9/28/2015	Basic Service Office Duties	3.00		3.00
Subtotal Hours		35.75	0.00	35.75
Costs at \$35 per hour		\$ 1,251.25	\$ -	\$ 1,251.25
Total Amount Due				\$ 1,251.25

Law Offices of P. Scott Browne

131 South Auburn Street
Grass Valley, CA 95945

(530) 272-4250
(530) 272-1684 Fax

Marsha A. Burch
Of Counsel

Mendocino Lafco
200 South School Street, Suite F
Ukiah, CA 95482

Period Ending:

9/15/2015

Payment due by the 15th of next month

In Reference To: CLIENT CODE: MENDO-01

	<u>Hours</u>	<u>Amount</u>
Total Professional Hours Per Representation Agreement, flat fee of \$500/month.	0.00	\$500.00
Previous balance		\$500.00
 <u>Payments and Credit Activity</u>		
9/15/2015 Payment - Thank You. Check No. 1076		(\$500.00)
Total payments and adjustments		(\$500.00)
TOTAL BALANCE NOW DUE		<u><u>\$500.00</u></u>

Please make your check for this bill payable to P. SCOTT BROWNE, ATTORNEY. Please write the CLIENT CODE shown on this statement on your check to insure proper credit. Thank you!

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: Monthly Financial Report

Application Revenues:

Payments received in September for Application Deposits:
9/10/15 City of Ukiah, SOI Reduction \$ 20,000 (additional deposit)

Note: At Treasurer's direction, application revenues are being tracked separately, as they are not budgeted expenses, but reimbursable fees paid by applicants on separate cost recovery track.

Budgeted Expenses:

Attached is the updated budget track form with budget items, account numbers, and amounts for FY 2015-16 through September 2015. The September claims are also itemized in Agenda Item 2.

Petty Cash:

None in September 2015

(Note: Petty cash expenses allocated in budget track at time of expenditure)

Attachments: Budget Track Spreadsheet

**Mendocino Local Agency Formation Commission
FY 2015-16 Budget Track - Through September 2015**

Task	Account #s	FY 15-16 Budget/Deps	July	August	Sept.	Year to Date	Remaining Budget*
Contract Services - Basic Services		\$59,000.00					
Basic Services - EO/Analyst/GIS	5500	\$41,000.00	\$5,213.00	\$4,819.00	\$4,270.00	\$14,302.00	\$26,698.00
Basic Services - Clerk	5500	\$18,000.00	\$1,216.25	\$1,837.50	\$1,251.25	\$4,305.00	\$13,695.00
Other Expenses		\$46,235.00					
Rent	5501-5503	\$4,860.00	\$405.00	\$405.00	\$405.00	\$1,215.00	\$3,645.00
Office Expenses (postage, copying, petty cash replenishment) EST	5600-5607	\$2,800.00	\$254.14	\$44.09	\$150.00	\$448.23	\$2,351.77
Internet & Website Costs	5700-5703	\$1,056.00				\$0.00	\$1,056.00
Publication & Legal Notices	5900	\$3,100.00		\$261.45		\$261.45	\$2,838.55
Televising Meetings	6000	\$2,112.00	\$380.00	\$250.00		\$630.00	\$1,482.00
Audit Services	6100	\$3,000.00				\$0.00	\$3,000.00
Bookkeeping (Other)	6200-6203	\$4,100.00	\$416.00	\$416.00	\$520.00	\$1,352.00	\$2,748.00
Legal Counsel (S Browne)	6300	\$6,000.00	\$500.00	\$500.00	\$500.00	\$1,500.00	\$4,500.00
A-87 Insurance Costs	6400	\$3,000.00				\$0.00	\$3,000.00
Insurance General Liability	6500	\$1,200.00				\$0.00	\$1,200.00
Memberships (CALAFCO)	6600	\$2,100.00				\$0.00	\$2,100.00
In-County Travel	6740	\$4,300.00				\$0.00	\$4,300.00
Travel & Lodging Expenses	6750	\$5,000.00			\$1,307.08	\$1,307.08	\$3,692.92
Conferences (CALAFCO)	6800	\$3,000.00	\$1,796.00			\$1,796.00	\$1,204.00
Training	9000	\$12,000.00					\$12,000.00
MSR & SOI Updates		\$34,000.00					
MSR Reviews - Admin	7001	\$5,000.00				\$0.00	\$5,000.00
SOI Updates	7501	\$29,000.00	\$5,457.00	\$4,930.00	\$4,350.00	\$14,737.00	\$14,263.00
FY 2013-14 MSRs Finalization		\$6,300 + Expenses					
Barraco & Associates **	7000	\$6,300.00				\$0.00	\$6,300.00
FY 2013-14 Final MSRs Exp.	7000					\$0.00	\$0.00
Monthly/ Year to Date Totals			\$16,564.39	\$13,749.04	\$12,753.33	\$43,066.76	

** Amount reflects balance from prior year contract

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: Bruce Baracco, Former Executive Officer
SUBJECT: **CONTINUED Public Hearing** for Mendocino County Fire Protection Districts
(Part 2, 4 Districts) Municipal Service Review (LAFCo File M-2012-06)

This is a CONTINUED public hearing for which notices were posted and published for the Mendocino County Fire Protection Districts Municipal Service Review (MSR) as required by Mendocino LAFCo Policies and Procedures Chapter IV, Section B.

At the September meeting, a status report was provided (see attachment). As such, annotated MSRs specific to the following fire protection districts (Part 2) may be submitted prior to the meeting:

Potter Valley Community Services District
Redwood Valley-Calpella Fire Protection District
Mendocino Fire Protection District
Albion-Little River Fire Protection District

The purpose of the public hearing today is to: hear further presentation from LAFCo staff; entertain comments and questions; and following completion of the hearing, consider a motion to approve the final MSRs for the aforementioned districts.

Copies of the public review draft MSR to be distributed to Commissioners and to the Fire Districts by Baracco & Associates.


A Public Hearing will also be scheduled for Part 3 (Comptche, Elk, Piercy, South Coast and Westport) after part 2 is completed.

Attachment: September 14, 2015 memo from Bruce Baracco on Fire District MSR Status

Baracco and Associates
PO Box 401 Sutter Creek CA 95685

September 14, 2015

MEMORANDUM

TO: Mendocino Local Agency Formation Commission
FROM: Bruce Baracco, Principal Planner 
SUBJECT: Fire District MSR Status

Following is the current status of the remaining Fire District Municipal Service Review chapters:

Potter Valley Community Services District

Admin Draft MSR comments received from District and Commissioner Brown on July 30.
District Audit received on August 7
District boundary issue not yet resolved
Public Review Draft MSR on hold pending resolution of District boundary

Redwood Valley-Calpella Fire Protection District

Admin Draft MSR comments received from Commissioner Brown on August 1
Casino Agreements received on August 5
District Audit received on August 5
Public Review Draft to be issued pending resolution of 'exceptions' within the District boundary

Mendocino Fire Protection District

Admin Draft comments received from Commissioner Hamburg on July 30
District Audit received on August 8
Public Review Draft to be issued pending receipt of District comments

Albion-Little River Fire Protection District

Admin Draft comments received from the District on August 25, August 30 and September 6
District Audit received on August 5
Public Review Draft to be issued this week

Comptche Community Services District

District Audit received August 26
Admin Draft to be issued next week

Elk Community Services District

District Audit received on September 9
Admin Draft to be issued in two weeks

Piercy Fire Protection District

Awaiting receipt of District Audit
Preliminary Draft prepared

South Coast Fire Protection District

Awaiting receipt of District Audit
Preliminary Draft prepared

Westport Volunteer Fire Department

Awaiting receipt of updated information

* * * *

MENDOCINO
Local Agency Formation Commission
Staff Report

DATE: October 5, 2015

TO: Mendocino Local Agency Formation Commission

FROM: Colette Metz, Analyst and Sarah West, Services Specialist

SUBJECT: **CONTINUED Public Hearing** for Sphere of Influence Updates

This is a CONTINUED public hearing to consider Sphere of Influence (SOI) Updates for the following agencies:

City of Point Arena
Elk County Water District
Caspar South Water District

At the September meeting, public hearings were held on the draft SOI Updates for Commission review and possible action. These three hearings were continued to the October meeting, with comments and revisions made in track changes. Staff recommends the Commission review and consider approving the Sphere of Influence Updates by resolution.

City of Point Arena SOI Update (Resolution No. 15-16-03)

The Point Arena City Council received a Draft SOI Update presentation from the Executive Officer at their July meeting and reviewed the document at their August meeting. City Council comments were provided on the proposed SOI boundary. In the City's General Plan, there are several sphere areas identified that encompass a much larger area of the Pacific Ocean and the Stornetta Lands, now part of the Coastal National Monument. The proposed SOI boundary includes the portion of Point Arena Cove closest to the pier, where services would most likely be provided. This document has also been updated for SOI Update template consistency, which was reviewed by the Commission in September.

Elk County Water District SOI Update (Resolution No. 15-16-04)

The Elk County Water District General Manager and Board President reviewed the Draft SOI Update prior to the workshop held in August. The Draft SOI Update was reviewed again by other Board Members prior to the public hearing held in September. District comments are reflected in the final draft included for the October meeting. The Board expressed interest in future annexation of lands proposed for the SOI. This SOI has been updated for SOI Update template consistency.

Caspar South Water District SOI Update (Resolution No. 15-16-05)

The Water District Board has been provided with the Draft SOI Update. The District indicated that no services are provided outside the district boundary. As such, a coterminous sphere is proposed. This document has been updated for consistency with the SOI Update template.

Attachments: Draft SOI Updates
Resolutions

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

CITY OF POINT ARENA
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Final Draft

Commission Review

Draft Workshop- August 3, 2015

Draft Hearing- September 14, 2015 and October 5, 2015

Final Adoption- DATE

Table of Contents

INTRODUCTION	4
OVERVIEW	4
REVIEW PERIOD	4
EVALUATION CONSIDERATIONS	4
General Guidelines for Determining Spheres of Influence	5
FIGURE 1	6
OVERVIEW	7
CURRENT AGENCY OPERATIONS	7
BACKGROUND	7
MUNICIPAL SERVICE REVIEW	7
SPHERE OF INFLUENCE	7
Point Arena General Plan	7
Urban Limit Line	8
DISADVANTAGED UNINCORPORATED COMMUNITIES	9
CURRENT AND PROJECTED POPULATION	9
Population and Growth	9
Existing and Projected Population	9
Projected Growth and Development	10
CAPACITY AND SERVICE	10
Wastewater	10
Stormwater	11
Street Maintenance	11
Parks and Recreation	11
Harbor Operations	12
Relevant Local Agencies and Communities of Interest	12
RELEVANT PLANNING AND SERVICE FACTORS	12
County of Mendocino General Plan- Development Element (DE)	12
DISCUSSION	13
ANALYSIS	13
1.) Present and Planned Land Use Determination	13
2.) Present and Probable Need for Public Facilities and Services Determination	14
3.) Present Capacity of Facilities and Adequacy of Public Services Determination	14
4.) Social and Economic Communities of Interest Determination	14
5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination	14
PRIMARY SERVICE AREA	14
Present and Planned Land Use	14
Present and Probable Need for Public Facilities and Services	15
Present Capacity of Facilities and Adequacy of Public Services	15
Social and Economic Communities of Interest	15
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities	16
OUT-OF-DISTRICT SERVICE AREA	16
Present and Planned Land Use	16
Present and Probable Need for Public Facilities and Services	16
Present Capacity of Facilities and Adequacy of Public Services	17

CITY OF POINT ARENA SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

Social and Economic Communities of Interest..... 17
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated
Communities..... 17
RECOMMENDATIONS 17
REFERENCES..... 18

DRAFT

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend establishment of an appropriate City of Point Arena (Point Arena or City) Sphere of Influence (SOI). The objective is to establish Point Arena’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Point Arena’s Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the City.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

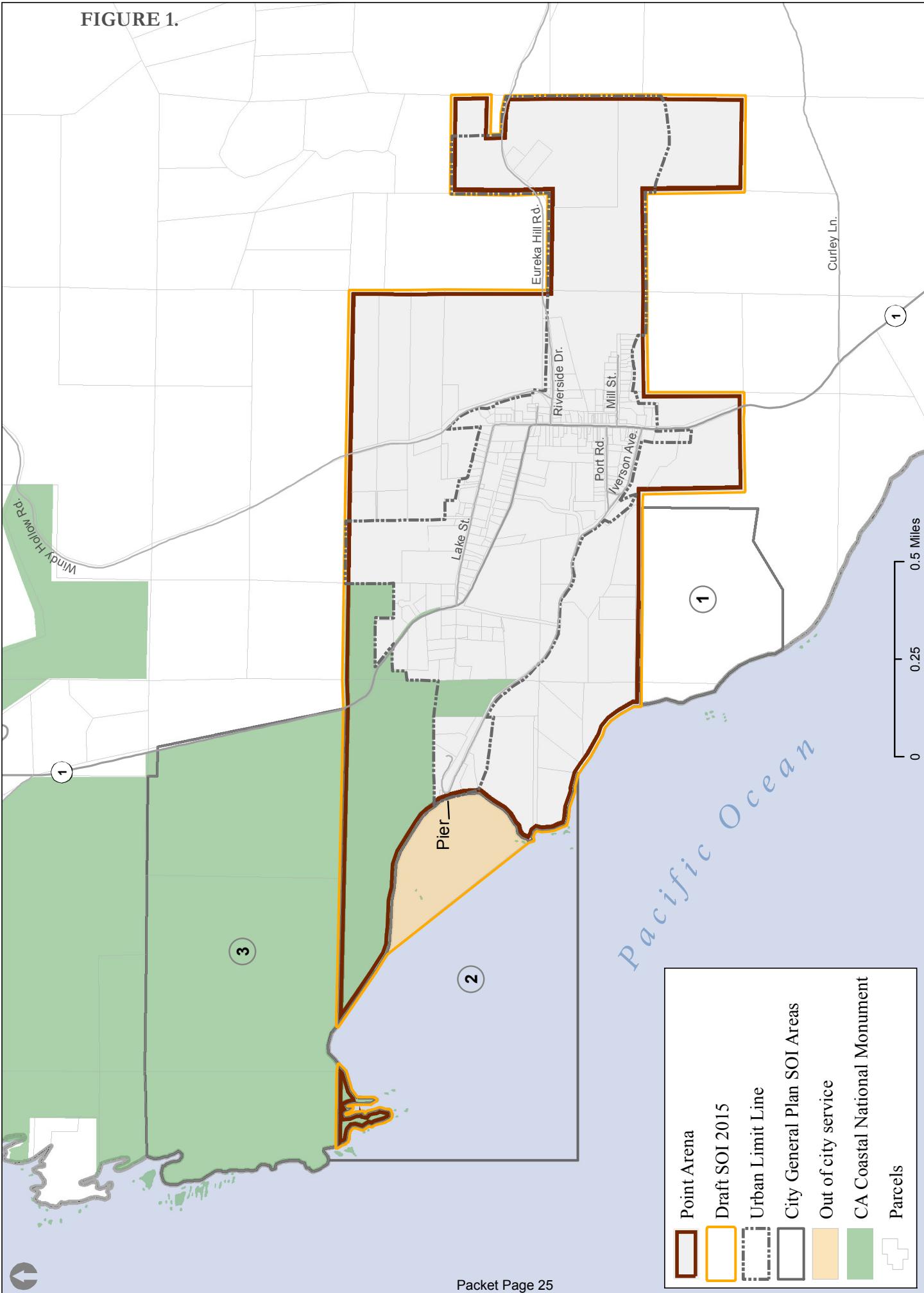
Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants":

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.

FIGURE 1.



- Point Arena
- Draft SOI 2015
- Urban Limit Line
- City General Plan SOI Areas
- Out of city service
- CA Coastal National Monument
- Parcels

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by:

*City General Plan SOI areas are numbered as referenced in attached document.

Point Arena Sphere of Influence

Data Sources: Parcels - Mendocino County; Roads: Census TIGER/Line; SOI - Planwest Partners
 Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Point_Arena\Point_Arena_SOI.mxd

Date: 9/29/2015

OVERVIEW

The Primary Service Area of this update is the same as the City of Point Arena boundary. The City operates harbor and pier facilities on and adjacent to the City of Point Arena boundary, known herein as the Out of City Service Area. See Figure 1.

CURRENT AGENCY OPERATIONS

The City of Point Arena (Point Area/City) is a direct provider of: administrative services; wastewater collection, treatment and disposal; street and drainage maintenance; and park maintenance. It also operates harbor and pier facilities. Point Arena contracts with other service providers for other City services such as police and fire protection. The City Council has five members elected at large to four-year terms ([MSR 2015](#)).

BACKGROUND

Point Area incorporated on July 11, 1908, and is a General Law City with a City Council-City Manager form of government. It lies in the southwest portion of Mendocino County, bordered to the west by the Pacific Ocean. The City has a land area of 1.35 square mile (864 acres) with no unincorporated islands ([MSR 2015](#)).

The most recent change to Point Arena's boundary was the "Hays Annexation" which added 156 acres, is zoned for a variety of uses, and is located to the east of the then existing City. LAFCo and the California Coastal Commission approved and completed the annexation in 1990. The annexation area is partially developed, and includes the Point Arena Water Works facility. No subsequent actions relating to Point Arena annexations, detachments, or boundaries have been taken since ([MSR 2015](#)).

MUNICIPAL SERVICE REVIEW

[A Municipal Service Review \(MSR\) was conducted for the City of Point Arena which was adopted by the LAFCo Commission on February 2, 2015. A MSR is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Point Arena MSR.](#)

SPHERE OF INFLUENCE

Point Arena's SOI was modified in 1997 when the Redwood Coast Fire Protection District was formed and fire protection was no longer a City service. The current City SOI is considered to be coterminous with its boundaries ([MSR 2015](#)).

Point Arena General Plan

The City's 1995 General Plan describes a Sphere of Influence with three areas added to the Sphere: 1) southwest corner along the coast between the current City Limits and High Bluff; 2) the Arena Cove area extending west into the Pacific Ocean; and 3) an area on the northwest corner that includes the Point Arena Lighthouse. (Figure 1). There is nothing in the LAFCo files to indicate past LAFCo consideration of these areas for inclusion in the City SOI.

The General Plan provides some insight as to why the City designated these spheres. The Arena Cove area is described in the General Plan as follows:

“To better serve the public interest the City shall research the possibility of annexing submerged lands totaling all water area within sight of the Pier running from the south point to the farthest north point in Arena Cove. The annexation will connect existing City boundaries from south to north on the City’s western boundary. The City finds that annexation of this territory will improve protection of this natural resource, improve management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove. This annexation is recommended by the State Lands Commission, which agency’s approval is required prior to the annexation taking effect. All proposed development on any submerged lands, tidelands, or on public trust lands in the Cove, whether filled or unfilled, shall obtain a coastal development permit from the Coastal Commission.”

The pier and harbor facilities do not appear to be within City limits. Management of harbor facilities and activities extend out into Arena Cove. As such, the Cove receives out of city services.

No rationale is provided in the General Plan for adding the southwest corner (Area 1) to the Sphere. This region is designated as Rangeland¹ and does not receive any City services. With respect to the Sphere addition on the northwest corner, this area is now part of the Point Arena-Stornetta Unit added to the California Coastal National Monument and managed by the U.S. Bureau of Land Management.

Urban Limit Line

Point Arena’s 1995 General Plan created an “Urban Limit Line,” which is less than the City Limits (Figure 1). As indicated in the [2014 2015](#) Municipal Service Review, it is not known what regulatory or statutory requirements apply to this line, if any, as an explicit definition is not discussed in the General Plan. Some insight is provided in line references in the General Plan:

- The Community Character Element Goal #4, which is to “Preserve Open Spaces, Natural Resources, Coastal Assets and Environmental Quality.”, states that for “county areas adjoining Point Arena and outside the "urban limit line" every effort shall be made to work with the county to keep agriculture lands viable and as long as possible to ensure their preservation”.
- The General Plan’s Land Use Element Land Use Goal #1 is to “accommodate future urban- type development within the city’s ‘urban limit line’”.
- Section 4, Item 4, within the Community Character Element, cites that the most significant opportunities are the potentials that exist, including “Capturing’ an increased demand for consumer goods and services because of new houses being built and occupied within rural areas outside the urban limit line of Point Arena”.
- The Health & Safety Element’s Sewage Collection & Disposal Policy #7.3 states that “no sewer service may be extended to lands zoned Agriculture Exclusive-AE or to areas outside the ‘urban limitline’”.

¹ All land use designation information from Mendocino County GIS Parcel Information Layer. October, 2014.

These references indicate that urban growth and its necessary services are encouraged within the Urban Limit Line and discouraged external to it. It is also clear that sewer services provided by the City should not extend outside of the line. It remains unclear how the Line impacts other City services such as recreation and stormwater, thus making a revised SOI coterminous with the Urban Limit Line infeasible.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters where the median household income is less than 80 percent of the statewide median household income. Within a DUC, three basic services are evaluated: water supply, sewage disposal, and structural fire protection.

For the City of Point Arena, one of the three basic services – sewer service – is provided by the City. However, no sewer service is currently provided outside the City Limits. The City does not provide water service or structural fire protection, and is therefore not responsible for assuring that these services are adequately provided to the community ([MSR 2015](#)).

The median household income for Point Arena is \$28,229, which is less than 80 percent (46%) of the statewide median household income of \$61,632. On this basis, it is assumed that developed areas adjacent to the City will be in this same income range, and therefore may qualify as DUCs. Should future annexations to the City be proposed, consideration will need to be given for any DUC's affected by the annexation ([MSR 2015](#)).

The Out of City Service Area does not qualify as a DUC since there are no residences within it, and therefore services to the area will not be evaluated in these terms.

CURRENT AND PROJECTED POPULATION

Population and Growth

The City's total land area is approximately 1.35 square miles (864 acres). Point Arena is predominately composed of single-family residential development, with very small areas of multi-family residential, commercial, civic, and religious land uses. City parks, recreation areas, open space, trails, and schools comprise the remaining land uses ([MSR 2015](#)).

As of January 2014, the State Department of Finance (DOF) estimates that there are 226 dwelling units in the City, of which 156 (69%) are single-family units, 45 (20%) are multi-family units and 25 (11%) are mobile homes. The current vacancy rate in the City is 14.6% ([MSR 2015](#)).

On March 11, 2014, President Obama signed a proclamation adding 1,665 acres of the Stornetta Ranch to the California Coastal National Monument. A portion of this preserve is within the City Limits and will remain as open space ([MSR 2015](#)).

Existing and Projected Population

According to the state DOF, the City of Point Arena has a population of approximately 445 as of January 2014. Since 2000, the population has declined by 29 residents or 6.5%. This is attributed to

an aging population and out-migration. Point Arena is the 476th largest city in California (out of 482 cities total); or perhaps more properly stated, the 7th smallest city in California ([MSR 2015](#)).

The Point Arena Housing Element, which was adopted in August 2012, estimated a project population of 558 in 2020, which would be an increase of 25%. However this estimate was calculated by projecting DOF overall population projections for Mendocino County proportionately for the City of Point Arena ([MSR 2015](#)).

Projected Growth and Development

The current City General Plan/Local Coastal Plan was adopted by the City Council in January 1995 and revised in 2001 and 2006. The General Plan community vision statement calls for a potential growth scenario of 3,000 residents. However, the 2006 Wastewater System Study estimated a population of 1,350 due to development constraints (topography, access, municipal services) and existing development patterns. This number is also consistent with the residential development potential presented in the General Plan (694 dwelling units at the current City average of 2.35 persons per dwelling unit) of 1,630 persons and allowing for fewer dwelling units due to development constraints. This would still triple the number of housing units within the City ([MSR 2015](#)).

A housing survey, conducted in 2006, found that the City of Point Arena has 116 potential dwelling units on undeveloped land, and 262 potential residential lots on underdeveloped lots. Given that the City issued approximately eight residential building permits from 2000 to 2014, and the City's population actually decreased by 25 persons between the 2000 and 2010 Census, the current stock of developable land will meet the City's needs for the foreseeable future ([MSR 2015](#)).

CAPACITY AND SERVICE

Wastewater

For the City of Point Arena, one of the three basic services – sewer service – is provided by the City. Sewer service is not currently provided outside the Primary Service Area.

The City operates and maintains a Wastewater Reclamation Facility (treatment plant); approximately 11,000 lineal feet of 6-inch diameter sewage collection mains; one pump (lift) station; and four 17,000 square foot percolation ponds. The treatment facility is designed to provide secondary treatment for up to 0.13 million gallons of wastewater per day (mgd), average dry weather flow and is well within capacity. It currently treats an average of 0.0383 mgd, dry weather flow; and 0.0797 mgd, wet weather flow. Improvement recommendations were made in a 2006 sewer system analysis by Coastland Engineering, and include replacing specific line segments, repairing laterals and manholes to reduce inflow and infiltration (I&I), and improvements to the treatment ponds ([MSR 2015](#)).

The wastewater system operates under waste discharge requirements of the North Coast Region, California Regional Water Quality Control Board and Monitoring and Reporting Program No. R1-2003-001. Treatment consists of two aerated ponds which operate in series, followed by disinfection prior to discharge to the percolation ponds. Pumps transport the chlorinated effluent via an 8-inch force main 3,400 feet to the ponds. The ponds have sufficient capacity during most of the year. However, during major wet weather events, the ponds are unable to keep up with effluent flows and

a 20-acre pasture is utilized for treated effluent spray irrigation. The pasture is located on the bluff adjacent to the percolation ponds [\(MSR 2015\)](#).

The Sewer Enterprise Fund operated at a deficit for FY 12-13, when expenditures exceeded revenues by \$61,178. Budget documents do not identify a Capital Improvement Program (CIP) related to wastewater services; however, the City is preparing a rate analysis which will identify infrastructure improvements, as well as future operating costs [\(MSR 2015\)](#).

Stormwater

For the most part, stormwater drainage within the City flows across hilly topography to naturally occurring swales which drain to Arena Creek and Hathaway Creek. These creek channels flow directly to the Pacific Ocean. Within developed portions of the community, there are limited curb, gutter and sidewalk improvements along City streets. Drainage is primarily via roadside ditches to adjoining fields. The Public Works Department is responsible for maintaining the ditches and drainage swales [\(MSR 2015\)](#).

The Community Action Plan prepared in April 2010 identified several storm drainage improvements including modification of existing drainage patterns along Mill Street, Port Road, and Iverson Avenue; installation of curb, gutter and sidewalk on the south side of School Street, and both sides of Riverside Drive/Eureka Hill Road. It does not appear that the City has been able to construct any storm drainage capital improvements [\(MSR 2015\)](#).

Street Maintenance

There are approximately 3.3 miles of streets within the City Limits, not including State Route 1 (Main Street and School Street) which is under the jurisdiction of Caltrans. A 'Pavement Management Report' prepared in October 2012 measured the condition of local streets. On a 'Pavement Condition Index' (PCI) ranging from zero (worst) to 100 (best), City streets averaged 75.5. Streets in the poorest condition include Mill Street, Windy Hollow Road, and Riverside Drive [\(MSR 2015\)](#).

The City Public Works crew is responsible for street maintenance and repair, primarily repairing broken pavement and filling potholes. Most streets are 'historic' in nature, with minimal sub-base and lacking curbs and gutters. The City does not appear to go beyond minimal repairs, and does not perform crack sealing, chip sealing and minor overlays [\(MSR 2015\)](#).

The City receives approximately \$54,000 annually through the State Regional Surface Transportation (RSTP) program. These monies are reserved for roadway improvements. Budget documents do not identify a Capital Improvement Program (CIP) related to street maintenance or reconstruction services. Projects are identified as planning, design, and construction funds become available, currently (and into the near future) [\(MSR 2015\)](#).

Parks and Recreation

There are three parks in the City, one of which, Rockwall Park, was acquired in 2011 and is mostly undeveloped. The Arena Cove and Pier serves as a recreation area and hosts large community events such as the Fireworks Extravaganza and Street Fair in July, and Harbor Fest in September. Centennial Plaza and Fisherman's Playground is located downtown adjacent to the Arena Theater. This park hosts a seasonal Farmer's Market in the summer months [\(MSR 2015\)](#).

The City Council has recently funded a “Trails, Open Space and Parks” strategic planning process in the community with the primary goal to develop linkages within Point Arena, as well as to the Stornetta Natural Preserve lands north of the City. The planning process will identify capital improvement needs and potential financing for the improvements [\(MSR 2015\)](#).

The Public Works crew is responsible for maintenance and upkeep of these park areas.

Harbor Operations

Facilities at the Harbor include a 330-foot long fishing pier with boat launch and hoist facility, parking area for vehicles and boat trailers, restrooms, showers, picnic tables, and fish cleaning stations. Parking is free and fishing from the pier does not require a fishing license. A small local fishing fleet operates out of the harbor and brings in salmon, crab, sea urchin, and other seafood for purchase. Other activities at the harbor include wildlife viewing, kayaking, abalone diving, surfing, and launching of pleasure boats [\(MSR 2015\)](#).

Harbor operations are under the direction of the Harbor Supervisor, with assistance from a Pier Attendant. In Fiscal Year 2013-2014, railing, ladder, and hoist improvements were made to the Arena Cove pier. Future capital improvements will include re-surfacing the pier deck, installation of ladder and rail replacements, and new hoists [\(MSR 2015\)](#).

Relevant Local Agencies and Communities of Interest

The City currently enjoys service efficiencies and shared service agreements with other agencies and service providers for water service, fire protection service, law enforcement services and State Highway 1. Water service is provided by the Point Arena Water Works; fire protection services are provided by the Redwood Coast Fire Protection District; police protection services are provided by the Mendocino County Sheriff’s Office; Pacific Coast Disposal supplies solid waste services and recycling. No opportunities for shared facilities with other agencies have been identified [\(MSR 2015\)](#).

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

DISCUSSION

As discussed above, the City's established SOI is coterminous with City limits according to LAFCo records. The Point Arena General Plan identifies three areas that the City considers to within their Sphere of Influence (reference Figure 1). Area 1 is designated as range lands and is external to the City's Urban Limit Line, therefore staff finds that this Area should not be included in this SOI Update. Area 2 covers a large swath of ocean external to City boundaries and portions of the Coastal National Monument. The City's pier and harbor facilities are within Area 2 and Point Arena expressed that inclusion of this territory into the SOI will improve natural resource protection, management of the harbor facilities and activities, foster enforcement through City ordinances and by City personnel within the cove. Therefore staff finds that inclusion of the cove in the SOI is warranted given City facilities and activities occur within it (see Figure 1). However, the portion of territory external to the cove is not warranted for inclusion. The third Area identified entirely covers the California Coastal National Monument and is not appropriate for inclusion within this SOI Update.

ANALYSIS

1.) Present and Planned Land Use Determination

The City's current land use policies and designations, coupled with the Urban Limit Line lessen the potential for new development within City limits. The Out of City Service Area is not within City or County boundaries and does not have a designated land use beyond inclusion in the City General Plan SOI.

2.) Present and Probable Need for Public Facilities and Services Determination

The need for wastewater services currently provided by the City is expected to continue into the foreseeable future, with a possible expected growth of approximately 30 people. Inclusion of the Out of City Service Area into the City SOI will improve protection of natural resources, advance management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove.

3.) Present Capacity of Facilities and Adequacy of Public Services Determination

The District has adequate infrastructure and capacity to continue providing City services, including wastewater service. Based off of information provided in the 2015 MSR, the City appears to be providing adequate services to the Area, and has demonstrated a capability to continue to do so.

4.) Social and Economic Communities of Interest Determination

The City has substantive ties to the Out of City Service Area, since it maintains facilities and regulates activities within the Area.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination

The City provides wastewater service, and is therefore responsible for ensuring that these services are adequately provided to the community. The developed areas adjacent to the City are assumed likely qualify as DUCs. Should future annexations to the City be proposed, consideration will need to be given for any DUC's affected by the annexation. The Out of City Service Area does not qualify as a DUC.

~~PRIMARY SERVICE AREA~~

~~The Primary Service Area contains the area within the City of Point Arena city limits.~~

~~Present and Planned Land Use~~

~~The City's total land area is approximately 1.35 square miles and is predominately composed of single-family residential development, with very small areas of multi-family residential, commercial, civic, and religious land uses. City parks, recreation areas, open space, trails, and schools comprise the remaining land uses. On March 11, 2014, President Obama signed a proclamation adding 1,665 acres of the Stornetta Ranch to the California Coastal National Monument. A portion of this preserve is within the City Limits and will remain as open space.~~

~~Within the City limits Point Arena's 1995 General Plan created an "Urban Limit Line," which is less than the City Limits (Figure 1). As indicated in the 2014 Municipal Service Review, it is not known what regulatory or statutory requirements apply to this line, if any, as an explicit definition is not discussed in the General Plan. Though nebulous, some insight is provided in various references to the Line in the General Plan which indicate that urban growth and its necessary services are encouraged within the Urban Limit Line and discouraged external to it. It is also clear that sewer services provided by the City should not extend outside of the line. It remains unclear how the Line impacts other City services such as recreation and stormwater, thus making a revised SOI coterminous with the Urban Limit Line infeasible.~~

~~**Determination 1A:** The City's current land use policies and designations, coupled with the Urban Limit Line limit the potential for new development within City limits.~~

~~**Present and Probable Need for Public Facilities and Services**~~

~~As of January 2014, the estimated population of Point Arena was 445. Since 2000, the population of Point Arena has declined by 29 residents or 6.5%. Based on State Department of Finance (DOF) growth projections, the population of Point Arena is anticipated to be 558 by 2020, which is an increase of 113 persons or 25.4%. More likely is a steady state or slight increase in population to 473 by 2020, based on the historical average of two new dwelling units constructed per year between 1990 and 2010.~~

~~**Determination 2A:** The need for wastewater services currently provided by the City is expected to continue into the foreseeable future, with a possible expected growth of approximately 30 people.~~

~~**Present Capacity of Facilities and Adequacy of Public Services**~~

~~Based on the reported wastewater services in the 2014 MSR, Point Arena has sufficient treatment capacity to meet customer needs now, and into the future. Storage pond capacity needs improvement but appears presently satisfactory. Wastewater services has not developed a capital improvement plan, and recent years have seen a deficit, which brings to question financial viability, but does not yet appear to be a major issue. It should be noted, that as a whole, the City reported that it's financing was generally adequate to deliver services and that no wastewater capacity limitations that would prevent the City from providing expanded services.~~

~~Other services provided by the District include administration, recreation, stormwater, and harbor services. As discussed in the above section, management and service in each of these areas appears to be adequate.~~

~~Water service is provided to the community by the Point Arena Water Works and fire protection services are provided by the Redwood Coast Fire Protection District.~~

~~**Determination 3A:** The District has adequate infrastructure and capacity to continue providing City services, including wastewater service.~~

~~**Social and Economic Communities of Interest**~~

~~Though rural, the City is within proximity to other communities and special districts. About five miles to the north along the California Highway 1 lies the census designated community of Manchester. Ten miles to the south along the same highway sits the census designated community of Anchor Bay, with the unincorporated community of Gualala further south. Thirty miles to the east along mountainous roads is Booneville. As discussed above, the Redwood Coast Fire Protection District shares the same service area and provides fire protection services. No other communities of interest or special districts are in close enough proximity for consideration.~~

~~**Determination 4A:** The City is very distinct and separate from other communities and special districts. Distance, limited infrastructure, and mountainous terrain preclude expanding services to nearby communities.~~

~~Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities~~

~~LAFCo is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters where the median household income is less than 80 percent of the statewide median household income. Within a DUC, three basic services are evaluated: water supply, sewage disposal, and structural fire protection.~~

~~For the City of Point Arena, one of the three basic services—sewer service—is provided by the City. However, no sewer service is currently provided outside the City Limits. The City does not provide water service or structural fire protection, and is therefore not responsible for assuring that these services are adequately provided to the community.~~

~~The median household income for Point Arena is \$28,229, which is less than 80 percent (46%) of the statewide median household income of \$61,632. On this basis, it is assumed that developed areas adjacent to the City will be in this same income range, and therefore may qualify as DUCs. Should future annexations to the City be proposed, consideration will need to be given for any DUC's affected by the annexation.~~

~~**Determination 5A:** The City provides wastewater service, and is therefore responsible for ensuring that these services are adequately provided to the community. The developed areas adjacent to the City are assumed likely qualify as DUCs. Should future annexations to the City be proposed, consideration will need to be given for any DUC's affected by the annexation.~~

~~OUT OF DISTRICT SERVICE AREA~~

~~The Out of City Service Area lies to the west of Point Arena in Arena Cove, which is a part of the Pacific Ocean. Point Arena provides harbor services and maintains a pier that extends outside the City limits and into the Cove. Known herein as the Out of City Service Area, it receives harbor services only.~~

~~Present and Planned Land Use~~

~~The Out of City Service Area is not within City or County boundaries. The City designated this region as a part of its SOI, as stated in the above discussed City General Plan. Submerged lands totaling all water area within sight of the Pier running from the south point to the farthest north point in Arena Cove are considered by the City to be relevant to pier activities, management and regulation. Beyond the pier and related watercraft infrastructure, the Area is entirely water. Uses in the Cove likely include maritime activities, commercial fishing, and recreational uses such as kayaking.~~

~~**Determination 1B:** The Out of City Service Area is not within City or County boundaries and does not have a designated land use beyond inclusion in the City General Plan SOI.~~

~~Present and Probable Need for Public Facilities and Services~~

~~As discussed above, the City sets forth the need for service in the Arena Cove in the General Plan. They find that inclusion of this territory will improve protection of natural resources, improve~~

~~management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove.~~

~~**Determination 2B:** Inclusion of the Out of City Service Area into the City SOI will improve protection of natural resources, advance management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove.~~

~~Present Capacity of Facilities and Adequacy of Public Services~~

~~Presently the City provides management, maintenance, and regulation of the pier and surrounding region. Based off of information provided in the 2014 MSR, the City appears to be providing adequate services to the Area and has demonstrated a capability to continue to do so.~~

~~**Determination 3B:** Based off of information provided in the 2014 MSR, the City appears to be providing adequate services to the Area, and has demonstrated a capability to continue to do so.~~

~~Social and Economic Communities of Interest~~

~~The Out of City Service Area is fairly isolated from other communities and special districts. Located on the western side of Point Arena, the community of Point Arena itself is the closest community. As discussed above, the City has substantive ties to the Area, since it maintains facilities and regulates activities within the Out of City Service Area.~~

~~**Determination 4B:** The City has substantive ties to the Area, since it maintains facilities and regulates activities within the Out of City Service Area.~~

~~Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities~~

~~LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection.~~

~~This Area does not qualify as a DUC since there are no residences within it, and therefore services to the area will not be evaluated in these terms.~~

~~**Determination 5B:** The Out of City Service Area does not qualify as a DUC.~~

RECOMMENDATIONS

The recommended SOI would be the City limits and the Point Arena Cove Area as shown on Figure 1. The remainder of sphere areas shown in the Point Arena General Plan are not proposed to be included in this update. In making this recommendation, the following text excerpted from the Local Coastal Plan (LCP) amendment for the current general plan:

We gain some insight into the City's intent in readying the General Plan's Community Character Element Goal #4, which is to "Preserve Open Spaces, Natural Resources, Coastal Assets and Environmental Quality." This Goal further states that for "county areas adjoining Point Arena and outside the "urban limit line" every effort shall be made to work with the county to keep agriculture lands viable and as long as possible to ensure their preservation."

REFERENCES

Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.

Mendocino Local Agency Formation Commission, *Municipal Service Review for the City of Point Area*, February 2015.

Point Arena, City of. 1995 City General Plan. The current City General Plan/Local Coastal Plan was adopted by the City Council in January 1995 and revised in 2001 and 2006.

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-03

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE CITY OF POINT ARENA SPHERE OF INFLUENCE UPDATE 2015**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the City of Point Arena’s sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the sphere of influence update on September 14, 2015 and continued to October 5, 2015; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been appropriately informed by the Commission’s earlier municipal service review on the City of Point Arena, accepted by the Commission on February 2, 2015.
2. The Commission, as Lead Agency, finds the update to the City of Point Arena’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. This sphere of influence update is assigned the following distinctive short-term designation: “City of Point Arena Sphere of Influence Update 2015”
4. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the City of Point Arena Sphere of Influence Update Report, incorporated by reference.
5. The Executive Officer shall revise the official records of the Commission to reflect this update of the City of Point Arena’s sphere of influence.

BE IT FURTHER RESOLVED that the City of Point Arena's sphere of influence is updated as depicted in Exhibit "A".

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 5th day of October, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD SHOEMAKER, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

**ELK COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE**

Prepared in accordance with Government Code §56425

Final Draft

Commission Review

Administrative Draft Workshop- August 3, 2015

Draft Hearing- September 14, 2015 and October 5, 2015

Final Adoption- DATE

Table of Contents

INTRODUCTION	4
OVERVIEW	4
REVIEW PERIOD	4
EVALUATION CONSIDERATIONS	4
General Guidelines for Determining Spheres of Influence	5
FIGURE 1	6
OVERVIEW	7
CURRENT AGENCY OPERATIONS	7
BACKGROUND	7
MUNICIPAL SERVICE REVIEW	7
SPHERE OF INFLUENCE	7
DISADVANTAGED UNINCORPORATED COMMUNITIES	8
CURRENT AND PROJECTED POPULATION	8
Population and Growth	8
Projected Growth and Development	9
CAPACITY AND SERVICE	10
Infrastructure	10
Water Supply	10
Relevant Local Agencies and Communities of Interest	10
RELEVANT PLANNING AND SERVICE FACTORS	11
County of Mendocino General Plan- Development Element (DE)	11
DISCUSSION	12
ANALYSIS	12
Present and Planned Land Use	12
Present and Probable Need for Public Facilities and Services Determination	12
Present Capacity of Facilities and Adequacy of Public Services Determination	12
Social and Economic Communities of Interest Determination	13
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination	13
DISTRICT BOUNDARY AREA	13
Present and Planned Land Use	13
Present and Probable Need for Public Facilities and Services	13
Present Capacity of Facilities and Adequacy of Public Services	14
Social and Economic Communities of Interest	14
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities	14
OUT OF DISTRICT SERVICE AREA 1	15
Present and Planned Land Use	15
Present and Probable Need for Public Facilities and Services	15
Present Capacity of Facilities and Adequacy of Public Services	15
Social and Economic Communities of Interest	15
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities	16
OUT OF DISTRICT SERVICE AREA 2	16
Present and Planned Land Use	16
Present and Probable Need for Public Facilities and Services	17

ELK COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

Present Capacity of Facilities and Adequacy of Public Services..... 17
Social and Economic Communities of Interest..... 17
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated
Communities..... 17
RECOMMENDATIONS 18
REFERENCES..... 18
APPENDIX A..... 19
FIGURE 2. ELK AREA DISTRICTS MAP 19
FIGURE 3. LAND USE MAP..... 20

DRAFT

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend establishment of an appropriate Elk County Water District (ECWD or District) Sphere of Influence (SOI). The objective is to establish ECWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the ECWD’s Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

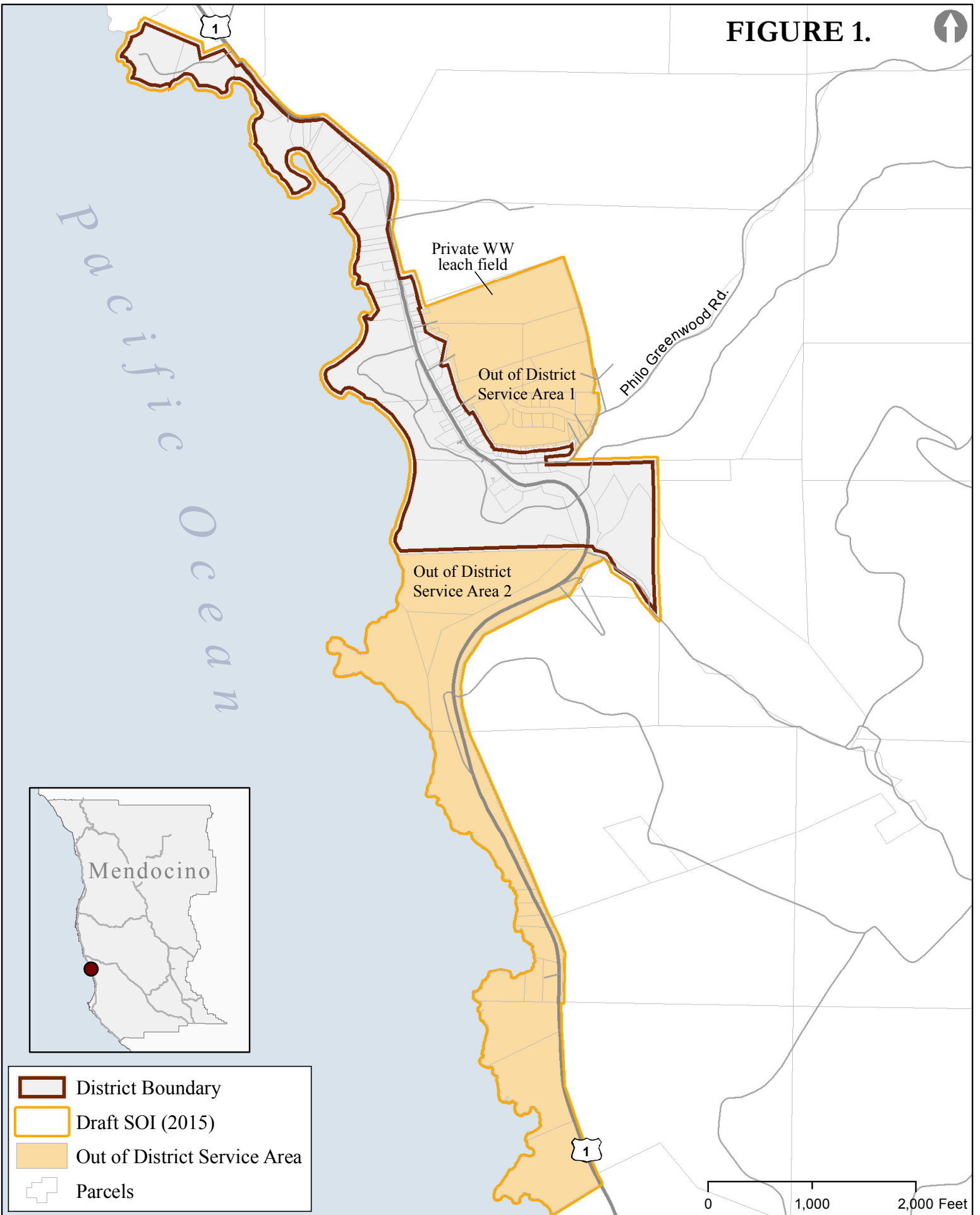
Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.





General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants".

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.

FIGURE 1.



-  District Boundary
-  Draft SOI (2015)
-  Out of District Service Area
-  Parcels

0 1,000 2,000 Feet

Elk County Water District

Packet Page 45

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 9/30/2015

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.
 Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Elk_County_Water_District.mxd

OVERVIEW

The District provides water services to the area within the ECWD as well as to areas outside of ECWD boundaries. The Primary Service Area of this update is the same as the ECWD boundary. The District provides out-of-district water services to properties outside the District boundary; these properties will be considered as two separate Out of District Service Areas within this update (See Figure 1).

Out of District Service Area 1 is east of Highway 1 and includes the Community Center and Firehouse as well as a residential subdivision along Elk Meadows Road.

Out of District Service Area 2 consists of several parcels extending approximately 1.1 miles south of the ECWD boundary along Highway 1.

CURRENT AGENCY OPERATIONS

The Elk County Water District (ECWD/District) provides water services including pumping, treatment, and distribution to 100 parcels and raw water to one parcel. ECWD also maintains a hydrant system, thereby providing fire flows for the local fire district. ECWD also has surplus water agreements and supplies surplus water for export.

BACKGROUND

On April 22, 1957 the Mendocino County Board of Supervisors issued a “Statement of Creation” which formed the ECWD under the provisions of the California Water Code, Division 12, for the primary purpose of providing water service to customers in the unincorporated community of Elk in Mendocino County. At the time of formation, there was a boundary map contained in an “Exhibit A.” However, Exhibit A was not provided to LAFCo, nor does LAFCo have archived records for ECWD. Neither LAFCo nor ECWD records show whether there have been any changes to the District boundaries since its original formation [\(MSR 2014\)](#). County staff developed a map using available GIS data for the county-wide Water and Wastewater MSR 2014, which shows the District’s current boundary as shown in Figure 1.

The District encompasses the unincorporated community of Elk, located 15 miles south of the town of Mendocino along Highway 1, in the coastal zone. ECWD’s boundaries encompass 0.2 square miles (127.7 acres). The community of Elk is the socioeconomic center of the District area and it includes a community center, Greenwood Elementary School, post office, two churches, a store, an art center, three restaurants, visitor center, several bed & breakfast inns, and residences [\(MSR 2014\)](#).

MUNICIPAL SERVICE REVIEW

[In 2014 a County-wide MSR was conducted for the county water districts, which included the Elk County Water District. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Elk County Water District MSR.](#)

SPHERE OF INFLUENCE

LAFCo and ECWD files do not contain any records of the establishment of a SOI for the District. Typically this means that the SOI is coterminous with the District boundary. ECWD provides water service to customers located outside the District boundary, but inside what the District considers to

be its “service area”. ECWD notes the existing “service area” is adequate for addressing future needs ([MSR 2014](#)).

ECWD provides out-of-area service to an area east of Highway 1, including the Community Center and Firehouse as well as one residential subdivision along Elk Meadows Road. The District also serves several parcels extending approximately 1.1 miles south of the ECWD boundary along Highway 1. In addition, the water treatment plant (WTP) and an 84,000 gallon water storage tank are located outside and south of the District’s boundaries. A 30,000-gallon water tank with pressure system is also located outside of and east of District boundaries ([MSR 2014](#)). ~~As mentioned above, those out-of-area properties receiving water service from the District, the Community Center and Firehouse are considered Out of District Service Areas. These areas are considered when establishing the District SOI.~~ The District infrastructure, though located outside of ECWD boundaries is not considered when defining a SOI.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The ECWD provides one of these services -water- and is therefore not responsible for assuring that the two other services are adequately provided to the community. Fire protection is provided by the Elk Community Services District. Sewer is provided by individual and private septic systems.

As a part of Mendocino County’s General Plan Update, the County conducted a Disadvantaged Unincorporated Communities (DUC) assessment. The DUCs identified include Hopland, Boonville/Philo, Covelo/Round Valley, Laytonville, and Leggett (Hannaford 2015). Additionally, the California Department of Water Resources, which identifies Disadvantaged Communities (DAC) by Census place, does not identify Elk as a disadvantaged community. Elk County Water District is not considered a DUC, nor is it within proximity to an identified DUC, and therefore no further analysis will be conducted.

~~The unincorporated community of Elk has an estimated permanent population of approximately 167 residents. Elk is not a census designated place, so specific MHI information is not available. Since the District falls within the County of Mendocino, the MHI of Elk’s residents are assumed to approximate the County MHI of \$43,721, or 71% of the statewide MHI of \$61,632. Elk is therefore considered to be a DUC, and is required to demonstrate adherence to water supply standards under Senate Bill 244. Based on the Mendocino county-wide Water and Wastewater MSR 2014, there are no indications that ECWD water service is substandard or does not meet safe drinking water standards.~~

CURRENT AND PROJECTED POPULATION

Population and Growth

The District defines a customer as a “parcel” that is served by the water system. It currently has 101 customers, of which 80 are residential users. One customer, a local nursery, receives raw water. Of the 80 residential units, 12 are outside District boundaries. Based on the County average of 2.46 persons per household and 68 residential dwelling units, the estimated population within the Primary

Service Area is 167 persons [\(MSR 2014\)](#). Using the same County average, there are approximately 30 residents outside of district boundaries receiving water from ECWD.

Projected Growth and Development

Future population is related to growth and development subject to amount and type of developable land use. ~~The primary land-use type within the District's boundaries is residential. The Mendocino County Zoning Ordinance is the primary guide for future development of the area. The community of Elk and surrounding areas are located in the County's Coastal Zone and the predominant zoning designations are Rural Residential, Rural Village, and Open Space. Additionally, the goals and policies of the Local Coastal Program (LCP) are applicable.~~

The lands within District Boundary subject to Mendocino County land use designations are Rural Village, Rural Residential, Open Space and Range Land. ~~The mainly residential uses, with the rural village classification are: a community center, elementary school, post office, two churches, a store, an art center, three restaurants, visitor center, and several bed & breakfast inns. Rural Residential designated parcels allow local small scale food production (farming); not intended to be a growth area with residences located as to create minimal impact on agricultural viability.~~ The non-urban designations of Open Space and Range Land will remain largely undeveloped and will not likely impact District demand or services.

The Coastal Element does not allow for additional land division outside of the community of Elk due to the absence of urban services and the difficulty of accommodating new development that will remain subordinate to the landscape.

Land use designations within Out of District Service Area 1 are Rural Residential, Rural Village, Open Space and Public Facility [\(See Figure 3 in Appendix A\)](#). District facilities (30,000-gallon water tank with pressure system) are also located within Out of District Service Area 1 on parcels designated Public Facility. The present uses effectively represent the maximum extent Out of District Service Area 1 can be developed under the County's existing policies given their designation and zoning assignments of Rural Village, Rural Residential (10 acre minimum), Public Facility, and Open Space.

Out of District Service Area 2 is subject to Mendocino County land use designations of Rural Residential, Open Space and Rangeland, including residential properties along Highway 1, and non-urban uses on rangeland and open space parcels [\(See Figure 3 in Appendix A\)](#). ~~District facilities are located within Out of District Service Area 1. The residential parcels in Area 2 are designated as Rural Residential which allows local small scale food production (farming); it is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability per County policy.~~

ECWD noted that the anticipated growth rate in the district is limited to six residential lots that could be developed as infill. These lots, when developed, will generate an additional 15 residents. Although the District does not prepare service demand projections for the future, they anticipate limited population growth [\(MSR 2014\)](#).

CAPACITY AND SERVICE

Infrastructure

ECWD's community water system includes a water treatment plant, three wells (2 deactivated and 1 active), several miles of pipeline, and two water storage facilities (30,000 and 84,000 gallons). ECWD owns a parcel that houses a storage shed, community center, and volunteer fire station. It also maintains a hydrant system, providing fire flows for the local fire district. The active well requires continual maintenance and the District works to keep it flowing at an efficient capacity by cleaning and purging iron deposits which otherwise limit flow. The District identified pipelines as an infrastructure deficiency and pipe replacement is ongoing. Water is distributed by ECWD through several miles of pipeline from a water storage tank to customer homes [\(MSR 2014\)](#).

Water Supply

ECWD's water supply is obtained from a well adjacent to Greenwood Creek. Creek flows are rainfall dependent, which usually varies between 40 to 60 inches per year, primarily in the wet season between October and May. Portions of ECWD's service area are designated a Critical Water Resource area by the California Department of Water Resources in the 1982 Coastal Groundwater Study. The District does not have another source of water, other than the well, and does not have any water supply purchase agreements to purchase water from other sources. ECWD submits monthly water reports to the California Department of Public Health [\(MSR 2014\)](#).

ECWD has water right permits from the Water Resources Control Board at Greenwood Creek for 41 [gallons per minute \(gpm\)](#) and Bonee Gulch for 13 gpm. ECWD pumped a total of 9 million gallons in 2009, 6.5 million gallons in 2010, and 11 million gallons in 2011 from the two original wells. In 2012 ECWD pumped 8.9 million gallons, which comes to approximately 123 gallons per day per capita¹ [\(Average annual use of 8.9 million gallons divided 365 days/year and divided by 197 people\)](#). ECWD's plant capacity is about 42 gpm. Actual use is approximately 26 gpm, the average maximum. The community of Elk has limited projected growth, so demand is not expected to increase significantly in the coming years. ECWD does not have any outstanding "will serve" letters for new/proposed development, and does not have any plans to increase capacity [\(MSR 2014\)](#).

The District encourages water conservation through metering water and pricing. The ECWD system has sufficient capacity to serve existing connections and the treatment plant is in good condition. The District recently refurbished its water storage tank and replaced its water wells with one new well. In summary, ECWD's infrastructure is adequate to pump, treat and distribute of water for the next several years [\(MSR 2014\)](#).

Relevant Local Agencies and Communities of Interest

The ECWD works closely with local community groups and the Elk County Community Services District (volunteer fire department) to facilitate positive interactions to best serve the needs of the small community of Elk and surrounding area [\(See Appendix A, "Elk Area Districts" figure\)](#). ECWD owns a parcel of land in Elk and shares this parcel with the Greenwood Community Center and the Volunteer Fire Department [\(MSR 2014\)](#). The Elk CSD provides fire protection to residents within the ECWD as well as to the surrounding community. [A private wastewater system, Li Foo,](#)

¹ Average annual use of 8.9 million gallons divided 365 days/year and divided by 197 people

provides limited wastewater services in the area, primarily a collection line and leach field. South of ECWD is the Irish Beach Water District, which provides water services and septic oversight within its current boundaries and to the surrounding community.

There are no areas within the District boundaries that might be more efficiently served by another agency ~~{private wastewater company—Li Foo}~~. The District does not maintain any aid agreements with other agencies.

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

DISCUSSION

~~The District has 101 customers that receive services, 68 of which are within the Primary Service Area. Based on the County average of 2.46 persons per household, and 68 residential dwelling units, the estimated population within the Primary Service Area is 167 residents. The District noted some expected growth outside of District boundaries, but does not indicate any expected growth within the primary service area. Although the District does not prepare service demand projections for the future, they have indicated that they see demand for water to be fairly steady over the next 20 years. Meaning for all areas they consider within their service area (not the same as boundary) they say they have adequate service and water rights, and don't anticipate significant growth.~~

Estimated growth within the Primary Service Area is negligible. Future growth of the community of Elk is expected to be limited to the "service areas" outside the District boundary, but this anticipated growth is minimal and restricted by current land use designations. A property owner in Out of District Service Area 1 is considering filing a parcel map with the County (General Manager September 12 2015)

Out of District Service Area 1 already receives water service from the ECWD. These existing service connections directly support current residential and community uses through previously established out-of-district service agreements, and will continue to need services into the future. ECWD noted that growth is anticipated outside the District boundary within the "service area" and is limited to six residential lots that could be developed as infill. These lots, when developed, will generate an additional 15 residents, for a total of 182 residents.

Out of District Service 2 already receives water service from the ECWD. These existing service connections directly support current residential uses by way of previously established out-of-district service agreements, and will continue to need services into the future.

Elk CWD appears to have adequate capacity and facilities to continue to provide services to its present service base, including the Out of District Service Areas.

ANALYSIS

Present and Planned Land Use

The present and planned land uses within the Primary Service Area, Out of District Service Area 1, and Out of District Service Area 2 are consistent with the services provided.

Present and Probable Need for Public Facilities and Services Determination

Future growth of the community of Elk is expected to be limited to the "service areas" outside the District boundary. Anticipated growth is minimal and restricted by current land use designations.

Present Capacity of Facilities and Adequacy of Public Services Determination

ECWD has adequate water services to accommodate existing and probable demands within its current service area (including its out-of-district services to Out of District Service Areas 1 & 2) into the foreseeable future.

Social and Economic Communities of Interest Determination

The ECWD serves properties outside the District boundary. ECWD should consider including the out-of-district service areas (Out of District Service Areas 1 & 2) into the District's SOI.

Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination

The community of Elk is not considered a DUC.

DISTRICT BOUNDARY AREA

The Primary Service Area of this update contains the area within the ECWD boundary.

Present and Planned Land Use

The lands within District Boundary subject to Mendocino County land use designations are Rural Village, Rural Residential, Open Space and Range Land. The mainly residential uses, with the rural village classification are: a community center, elementary school, post office, two churches, a store, an art center, three restaurants, visitor center, and several bed & breakfast inns. Rural Residential designated parcels allow local small scale food production (farming); not intended to be a growth area with residences located as to create minimal impact on agricultural viability. The non urban designations of Open Space and Range Land will remain largely undeveloped and will not likely impact District demand or services.

The Coastal Element does not allow for additional land division outside of the community of Elk due to the absence of urban services and the difficulty of accommodating new development that will remain subordinate to the landscape.

Determination 1A:

To be developed in consultation with district representatives

Present and Probable Need for Public Facilities and Services

The District has 101 customers that receive services, 68 of which are within the Primary Service Area. Based on the County average of 2.46 persons per household, and 68 residential dwelling units, the estimated population within the Primary Service Area is 167 residents. The District noted some expected growth outside of District boundaries, but does not indicate any expected growth within the primary service area. Although the District does not prepare service demand projections for the future, they have indicated that they see demand for water to be fairly steady over the next 20 years. Meaning for all areas they consider within their service area (not the same as boundary) they say they have adequate service and water rights, and don't anticipate significant growth.

Determination 2A: Estimated growth within the Primary Service Area is negligible. Future growth of the community of Elk is expected to be limited to the "service areas" outside the District boundary. This anticipated growth is minimal and restricted by current land use designations. It is anticipated that ECWD will be able to continue providing water service at the current level within the Primary Service Area into the future.

Present Capacity of Facilities and Adequacy of Public Services

~~The ECWD system has sufficient capacity to serve existing connections. As stated above, anticipated growth of service needs within the Primary Service Area is negligible, and external growth is expected to be within the District's current capacity to serve. The treatment plant and system infrastructure are reported to be in good condition. The District actively maintains its equipment and facilities, thereby extending the expected life cycle. ECWD's infrastructure is adequate to pump, treat and distribute water.~~

~~**Determination 3A:** ECWD's capacity, infrastructure, and services appear adequate to provide water for the next several years.~~

Social and Economic Communities of Interest

~~ECWD provides water service to customers located outside the District boundary, but inside what the District considers to be its "service area". The ECWD works closely with local community groups and the Elk County Community Services District (volunteer fire department) to best serve the needs of Elk and surrounding area. The District does not maintain any aid agreements with other agencies. Fire protection is provided by the Elk Community Services District. There are no other communities located in geographic proximity to the ECWD.~~

~~**Determination 4A:** The ECWD serves properties outside the District boundary. ECWD should consider including the out-of-district service areas (Out of District Service Areas 1 & 2) into the District's SOI.~~

Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities

~~LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The ECWD provides one of these services water and is therefore not responsible for assuring that the two other services are adequately provided to the community. Fire protection is provided by the Elk Community Services District. Sewer is provided by individual and private septic systems.~~

~~The unincorporated community of Elk has an estimated permanent population of approximately 167 residents. Elk is not a census designated place, so specific MHI information is not available. Since the District falls within the County of Mendocino, the MHI of Elk's residents are assumed to approximate the County MHI of \$43,721, or 71% of the statewide MHI of \$61,632. Elk is therefore considered to be a DUC, and is required to demonstrate adherence to water supply standards under Senate Bill 244. Based on the Mendocino county wide Water and Wastewater MSR 2014, there are no indications that ECWD water service is substandard or does not meet safe drinking water standards.~~

~~**Determination 5A:** The ECWD provides water services to the community of Elk, which is considered to be a DUC, and is required to demonstrate adherence to water supply standards under Senate Bill 244. Based on the Mendocino county wide Water and Wastewater MSR 2014, ECWD provides adequate water services.~~

~~OUT OF DISTRICT SERVICE AREA 1~~

~~Out of District Service Area 1 encompasses the out of district service area located east of Highway 1, north of Philo Greenwood Road as shown in Figure 1.~~

~~Present and Planned Land Use~~

~~Out of District Service Area 1 is subject to Mendocino County land use authority. Land use designations within Out of District Service Area 1 are Rural Residential, Rural Village, Open Space and Public Facility. District facilities (30,000-gallon water tank with pressure system) are also located within Out of District Service Area 1 on parcels designated Public Facility.~~

~~The present uses effectively represent the maximum extent Out of District Service Area 1 can be developed under the County's existing policies given their designation and zoning assignments of Rural Village, Rural Residential (10-acre minimum), Public Facility, and Open Space.~~

~~*Determination 1B:* Waiting on map for final designation~~

~~Present and Probable Need for Public Facilities and Services~~

~~Out of District Service Area 1 already receives water service from the ECWD. These existing service connections directly support current residential and community uses through previously established out of district service agreements, and will continue to need services into the future. ECWD noted that growth is anticipated outside the District boundary within the "service area" and is limited to six residential lots that could be developed as infill. These lots, when developed, will generate an additional 15 residents, for a total of 182 residents. Need map to estimate OAS area growth.~~

~~*Determination 2B:*~~

~~*To be developed in consultation with district representatives*~~

~~Present Capacity of Facilities and Adequacy of Public Services~~

~~Out of District Service Area 1 currently receives water from ECWD. District adequacy and capacity is analyzed in the municipal service review on the county-wide Water and Wastewater MSR 2014. Overall ECWD has adequate water services to accommodate existing and probable demands within its current district and including its Out of District Service Areas 1 & 2 into the foreseeable future.~~

~~*Determination 3B:* ECWD has adequate water services to accommodate existing and probable demands within its current service area (including its out-of-district services to Out of District Service Areas 1 & 2) into the foreseeable future.~~

~~Social and Economic Communities of Interest~~

~~Out of District Service Area 1 has established and maintained social and economic ties with ECWD (District Boundary) given the area receives water services from the District. There are no other communities located within geographic proximity to Out of District Service Area 1, so no other relevant Communities of Interest were considered. ECWD provides out-of-area service to an area east of Highway 1, including the Community Center and Firehouse as well as one residential subdivision along Elk Meadows Road. The District also serves several parcels extending approximately 1.1 miles south of the ECWD boundary along Highway 1. Out of district properties~~

receiving water service, as well as District facilities (treatment plant and water storage tanks), and the Community Center and Firehouse are considered areas of interest.

Determination 4B: Out of District Service Area 1 has established and maintained substantive social and economic ties, given the area receives water services from the District.

Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The ECWD provides one of these services—water—and is therefore not responsible for assuring that the two other services are adequately provided to the community. Fire protection is provided by the Elk Community Services District. Sewer is provided by individual and private septic systems.

Out of District Service Area 1 likely meets the definition of an area to be evaluated as a DUC, based on 5 residential parcels located within the area, which indicates that the population within this area is approximately 12 residents. Out of District Service Area 1 is not a census designated place, so specific MHI information is not available. Since the Area falls within the County of Mendocino, the MHI of the residents is assumed to approximate the County MHI of \$43,721, or 71% of the statewide MHI of \$61,632. Out of District Service Area 1 is therefore considered to be a DUC. Out of District Service Area 1 receives water service provided by ECWD; based on the Mendocino county wide Water and Wastewater MSR 2014, ECWD provides satisfactory water services.

Determination 5B: Out of District Service Area 1 is considered a DUC, but receives satisfactory water services from the ECWD.

OUT OF DISTRICT SERVICE AREA 2

Out of District Service Area 2 consists of several parcels extending approximately 1.1 miles south of the ECWD boundary along Highway 1.

Present and Planned Land Use

Out of District Service Area 2 is subject to Mendocino County land use designations of Rural Residential, Open Space and Rangeland, including residential properties along Highway 1, and non-urban uses on rangeland and open space parcels. District facilities are located within Out of District Service Area 1. The residential parcels in Area 2 are designated as Rural Residential which allows local small scale food production (farming); it is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability per County policy.

The present uses effectively represent the maximum extent Out of District Service Area 2 can be developed under the County's existing policies given their designation and zoning assignments of Rural Residential (5 and 10 acre minimum) Range Land (160 acre minimum) and Open Space.

Determination 1B:

To be developed in consultation with district representatives.

~~Present and Probable Need for Public Facilities and Services~~

~~Out of District Service 2 already receives water service from the ECWD. These existing service connections directly support current residential uses by way of previously established out of district service agreements, and will continue to need services into the future.~~

~~**Determination 2B:** Out of District Service Area 2 already receives water service from the ECWD and will continue to need services into the future.~~

~~Present Capacity of Facilities and Adequacy of Public Services~~

~~Out of District Service Area 2 currently receives services from ECWD. A detailed review of the adequacy and capacity of ECWD's water services was performed in the Commission's recently completed municipal service review on the county wide Water and Wastewater MSR 2014. Overall ECWD has adequate water services to accommodate existing and probable demands within its current service area (including its out of district services to Out of District Service Areas 1 & 2) into the foreseeable future.~~

~~**Determination 3B:** ECWD has adequate water services to accommodate existing and probable demands within its current service area (including its out of district services to Areas 1 & 2) into the foreseeable future.~~

~~Social and Economic Communities of Interest~~

~~Out of District Service Area 2 has established and maintained substantive social and economic ties with ECWD given the area receives water services from the District. There are no other communities located within geographic proximity to Out of District Service Area 2, so no other relevant Communities of Interest were considered.~~

~~**Determination 4B:** Out of District Service Area 2 has established and maintained substantive social and economic ties with ECWD (District Boundary) given the area receives water services from the District.~~

~~Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities~~

~~LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The ECWD provides one of these services - water - and is therefore not responsible for assuring that the two other services are adequately provided to the community. Fire protection is provided by the Elk Community Services District. Sewer is provided by individual and private septic systems.~~

~~Out of District Service Area 2 likely meets the definition of an area to be evaluated as a DUC, based on 8 residential parcels located within the area, which indicates that the population within this area is approximately 20 residents. Out of District Service Area 2 is not a census designated place, so~~

~~specific MHI information is not available. Since the Area falls within the County of Mendocino, the MHI of the residents is assumed to approximate the County MHI of \$43,721, or 71% of the statewide MHI of \$61,632. Out of District Service Area 2 is therefore considered to be a DUC. Out of District Service Area 2 receives water service provided by ECWD; based on the Mendocino county wide Water and Wastewater MSR 2014, ECWD provides satisfactory water services.~~

~~**Determination 5B:** Out of District Service Area 2 is considered a DUC, but receives satisfactory water services from the ECWD.~~

RECOMMENDATIONS

Based on Mendocino LAFCo's first of seven policies for determining an appropriate SOI:

“Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency’s sphere.”

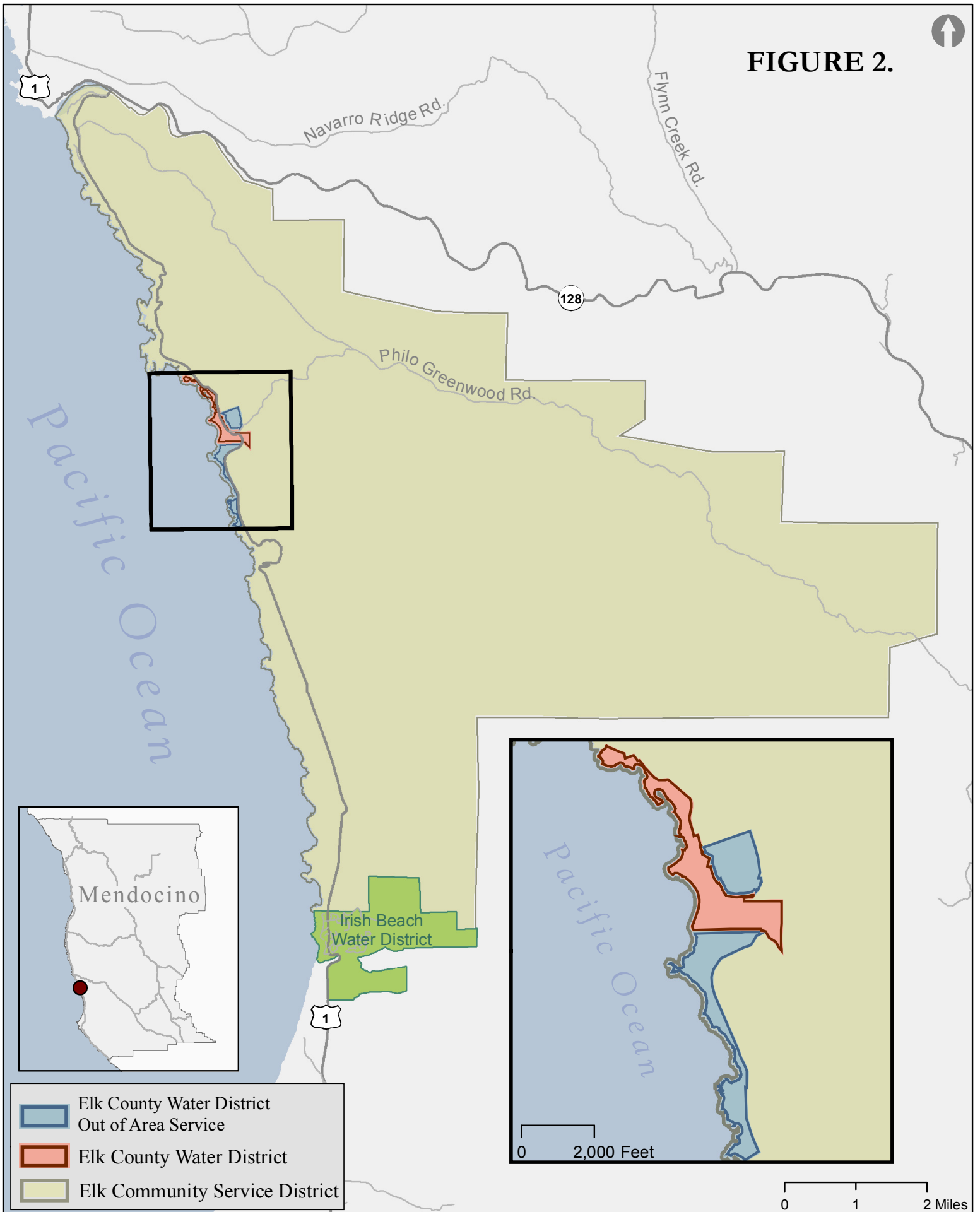
~~The Areas 1 & 2 which are receiving~~ out-of-district services ~~provided to Areas 1 & 2~~ should be included in the ECWD’s SOI. There are no other lands adjacent to the District that are expected to need services within the next 5-10 years, and so no other lands that should be considered for adoption into the ECWD SOI.




REFERENCES

- Hannaford, Graham. September 21, 2015. “GP_2015-0002- Disadvantaged Unincorporated Communities Assessment”. Memorandum to the Mendocino County Planning Commission. <http://www.co.mendocino.ca.us/planning/pdf/current/1.STAFF%20MEMO%20DUC.pdf>
- Mendocino County. Mendocino County Coastal Element: Chapter 4 - Land Use Plan: Descriptions and Policies for Thirteen Planning Areas: *4.9 Dark Gulch to Navarro River Planning Area (Albion Planning Area)*. Adopted by Mendocino County Board of Supervisors, November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991)
- (MSR, 2014) Mendocino LAFCo. “Mendocino Local Agency Formation Commission, Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014.”. Prepared by: Kateri Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.
- Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.



FIGURE 2.

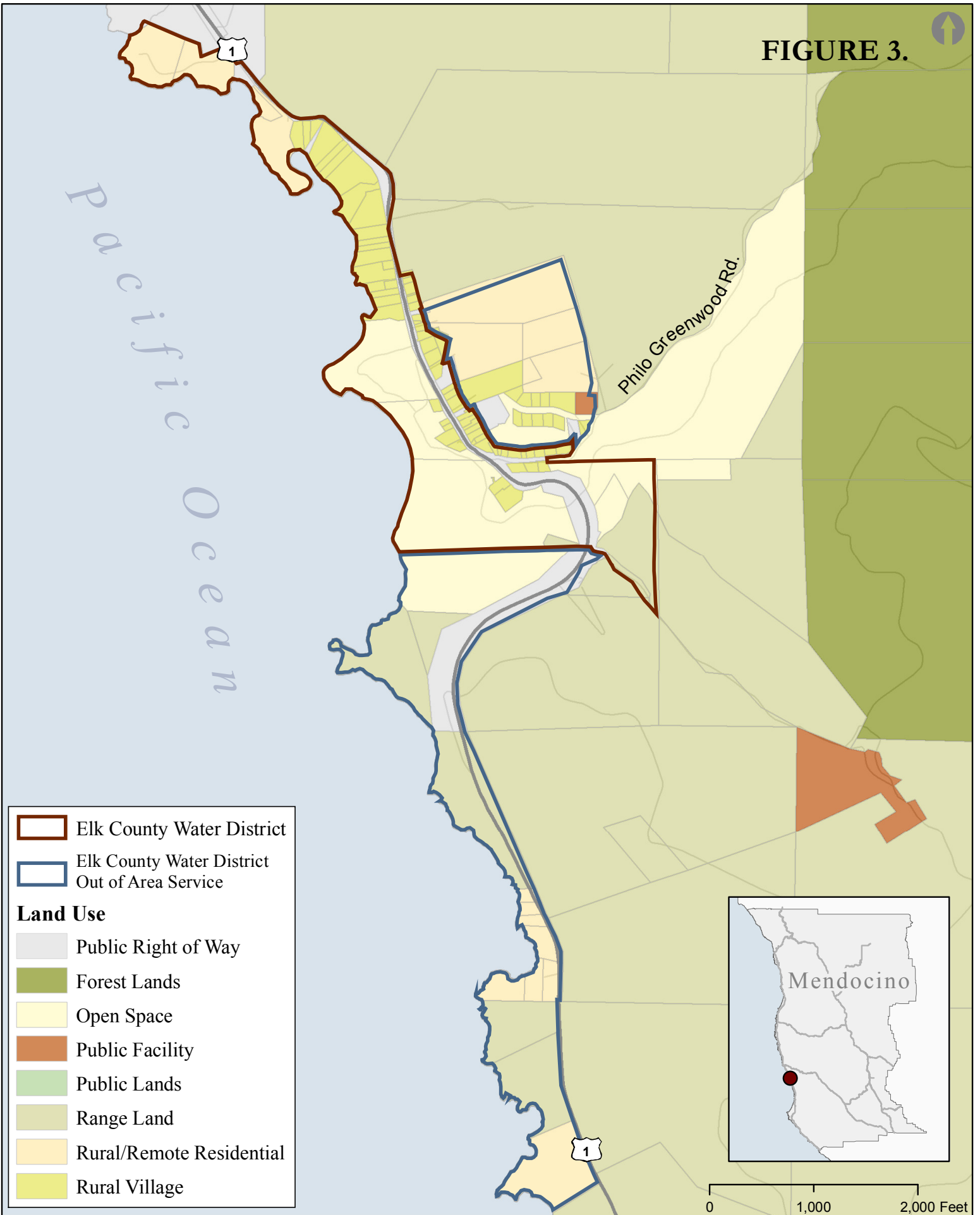












-  Elk County Water District Out of Area Service
-  Elk County Water District
-  Elk Community Service District

Elk Area Districts

Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\General_Maps\Elk_County_CWD_and_CSD.mxd

FIGURE 3.



-  Elk County Water District
-  Elk County Water District Out of Area Service
- Land Use**
-  Public Right of Way
-  Forest Lands
-  Open Space
-  Public Facility
-  Public Lands
-  Range Land
-  Rural/Remote Residential
-  Rural Village



0 1,000 2,000 Feet

Elk County Water District Land Use

Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Elk_County_Water_District_Landuse.mxd

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-04

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE ELK COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE 2015**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the Elk County Water District’s sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the sphere of influence update on September 14, 2015 and continued to October 5, 2015; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been appropriately informed by the Commission’s earlier municipal service review on countywide water and wastewater services, for which the section on the Elk County Water District was accepted by the Commission on November 3, 2014.
2. The Commission, as Lead Agency, finds the update to the Elk County Water District’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. The Elk County Water District confirmed during the review of its sphere of influence that its services are currently limited to water. Accordingly, the Commission waives the requirement for a statement of services prescribed under Government Code Section 56425(i).
4. This sphere of influence update is assigned the following distinctive short-term designation: “Elk County Water District Sphere of Influence Update 2015”
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Elk County Water District Sphere of Influence Update report, hereby incorporated by reference.

6. The Executive Officer shall revise the official records of the Commission to reflect this update of the Elk County Water District's sphere of influence.

BE IT FURTHER RESOLVED that the Elk County Water District's sphere of influence is updated as depicted in Exhibit "A".

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 5th day of October, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD SHOEMAKER, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

**CASPAR SOUTH WATER DISTRICT
SPHERE OF INFLUENCE UPDATE**

Prepared in accordance with Government Code §56425

Final Draft

For Commission Review

Draft Workshop- August 3, 2015

Draft Hearing- September 14, 2015 and October 5, 2015

Final Adoption- DATE

Table of Contents

INTRODUCTION	3
OVERVIEW	3
REVIEW PERIOD	3
EVALUATION CONSIDERATIONS	3
General Guidelines for Determining Spheres of Influence	4
FIGURE 1	5
OVERVIEW	6
CURRENT AGENCY OPERATIONS	6
BACKGROUND	6
MUNICIPAL SERVICE REVIEW	6
SPHERE OF INFLUENCE	7
DISADVANTAGED UNINCORPORATED COMMUNITIES	7
CURRENT AND PROJECTED POPULATION	7
Population and Growth	7
Projected Growth and Development	7
CAPACITY AND SERVICE	8
Capacity	8
Service	9
Relevant Local Agencies and Communities of Interest	9
RELEVANT PLANNING AND SERVICE FACTORS	9
County of Mendocino General Plan- Development Element (DE)	10
Coastal Element- Ch. 4	10
4.6 Jug Handle Creek to Russian Gulch Planning Area (Includes Caspar)	10
DISCUSSION	11
ANALYSIS	11
Present and Planned Land Use Determination	11
Present and Probable Need for Public Facilities and Services Determination	11
Present Capacity of Facilities and Adequacy of Public Services Determination	11
Social and Economic Communities of Interest Determination	11
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination	12
SERVICE AREA	12
Present and Planned Land Use	12
Present and Probable Need for Public Facilities and Services	12
Present Capacity of Facilities and Adequacy of Public Services	13
Social and Economic Communities of Interest	13
Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities	13
RECOMMENDATIONS	14
REFERENCES	14

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend establishment of an appropriate Caspar South Water District (Caspar South WD, CSWD, or District) Sphere of Influence (SOI). The objective is to establish CSWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the CSWD’s Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

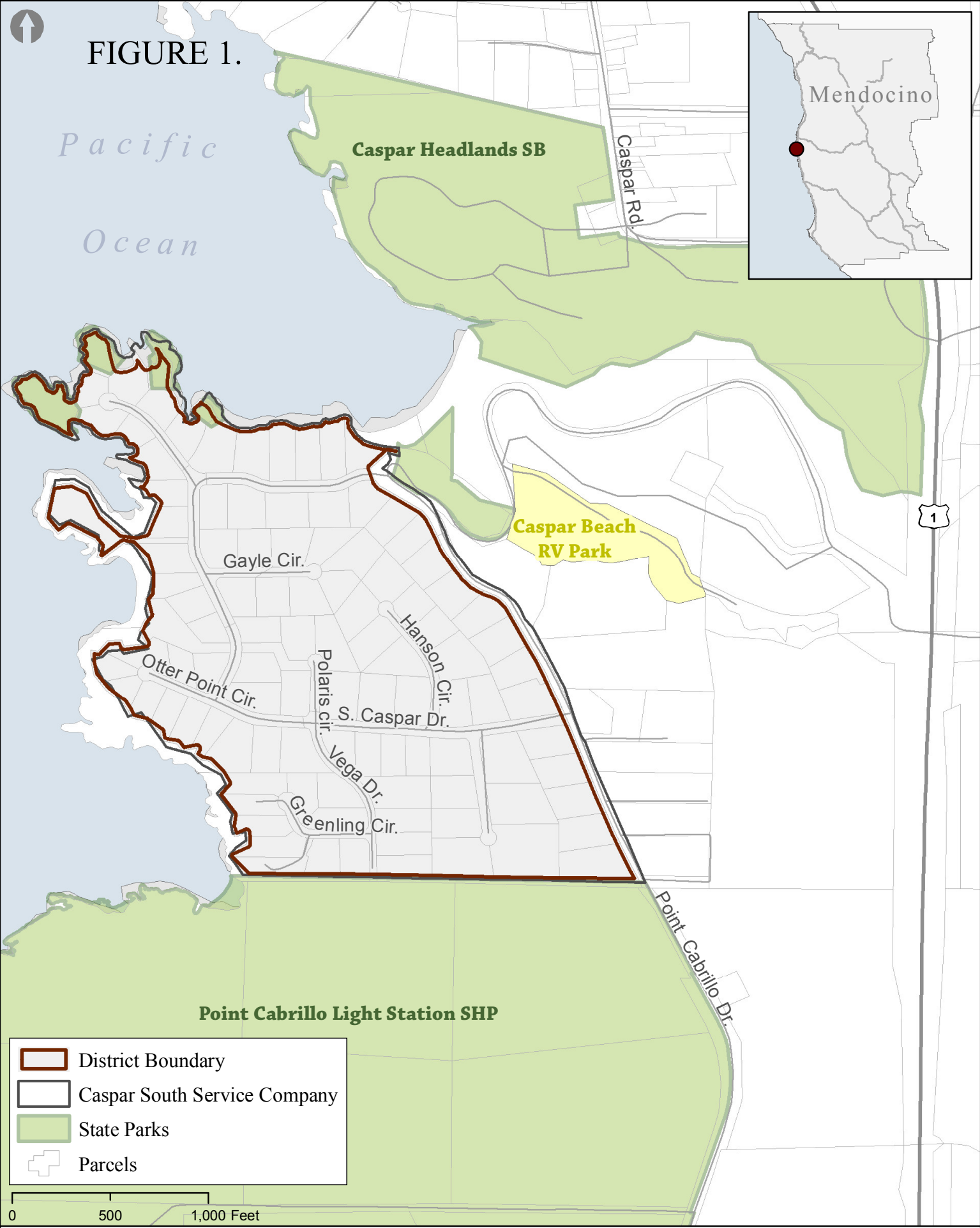
General Guidelines for Determining Spheres of Influence





The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants":

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.



FIGURE 1.



-  District Boundary
-  Caspar South Service Company
-  State Parks
-  Parcels

0 500 1,000 Feet

Caspar South Water District

Prepared for **PLANWEST PARTNERS, INC.**

Packet Page 66 OCTOBER 2015, FINAL DRAFT

LAFCo by: Date: 9/29/2015

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.
Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Caspar_South_Water_District.mxd

OVERVIEW

CURRENT AGENCY OPERATIONS

The CSWD is a small independent district that administers a community sewage disposal system to Caspar South Subdivision and provides four wastewater related services:

- wastewater collection;
- wastewater processing through a dosing chamber;
- wastewater disposal through a leach field system; and
- maintenance of related facilities and equipment.

The District's facility is a sewage collection system that was installed in the early 1960's; a leach field was later installed in 1982. The District contracts with a septic service company to dispose of wastewater solids.

The District is located south of the unincorporated community of Caspar within the County of Mendocino. Caspar is located along State Highway 1 between the City of Fort Bragg and the Village of Mendocino ([See Figure 1](#)).

BACKGROUND

Mendocino County Board of Supervisors adopted Resolution No. 78-501 to order the formation of Caspar South Water District on December 19, 1978, under the California Water Code §34000-38501, for the purpose of providing wastewater treatment and disposal to the Caspar South Residential Subdivision. Since the original establishment in 1978, there have been no other changes to the District boundary.

The District encompasses approximately 105 acres. There are 107 lots within the Caspar South Subdivision: one serves as a community leach field, five are open space parcels, and 101 are residential lots. The District provides wastewater service to 75 residential lots, 66 lots have residential dwellings and nine are vacant. There are 26 lots within the subdivision that are not provided with wastewater service because they are located within below-grade locations and cannot access the system.

MUNICIPAL SERVICE REVIEW

In 2014 a County-wide MSR was conducted for the county water districts, which included the Caspar South Water District. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 CSWD MSR.

SPHERE OF INFLUENCE

The CSWD SOI was established by LAFCo via Resolution No. 94-4 dated August 1, 1994. LAFCo's approval of the SOI included Master Service Element approval and Negative Declaration per CEQA. LAFCo's Resolution No. 94-4 approved SOIs for a large number of Districts, and due to the practice of approving SOIs for a large group of districts at once, specific details about CSWD's SOI are not readily apparent in LAFCo files. In the 2014 MSR the District indicated that they believed that their Sphere of Influence is co-terminus with their existing boundary and there is no information in LAFCo files to indicate otherwise. Since the SOI was approved in 1994, there have been no changes ([MSR 2014](#)).

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water supply, sewage disposal, and structural fire protection. The CSWD provides one of these services—wastewater, and is not responsible for the other two basic services. Fire protection is provided by the Mendocino Fire Protection District. Domestic water service is provided by the Caspar South Service Company.

Caspar South Water District is a portion of the community of Caspar, which is a [Census Designated Place \(CDP\)](#). The Caspar CDP MHI is \$72,885 (118.3%), greater than 80% of the State MHI of \$61,632, and therefore does not qualify as a DUC ([MSR 2014](#)).

CURRENT AND PROJECTED POPULATION

Population and Growth

Caspar is a census-designated place (CDP) in Mendocino County, and the CSWD is located within this CDP, but serves only a portion of the community ([Figure 1](#)). At the time of the 2000 Census, the population was 317 people in a total of 145 households. Ten years later, the population in the CDP had grown to 509 ([MSR 2014](#)).

Many developed lots have seasonally occupied (i.e. second) homes. The District estimates that approximately one-third of the total occupancy is full-time residents. During the low season, assuming that 25 customer parcels are occupied and assuming the County's average of 2.46 people per household, then the District serves 62 people. Under the persons per household and assuming all homes are occupied, the District serves approximately 185 people during the high season ([MSR 2014](#)).

Projected Growth and Development

Future growth and development of Caspar and the District is subject to Mendocino County land use regulations. The County has adopted several plans and policies to regulate this growth including a General Plan and a zoning ordinance. The County's zoning ordinance contains three major geographical parts and the Caspar area is included in Coastal Zoning Code. The County's General Plan and Zoning Ordinance designate most of the Caspar area as single family residential, as is Caspar South ([MSR 2014](#)).

Given the constrained capacity of the wastewater processing facilities in the District, nine additional homes could be served by the District, unless there were major improvements to the facilities. Improvements would likely include securing additional land to increase the leach field disposal area, and construction of additional leach lines. The District is responsible for approving all connections. It is theoretically possible that the County planning/building services could allow new homes to be constructed within the District boundary or SOI and be served by a private individual septic tank, rather than through the District; however, obtaining necessary permits from the Regional Water Quality Control Board and other agencies would be a challenge to this approach. Given these constraints, it is not likely that the population within the District's boundary/SOI will grow significantly, or that the District will see an increased demand for wastewater services over the next 20 years [\(MSR 2014\)](#).

Within the District boundary, there are nine vacant lots out of 101 total lots. If these lots are developed, the population of the District could, assuming the County's average of 2.46 people per household, increase by approximately 18 persons, for a total population of 248 persons [\(MSR 2014\)](#).

CAPACITY AND SERVICE

Capacity

The District provides wastewater services to the Caspar South Subdivision. No other services are provided and there is no wastewater service provided beyond subdivision boundaries. The wastewater system was constructed in the early 1960's when the subdivision was developed. Of the 101 lots the District serves, 26 have individual septic systems; the remaining 75 lots receive wastewater services, 66 of those are developed and 9 are vacant. Maximum District service is limited to development of ~~the~~ 9 additional residences. As of 2014, two homes were under construction on two of the vacant parcels [\(MSR 2014\)](#).

As of 2006, the CSWD treatment capacity was 13,200 gallons per day, which has since been updated to 16,000 gallons per day. In the past, the District experienced flows in excess of the permitted discharge of 13,200 gallons per day, which occurred routinely during wet weather from 2000 to 2008. There have been no reported flow violations since 2006, perhaps due to lower than average seasonal rainfall [\(MSR 2014\)](#). ~~(Charles Reed, Engineer, NCRWQCB; personnel communication)~~. Today, the CSWD's treatment facility has a design capacity to process wastewater from 75 parcels, or approximately 16,000 gallons per day. The wastewater treatment facility's capacity is designed to accommodate nine additional residential dwellings on the vacant parcels within the subdivision.

Wastewater service capacity is limited by the wastewater treatment facility design capacity. The District processes an average of 4,000 gallons per day during dry weather flow conditions and 8,000 gallons per day during peak (wet weather) flow conditions. This is the maximum capacity for the system, as effluent must be retained in the system for 24-hours. The District reported that the sewage processing system is in good condition, and is operating properly now that effluent is discharged on a rotating basis to the leach field from eight discharge pipes. The wastewater treatment facility has not recently exceeded treatment capacity [\(MSR 2014\)](#).

The District does not have plans to increase the wastewater system capacity, although the District is considering purchasing easements on property adjacent to the existing community leach field parcel. Should additional capacity become necessary, the District would add an additional 8,000 to 10,000 gallon dosing chamber and additional leach lines to the system [\(MSR 2014\)](#).

Service

The CSWD works to ensure the integrity of its system via testing and other measures including: continual maintenance and monitoring, video camera inspection of lines, and locating and eliminating ‘wet areas’ where leaks are present. The District installed filters at the pump stations, added fans, and added stainless steel ‘cat walks’ to insure that the pump stations operate properly. Through a series of ‘mini-projects’ (average cost of \$15,000), the District is replacing older lines, most recently replacing a 300-foot section of pipe in the southern portion of the District. Most recently, the District reports that it is in the process of replacing 900 linear feet of 6 inch pipe in the system, with work commencing in September of 2015 (District President, September 30, 2015). The District is addressing ~~that parcel owners in the District have~~ the issue of private piped rooftop and storm water drainages flowing into the wastewater collection system. The system is designed for wastewater only, so stormwater runoff has the potential to exceed the system’s capacity. The District is working to identify and eliminate storm water intrusion, and has taken steps to have stormwater drainage disconnected from the wastewater system. The District has also installed backflow prevention devices in each residential lateral, and has added two generators at each pump station in case of a power outage (MSR 2014).

The provision of wastewater treatment and disposal services to the customers in the District appears to be sufficient. There have been no major service outages reported. The District works to overcome significant barriers including geographic isolation, small size, and the need for volunteers. Based on information within the MSR provided by the District regarding facilities, management practice, ~~and~~ accountability, and financing, CSWD’s wastewater treatment and disposal capacity is sized and designed appropriately to serve up to 75 residences.

Relevant Local Agencies and Communities of Interest

The CSWD is located along the Mendocino Coast, in the southern portion of the community of Caspar. To the north and south of the CSWD boundary are California State Parks, and to the west is the Pacific Ocean. Much of the community of northern Caspar outside of District boundaries has been historically owned and operated by the Caspar Cattle Company (CCC). There are 2 developed water systems in place that currently serve the Caspar Cattle Company lands. These water systems are privately owned and their status and exact service locations are unknown. Directly to the east of Caspar South WD, is the Caspar Beach RV Park. The RV Park has its own water system (SDWIS 2015). No specific areas outside the District boundary have been identified that require services from the District.

The CSWD does not share services or facilities with other Districts. Fire protection for properties within Caspar South WD is provided by the Mendocino Fire District. Water service within the CSWD is provided by the Caspar South Service Company. The CSWD explored options to merge with the Caspar South Service Company however it was unfeasible because the Caspar South Service Company is a private corporation (MSR 2014).

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Coastal Element: Ch. 4

4.6 Jug Handle Creek to Russian Gulch Planning Area (Includes Caspar)

~~The CSWD lies within the Jug Handle Creek to Russian Gulch Planning Area, and is subject to the Mendocino County Land Use Plan and Coastal Plan. The intent of the plan is to comply with Coastal Act policies channeling development to already developed areas, preserving the quality of the landscape, and retaining agricultural land. At the same time the plan recognizes that an established pattern of development exists at the northern and southern boundaries of the planning area west of Cabrillo Drive. Where land in view corridors is designated for development, planned unit development is called for.~~

~~The Caspar South subdivision, and consequently the CSWD, lies within the Caspar Headlands State Reserve, referenced in the Designated Access Points, Trails, and Recreation Areas Section of the~~

~~Land Use Plan for the Jug Handle Creek to Russian Gulch Planning Area. Policy 4.6-8 within the Land Use Plan states: “The offers of bluff-top dedication in Caspar South subdivision and Cabrillo subdivision (Foster, Crowther, Hall, and Howell) shall be relinquished [by the California Department of Parks and Recreation] because no bluff-top trail is proposed and access is available nearby.”~~

DISCUSSION

The District faces significant service delivery barriers, including geographical isolation, small size, and need for volunteers and board members. Based on information within the MSR, the provision of wastewater treatment and disposal services to the customers located in the District’s boundaries appears to be sufficient, however maintaining the small system is an ongoing challenge.

The CSWD serves the Caspar South Subdivision is 91% built-out, and contains 101 residential parcels within the District boundary. The District provides wastewater services to 75 of the lots (66 lots developed, 9 vacant); 26 lots use individual septic systems. Wastewater system capacity is sufficient to accommodate full build-out of the subdivision (101 residential lots, 75 lots served). No out-of-district services are provided, nor have any services outside the District boundary been requested. The District has no plans to expand its boundary or SOI (District President, September 30, 2015). It is not likely that the population within the District’s boundaries/SOI will grow significantly, or that the District will see an increased demand for wastewater services beyond the current design capacity of the system. Given the minimal expected growth, a coterminous SOI appears to be sufficient to meet the needs of the District.

ANALYSIS

Present and Planned Land Use Determination

Given Caspar South WD’s isolated location and limited development potential, it’s unlikely to experience significant population or demand increases for wastewater service within District boundaries.

Present and Probable Need for Public Facilities and Services Determination

The District is mostly built-out and provision of services beyond District boundaries is not readily feasible because of the physical limitations of the surrounding area. No out-of-district services are provided, nor have any services outside the District boundary been requested.

Present Capacity of Facilities and Adequacy of Public Services Determination

The provision of wastewater treatment and disposal services to the customers located in District boundaries is sufficient. It is not likely that the District will see an increased demand for wastewater services beyond the current design capacity of the system.

Social and Economic Communities of Interest Determination

The current sphere of influence meets the community needs.

Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination

The community of Caspar does not qualify as a DUC.

SERVICE AREA

Present and Planned Land Use

~~The CSWD is subject to the land use authority of Mendocino County. The Service Area has a land use designation of Rural Residential 5-acre minimum, with a variable density zoning of 1-acre minimum, and small areas along the coastline designated as Open Space. The Rural Residential classification allows local small scale food production (farming); it is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability. In order to be developed to the smaller parcel size, parcels with variable density zoning are required to be served by a public water system which utilizes surface waters, and which does not impact upon the ground water resource, or by completion of a hydrological study which supports those greater densities.~~

~~The Principal Permitted Uses in Rural Residential are residential and associated utilities, light agriculture, and home occupation. Minimum parcel sizes are: 5 acres for RR-5, and 1 acre for parcels with the variable density RR-1. Parcels have a designated density of one dwelling unit per legally created parcel, as designated on the Land Use Maps.~~

~~The unincorporated community within Caspar South WD has a central area that includes a community center, church, and a nightclub. It is bounded on three sides by state parks, therefore future expansion and development around the community is constrained by geography and land ownership patterns.~~

~~The northern portion of the Caspar community has been historically owned by the Caspar Cattle Company. The Company had two water systems and private well. It is geographically separated from the CSWD by California State Park lands and the Caspar Beach RV Park. The Caspar Beach RV Park has its own water service registered with the Drinking Water Division of the State Water Board.~~

~~**Determination 1:** All of the properties within the CSWD are designated Rural Residential. Given Caspar South WD's isolated location and limited development potential, it's unlikely to experience significant population or demand increases for wastewater service in the five-year planning horizon of this sphere.~~

Present and Probable Need for Public Facilities and Services

~~The CSWD serves the Caspar South Subdivision, which is 91% built out, and contains 101 residential parcels within the District boundary. 92 lots are developed, and nine lots are vacant; two homes are under construction. The District provides wastewater services to 75 of the lots (66 lots developed, 9 vacant); 26 lots use individual septic systems. The District's wastewater system capacity is sufficient to accommodate full build out of the subdivision (101 residential lots, 75 lots served). No out of district services are provided, nor have any services outside the District boundary been requested. The District has no plans to expand its boundary or SOI.~~

~~Water services for the District are provided by Caspar South Service Company, a private corporation. Fire protection services are provided by the Mendocino Fire District.~~

~~**Determination 2:** The District provides wastewater services to property owners within the Caspar South Subdivision. The District is mostly built-out and provision of services beyond District boundaries is not readily feasible because of the physical limitations of the surrounding area. No out-of-district services are provided, nor have any services outside the District boundary been requested. The District has no plans to expand its boundary or SOI.~~

~~Present Capacity of Facilities and Adequacy of Public Services~~

~~The provision of wastewater treatment and disposal services to the customers in the District was challenged by a resident during the MSR Update. The District faces significant service delivery barriers, including geographical isolation, small size, and need for volunteers and board members. Based on information within the MSR, provided by the District regarding facilities, management practice and accountability, and financing, CSWD's wastewater treatment and disposal capacity is sized and designed to serve up to 75 residences, however maintaining the small system is an ongoing challenge.~~

~~**Determination 3:** The Caspar South Water District provides service to its current customers, however service upgrades will be necessary to both continue current service and serve build-out a.~~

~~Social and Economic Communities of Interest~~

~~The CSWD is located along the Mendocino Coast, in southern Caspar. The only other community located in geographic proximity to the CSWD is the remaining portion of the unincorporated area of Caspar. Service to the majority of this area is constrained by geography and land ownership patterns. There are properties within close proximity to the District that could potentially require services, but currently there are no specific areas outside the District boundary have been identified that require services from the District. Given the constrained capacity of the wastewater processing facilities in the District, service beyond the nine additional homes would require were major improvements to the facilities. The District has no plans to expand its boundary or SOI.~~

~~**Determination 4:** Given the limited physical capacity of the CSWD treatment facilities and that no specific areas outside the District boundary have been identified as requiring services from the District, the current SOI meets the community needs.~~

~~Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities~~

~~LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water supply, sewage disposal, and structural fire protection. The CSWD provides one of these services—wastewater, and is not responsible for the other two basic services. Fire protection is provided by the Mendocino Fire Protection District. Domestic water service is provided by the Caspar South Service Company.~~

~~Caspar South Water District is a portion of the community of Caspar, which is a CDP. The Caspar CDP MHI is \$72,885 (118.3%), greater than 80% of the State MHI of \$61,632, and therefore does not qualify as a DUC.~~

~~**Determination 5:** The community of Caspar does not qualify as a DUC, therefore there are no DUCs within proximity to the District.~~

RECOMMENDATIONS

The CSWD does not provide services outside the District; services provided are near capacity, but due to geography and land ownership patterns related constraints, the District is not looking to expand. Service efficiency, shared facility, and community of interest opportunities are unlikely due to the rural nature of the District. There are no disadvantaged unincorporated communities within the District. Based on this information, a coterminous SOI is sufficient for the District.

~~However, the commission may wish to consider a reduced SOI given the service delivery and infrastructure limitations noted during the MSR Update. In fact, the timing of the SOI Update coincides with the timing of interim services reporting noted in the MSR.~~

REFERENCES

Mendocino County General Plan: Coastal Element. Chapter 4- Land Use Plan: Descriptions and Policies for Thirteen Planning Areas: 4.9 Dark Gulch to Navarro River Planning Area. Albion Planning Area. Adopted by Mendocino County Board of Supervisors. November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991).

Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.

(MSR, 2014). "Mendocino Local Agency Formation Commission, Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014." Prepared by: Kateri Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.

Safe Drinking Water Information System (2015). California State Water Resources Control Board. https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=2934&tinwsys_st_code=CA&wsnumber=CA2300736

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-05

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE CASPAR SOUTH WATER DISTRICT
SPHERE OF INFLUENCE UPDATE 2015**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the Caspar South Water District’s sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer’s report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the sphere of influence update on September 14, 2015 and continued to October 5, 2015; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been informed by the Commission’s earlier municipal service review on countywide water and wastewater services, for which the section on the Caspar South Water District was accepted by the Commission on January 5, 2015.
2. The Commission, as Lead Agency, finds the update to the Caspar South Water District’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. The Caspar South Water District confirmed during the review of its sphere of influence that its services are currently limited to wastewater. Accordingly, the Commission waives the requirement for a statement of services prescribed under Government Code Section 56425(i).
4. This sphere of influence update is assigned the following distinctive short-term designation: “Caspar South Water District Sphere of Influence Update 2015”
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Caspar South Water District Sphere of Influence Update report, hereby incorporated by reference.

6. The Executive Officer shall revise the official records of the Commission to reflect this update of the Caspar South Water District's sphere of influence.

BE IT FURTHER RESOLVED that the Caspar South Water District's sphere of influence is updated as depicted in Exhibit "A".

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 5th day of October, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD SHOEMAKER, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: Colette Metz, Analyst and Sarah West, Services Specialist
SUBJECT: **WORKSHOP** for Sphere of Influence Updates

This is a workshop to introduce Draft SOI Updates for the following:

Laytonville County Water District

An administrative draft was provided to the Laytonville County Water District in September, 2015. District staff reviewed the document and provided further information where requested via several phone conversations and e-mail. The SOI on record for this District is larger than the one proposed in the SOI Update, which is limited to the district boundary and the out of district service areas. Agricultural lands within and outside of the proposed SOI were considered in the Update and there is still an outstanding question as to whether those lands are receiving service, and whether that service is consistent with LAFCo policy. This will affect the recommendation. A land use map is included in the appendices.

Westport County Water District

An administrative draft was provided to the District General Manager, Josh Azevedo in September, 2015. Mr. Azevedo reviewed the document and prior MSR and was helpful in providing additional information about the District. Staff communicated with Mr. Azevedo via phone and e-mail to update details and clarify aspects of the Update document. LAFCo staff suggested a District Board review, and Mr. Azevedo indicated that he would put the SOI Update on the Board's October agenda.

Attachments: Draft SOI Updates

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

LAYTONVILLE COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Workshop Draft

Commission Review

Draft Workshop- October 5th, 2015

Draft Hearing- November 2nd, 2015 (Tentative)

Final Adoption- DATE

Table of Contents

INTRODUCTION	3
OVERVIEW	3
REVIEW PERIOD	3
EVALUATION CONSIDERATIONS	3
General Guidelines for Determining Spheres of Influence	4
FIGURE 1.	5
OVERVIEW	6
CURRENT AGENCY OPERATIONS	6
BACKGROUND	6
MUNICIPAL SERVICE REVIEW	7
SPHERE OF INFLUENCE.....	7
DISADVANTAGED UNINCORPORATED COMMUNITIES	7
CURRENT AND PROJECTED POPULATION	8
Population and Growth	8
Projected Growth and Development	8
CAPACITY AND SERVICE	8
Service Overview.....	8
Infrastructure and Facilities.....	8
Supply.....	9
Water Quality.....	9
Demand	10
Relevant Local Agencies and Communities of Interest	10
RELEVANT PLANNING AND SERVICE FACTORS.....	10
County of Mendocino General Plan Chapter 3: Development Element (DE)	10
County of Mendocino General Plan Chapter 6: Community – Specific Policies: Laytonville Goals and Policies. Those policies that are considered relevant to this Update are excerpted below:.....	11
DISCUSSION	12
Land Use and Development	12
Public Facilities and Services.....	12
Service Capacity.....	13
ANALYSIS	13
1.) Present and Planned Land Use Determination.....	13
2.) Present and Probable Need for Public Facilities and Services Determination	13
3.) Present Capacity of Facilities and Adequacy of Public Services Determination.....	13
4.) Social and Economic Communities of Interest Determination.....	13
5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination	13
RECOMMENDATIONS	14
REFERENCES.....	14
APPENDIX A	15
FIGURE 2. LAND USE MAP.....	15
FIGURE 3. WILLIAMSON ACT MAP	16

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update assesses and recommends a Laytonville County Water District (Laytonville CWD or District) Sphere of Influence (SOI). The objective is to establish Laytonville CWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Laytonville County Water District Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

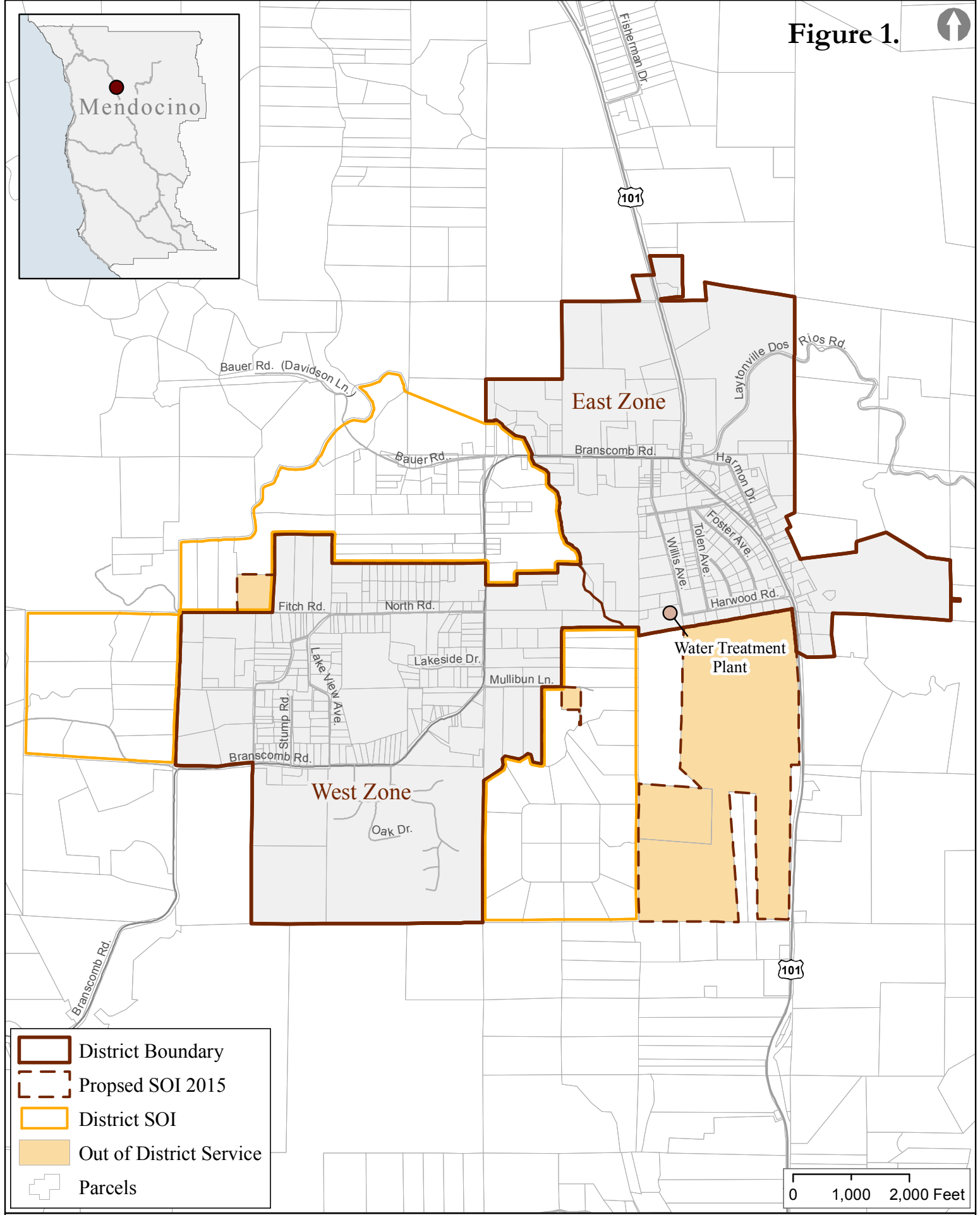
Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

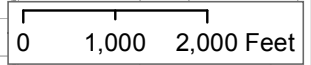
The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants":

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.

Figure 1.



- District Boundary
- Propsed SOI 2015
- District SOI
- Out of District Service
- Parcels



Laytonville County Water District

Packet Page 83

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino **LAFCo** by: Date: 9/29/2015

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Laytonville_Water_District.mxd

OVERVIEW

CURRENT AGENCY OPERATIONS

The Laytonville County Water District (LCWD) provides potable water service to the unincorporated community of Laytonville. The District provides treated water for residential, commercial, and landscape use. The District does not provide irrigation or raw water supply.

LCWD is operated via two separate distribution zones, the East Zone and the West Zone. The East Zone lies east of Ten Mile Creek, and includes the downtown area of Laytonville, the Laytonville K-12 school facilities, and surrounding areas along a two-mile-plus stretch of Highway 101. The West Zone, where approximately 60 percent of District customers reside, lies west of Ten Mile Creek, and includes the Cahto Indian Rancheria and Casino, as well as adjacent residential neighborhoods located on or adjacent to Branscomb Road (See Figure 1) (MSR 2014).

BACKGROUND

From 1951 to 1957 the private Laytonville Water Company provided water services to the community. The LCWD was established in July, 1957 by vote of its constituents during a special election. Mendocino County Board of Supervisors acknowledged the election results via Resolution No. 2271, adopted on July 1, 1957, thereby forming the LCWD. The California Secretary of State also filed formation documents for the District in July 1957. The LCWD was organized with a small-sized geographic boundary, and in 1970 the District acquired all of Laytonville Water Company's assets and infrastructure (MSR 2014).

The District is located 40 miles north of Ukiah, in Mendocino County. Ten Mile Creek and Long Valley Creek are unique geographic features of the Laytonville Valley. The community of Laytonville is the socio-economic center of the District. LCWD encompasses approximately 1,377 acres (2.15 square miles) and contains approximately 550 parcels (MSR 2014).

Since the original establishment of the LCWD in 1957, there have been several changes to the District boundaries and/or SOI. At least 1,500 acres have been annexed to the District since 1971. There may be an error in acreage calculation, because the County's GIS system calculates the District boundary to encompass 1,377 acres total. It is possible that the 2001 annexation and sphere of influence amendment totaled 900 acres, but it is not clear based on the file (MSR, 2014).

In 1971, LAFCo Resolution No. 71-4 resulted in the annexation of 600 acres of property located due west of Ten Mile Creek. Many of the individual private wells in the area had run dry, which resulted in residents seeking service from the District. In April 1975, LAFCo Resolution No. 75-6 was approved to allow annexation of approximately 400 acres to LCWD for the provision of water service; it was later contested by members of the public and the water district approved a special election to consider the issue in 1976. The original request was to annex 720 acres and the area was reduced to approximately 400 acres by final approval in 1976. In 1999, LCWD worked with community members to consider the feasibility of adding wastewater treatment to the District provided services. It was determined to be unfeasible for a variety of reasons, including financial (MSR, 2014).

In 2001, LCWD applied to LAFCo to annex a 900-acre area because properties within the area had been receiving water service from the District. LCWD recognized that out-of-district water service was not in compliance with state law and sought to remedy the situation. LAFCO held a public

**LAYTONVILLE COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCo**

hearing on the item in December 2001 and approved Resolution No. 01-01. Following a protest hearing held in February 2002, LAFCo’s Executive Officer issued Certificate of Completion No. 2002-01 certifying that the annexation was approved and final (MSR, 2014).

MUNICIPAL SERVICE REVIEW

In 2014/15, a Countywide Water and Wastewater Services Municipal Service Review (MSR) was prepared by LAFCo, which included a section on the Laytonville County Water District. MSR’s are a prerequisite for establishing, amending, or updating spheres of influence. As such, much of the information contained herein comes directly from the Laytonville MSR, accepted by the Commission on November 3, 2015.

SPHERE OF INFLUENCE

The District’s SOI was last updated in 2002. The SOI extends past the boundary to the west approximately 0.3 miles, to the southeast approximately 0.4 miles, and to the northwest by about 0.6 miles (See Figure 1). Water service is provided to five customers located outside District boundaries, per LAFCo approval of Resolution No. 2003-06 in September 2003. The property owners requested District service based on the poor water quality of their private individual wells. Three of these customers are also located outside the District’s SOI (Known herein as the Out of SOI Service Area). No additional areas outside the District boundaries have been identified that require services from the District (MSR, 2014).

ASSESSOR PARCEL NUMBER	LOCATED OUTSIDE DISTRICT BOUNDARY/WITHIN SOI	LOCATED OUTSIDE DISTRICT BOUNDARY/OUTSIDE SOI
014-260-58-01		X
014-260-30-00		X
014-260-26-01	X	
014-250-29-00		X
014-500-20-00	X	

LCWD shares recycled/grey water resources with the adjacent Rodeo Grounds for landscape irrigation purposes. A recent study found that there are no technical limitations preventing the District from expanding its water recycling/grey water use to other locations (MSR, 2014).

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. Per California Senate Bill 244, a DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The LCWD provides one of these services -water- and is responsible for assuring that those services are adequately provided to the community. Wastewater service is not provided by a Special District, the community relies upon individual private septic tanks for sewage disposal. Fire protection is provided by the Long Valley Fire District.

Laytonville qualifies as a DUC since the median household income within the Laytonville Census Designated Place (CDP) is \$35,391, which is less (57.4%) than 80% of the State median household income of \$61,632 (MSR 2014).

Based on annual reports to the State Department of Public Health, as well as a review of the District's complaint log for 2012 in the 2014 MSR, water supply services to customers within the District are considered to be satisfactory. Additionally, Mendocino County's DUC evaluation reports that no deficiencies have been identified in regards to water service to the Laytonville community (Hannaford, 2015). The District does not provide sewer services or structural fire protection, and is therefore not responsible for assuring that these services are adequately provided to the community.

CURRENT AND PROJECTED POPULATION

Population and Growth

Laytonville is a census designated place (CDP) under the provisions of the US Census. The Laytonville CDP encompasses 5.4 square miles, and is not coterminous with the boundaries of the LCWD. The District comprises a portion of the Laytonville CDP (MSR 2014).

The 2010 Census reported 1,227 residents in the CDP, which was a decline of 74 people from the 2000 Census of 1,301 people. The California Department of Finance's (DOF) population estimate lumps Laytonville with unincorporated parts of Mendocino County, and thus a numerical breakdown is not readily available. The 2014 MSR estimated population within LCWD boundaries at 488 (MSR 2014).

Projected Growth and Development

Based on the census data presented above, the population level in the community appears stable, with limited growth or decline. During the years 2000 to 2010 the number of "connections" the District served increased by three percent annually on average (MSR 2014). So while, as noted above, the population in the area declined, service connections continued to increase. It is likely that the trend of steady increase in the number of District connections could continue over the next few years.

CAPACITY AND SERVICE

Service Overview

The LCWD has approximately 370 active customer accounts, which includes 306 single family residences, nine multi-family residences, 59 commercial/institutional customers, five landscape irrigation customers, and one "other" type customer. LCWD estimates that it provides water to approximately 2,200 people on a daily basis. All water sales are metered, including bulk water sales, i.e., water sold to commercial and public sector water haulers (MSR 2014).

Infrastructure and Facilities

The District operates a water treatment plant, two active wells, storage tanks, conveyance infrastructure, office building, and other support facilities.

After treatment, water is moved to the distribution system, which includes four storage tanks that connect to the water mains. There are approximately 13 miles of water mains that carry water to 2 separate pressure or distribution zones (the East Zone and the West Zone, as shown in Figure 1).

LAYTONVILLE COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCO

The East Zone lies east of Ten Mile Creek and includes two storage tanks that have a combined capacity of 750,000 gallons. The West Zone lies west of Ten Mile Creek and has two storage tanks with a combined capacity of 310,000 gallons. All four tanks, with a combined capacity of 1,060,000 gallons, are filled through the distribution system.

The District does not have a current capital improvement plan; however, it did complete capital improvement projects in 2009, which included installation of new water mains, new storage tank, and a new arsenic treatment facility.

Supply

LCWD water supply is the aquifer that underlies the Laytonville Valley, which the California Department of Water Resources (DWR) has labeled Groundwater Basin Number 1-38. The U.S. Geological Service (USGS) found that storage capacity estimates for the basin in Laytonville Valley are approximately 14,000 acre-feet. Abundant rainfall generally recharges the basin to capacity. Seasonal water level fluctuation was found to be nearly constant, except during drought years. However, a more recent but less detailed report prepared by the DWR found that there is insufficient information available to make judgments regarding groundwater levels, storage capacity, groundwater budget, or water quality. Furthermore, a groundwater management plan for this aquifer was not available (MSR 2014).

LCWD pumps approximately 53 million gallons per year from the aquifer via its two wells. Water demand/production is slightly higher during the summer months. The groundwater basin is not adjudicated; therefore, there are no legal limits on the amount of water that can be withdrawn annually. The distribution of water deliveries based on customer type is as follows: single-family residential receives 61 percent, multi-family residential receives 4 percent, commercial/Institutional receives 24 percent, landscape Irrigation receives 1 percent, and other receives 10 percent. The District also does not currently have plans to increase the capacity of this system (MSR 2014).

Water Quality

LCWD reports that water quality is currently very good and has worked diligently to resolve past water quality concerns. The District treats its water to lower the levels of naturally-occurring iron, manganese, and arsenic in the system. When the arsenic standard was lowered to 0.010 milligrams per liter in January 2006, the District was out of compliance and received notice of violation from the CDPH. The new arsenic treatment system was installed in 2008 and successfully operated in 2009. The District continues to monitor this constituent to ensure compliance with regulatory standards (MSR 2014).

Another water quality issue is the presence of hundreds of septic tanks near the ground surface and above the aquifer. Since the community of Laytonville does not have access to a formal wastewater treatment system, septic tanks serve as the primary treatment and disposal method. Sometimes aging septic tanks can fail and create water quality problems such as E. coli contamination (MSR 2014). Mendocino County is aware of the concerns and the Council of Governments (MCOG) and Municipal Council have developed the Laytonville Municipal Council which has created a community plan for Laytonville to start discussing solutions.

Demand

A District study has estimated that average daily use per connection is approximately 1,160 gallons. Based upon its present infrastructure configuration, the 2014 MSR estimated that the District can support a maximum of 392 customer connections, meaning that there would be capacity to serve 22 additional connections (MSR 2014). Further conversation with the District indicates that there are close to 400 connections, with approximately 370 considered as “active”. Inactive connections are customers who have the infrastructure for the water service connection, but are not presently receiving service (General Manager, September 25th, 2015).

It should be emphasized that the aquifer likely contains sufficient water supply to support continued growth in the District, however, additional studies would be needed to support a definitive conclusion about the aquifer. The most significant limitation is the District’s capacity to treat the water to meet water quality regulations in a cost effective manner. A recent engineering report recommended that the District begin planning for future upgrades to the water treatment plant to provide additional capacity (MSR 2014).

Relevant Local Agencies and Communities of Interest

The Long Valley Fire Protection District provides fire protection services to the Laytonville community. The Laytonville CWD does not own or share facilities or services with other agencies. In addition, the District does not participate in any mutual aid agreements or an Integrated Regional Water Management Plan.

RELEVANT PLANNING AND SERVICE FACTORS

County of Mendocino General Plan Chapter 3: Development Element (DE)

Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

County of Mendocino General Plan Chapter 6: Community – Specific Policies: Laytonville Goals and Policies. Those policies that are considered relevant to this Update are excerpted below:

The Laytonville Area Municipal Advisory Committee (LAMAC) has identified a number of short- and long-term community goals, addressed below. Among the key goals is the construction of a public wastewater treatment system (replacing widespread use of septic systems) and provision of a stable public water supply through the Laytonville County Water District. In January 2008, the “Laytonville Traffic Calming and Revitalization Plan” (prepared with grant funding from Caltrans) was adopted to address longstanding issues affecting the main roadway through this community.

Laytonville Community Goals- from the Community Plan- Laytonville (CP-L) section of the County General Plan.

Goal CP-L-1: Retain the rural atmosphere and natural resources of Long Valley.

Goal CP-L-4: Focus development and community services in proximity to the town center of Laytonville.

Laytonville Community Area Policies

Policy CP-L-1: The County will maintain the open, rural atmosphere of Long Valley and facilitate infill of the existing community by restricting the US 101 business district of Laytonville to the established town center.

Policy CP-L-2: The County shall support, encourage, and facilitate community planning in Laytonville.

Action Item CP-L-2.1: Continue to refer discretionary projects to, and consider recommendations of, the Laytonville Area Municipal Advisory Commission prior to taking action on the proposal.

Policy CP-L-15: The County supports construction efforts to provide necessary water storage to meet community fire-fighting needs and required fire flows.

Policy CP-L-16: The County will assist the Laytonville County Water District in its efforts to serve existing development and future growth consistent with the land use patterns and densities established in the General Plan, including the District’s efforts to provide long-term, reliable water supplies.

Policy CP-L-17: The County supports the use of a domestic wastewater treatment system for Laytonville. A decentralized system with components managed and maintained by a public district is preferred by the County over other alternatives.

Policy CP-L-18: The County encourages the Laytonville County Water District to pursue the provision or management of a decentralized wastewater system and shall facilitate this process and support funding applications consistent with technical studies and General Plan objectives.

Action Item CP-L-18.1: Pursue the study, design and construction of a wastewater treatment system serving Laytonville.

Action Item CP-L-18.2: The County shall continue to monitor the Laytonville Landfill and fully mitigate any impacts to groundwater resources, greenhouse gas emissions and related environmental resources.

DISCUSSION

The Primary Service Area contains the area within District boundaries. The current SOI is adjacent to the District Boundaries (see Figure 1). The Out of Sphere Service Area constitutes the two properties external to both the Primary Service Area and the SOI (See Figure 1).

Land Use and Development

The Laytonville CWD encompasses a central business district with commercial, public and residential uses. Land-use is primarily low-density residential (see Figure 2 in Appendix A). Since the community relies upon individual private septic tanks for sewage disposal, lot sizes must be large enough to accommodate the septic system, thereby reducing overall density. The land uses within the Primary Service Area are consistent with services provided by the District.

The eastern portion of the current SOI is primarily low density residential housing, but some of the eastern portion and the majority of the south-western portion of the SOI are designated as resource lands, many of which participate in the Williamson Act program (see Figure 3 in Appendix A). One of the two properties that receive service in the SOI is designated as resource land, and the other as rural residential.

As stated above in the introduction, part of LAFCo's purpose is to discourage urban sprawl and preserve open space and prime agricultural lands. As such, those parcels within the SOI that are designated as resource lands, particularly those enrolled under the Williamson Act should be evaluated to determine their relevance for inclusion in an SOI.

Public Facilities and Services

Laytonville is an isolated community with little future growth projected. Minimal development is anticipated in the District due to constraints on infrastructure and public services such as wastewater treatment and disposal. Though population in the area has decreased, service hookups continue to slightly increase.

Two properties within the SOI are currently receiving service. Those properties in the SOI not presently receiving service that are designated as low density residential represent potential future need for services. The properties receiving water services outside of the SOI also represent a present and probable need for service. Given present land-use designations and services provided, it is expected that the need for services will continue, but not increase significantly.

Service Capacity

District facilities are in good condition, and water service is adequate. LCWD's infrastructure appears to be nearing its capacity. Based on the above information discussed in the *Capacity and Service* section, there are already more connections to the system (400) than the estimated 2014 MSR capacity (392 connections), but not all of them are receiving service at this time. These 20-30 non-serviced connections represent a potential future service need from the District.

In the longer term, if the area experiences any significant population growth, expansion of the District's facilities will likely be necessary. Supply appears to presently be adequate; however, additional studies are needed to support a definitive conclusion about the capacity of the aquifer.

As discussed in the Primary Service Area section of this analysis, it has been determined that the District has sufficient infrastructure and capacity to serve existing customers (including those out of district). Further study of the supply aquifer is needed to adequately identify supply capacity. Additional study of service infrastructure may be needed to determine if present infrastructure is sufficient to provide service for the future growth expected within and external to District boundaries.

ANALYSIS

1.) Present and Planned Land Use Determination

[Land-Use determination, including status of Williamson Act Lands to be finalized pending more information from the District.]

2.) Present and Probable Need for Public Facilities and Services Determination

Minimal development is anticipated in the District. Those properties receiving service outside of District boundaries represent a need for service external to District boundaries. Given present land-use designations and services provided, it is expected that the need for services will continue, but not increase significantly.

3.) Present Capacity of Facilities and Adequacy of Public Services Determination

The District has sufficient infrastructure and capacity to serve existing customers (including those out of District). Further studies of the supply aquifer and service infrastructure capacity are needed.

4.) Social and Economic Communities of Interest Determination

The District's Primary Service Area and SOI only encompass a portion of the Laytonville community when defined as a Census Designated Place.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination

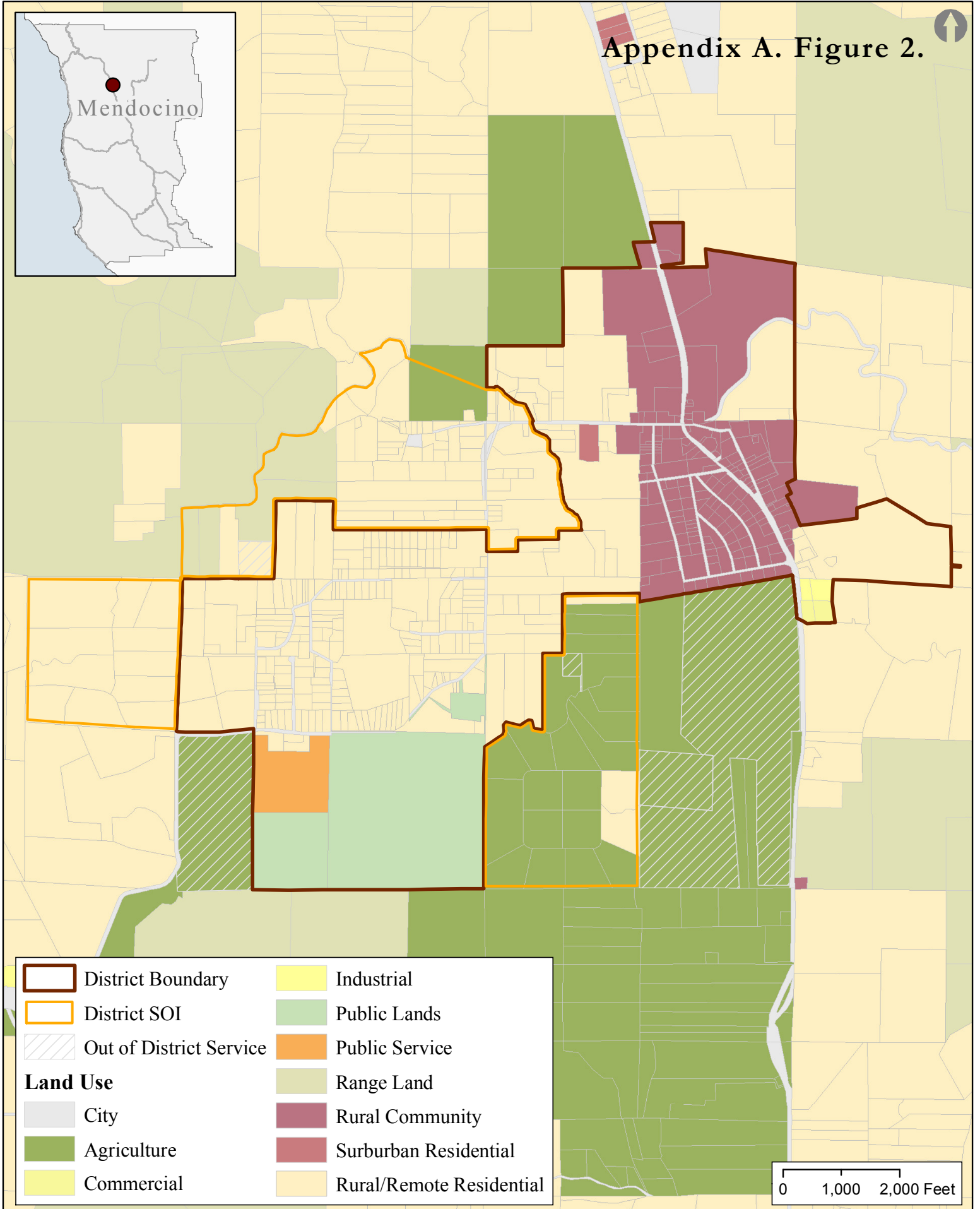
Laytonville qualifies as a DUC. The District is only responsible for assuring that water services are adequately provided to the community. The 2014 MSR reports water supply services to customers within the District as satisfactory and the County DUC evaluation reports no deficiencies in regards to water service to the Laytonville community (Hannaford, 2015).

RECOMMENDATIONS

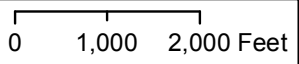
[Sphere recommendation to be finalized pending more information from the District, including status of Williamson Act Lands and out of district water services. Staff is in contact with District staff and is expecting more information to inform sphere determinations and recommendation shortly.]

REFERENCES

- Hannaford, Graham. September 21, 2015. "GP_2015-0002- Disadvantaged Unincorporated Communities Assessment". Memorandum to the Mendocino County Planning Commission. <http://www.co.mendocino.ca.us/planning/pdf/current/1.STAFF%20MEMO%20DUC.pdf>
- Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.
- Mendocino County Coastal Element: Chapter 6: Community – Specific Policies
- Mendocino County General Plan: Coastal Element. Adopted by Mendocino County Board of Supervisors. November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991)
- (MSR, 2014) "Mendocino Local Agency Formation Commission, Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014". Prepared by: Kateri Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.



District Boundary	Industrial
District SOI	Public Lands
Out of District Service	Public Service
Land Use	
City	Range Land
Agriculture	Rural Community
Commercial	Suburban Residential
	Rural/Remote Residential

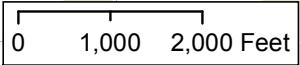
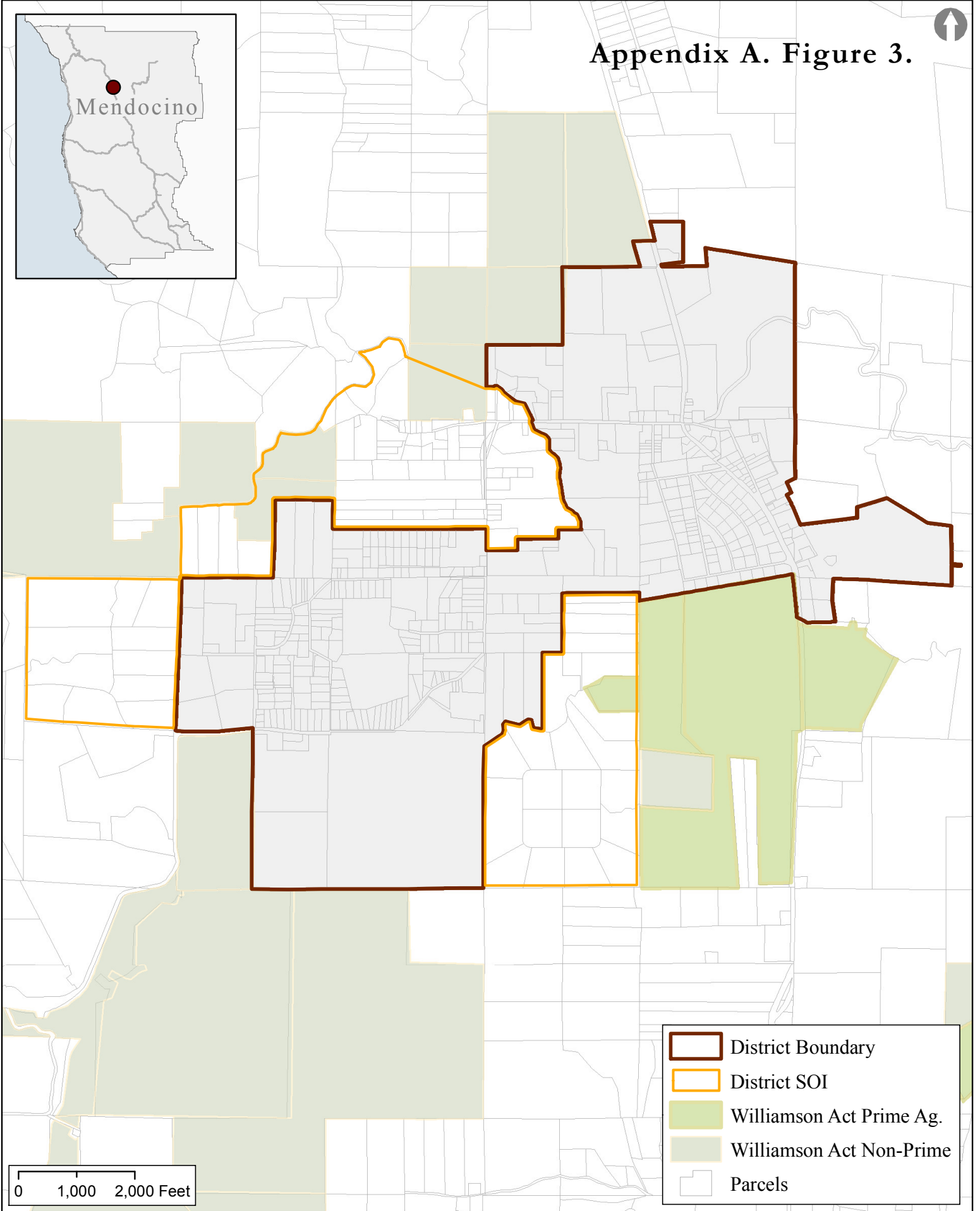


Laytonville County Water District

Landuse Designations



Appendix A. Figure 3.



	District Boundary
	District SOI
	Williamson Act Prime Ag.
	Williamson Act Non-Prime
	Parcels

Laytonville County Water District

Williamson Act Agriculture Lands

Packet Page 94

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 9/29/2015

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Laytonville_Water_District_primeag.mxd

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

WESTPORT COUNTY WATER DISTRICT
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Workshop Draft

Commission Review

Draft Workshop- October 5, 2015

Draft Hearing- November 2, 2015 (Tentative)

Final Adoption- DATE

Table of Contents

INTRODUCTION	3
OVERVIEW	3
REVIEW PERIOD	3
EVALUATION CONSIDERATIONS	3
General Guidelines for Determining Spheres of Influence	4
FIGURE 1.	5
OVERVIEW	6
CURRENT AGENCY OPERATIONS	6
BACKGROUND	6
MUNICIPAL SERVICE REVIEW	6
SPHERE OF INFLUENCE.....	6
Out of District Service	7
DISADVANTAGED UNINCORPORATED COMMUNITIES	7
CURRENT AND PROJECTED POPULATION	7
Population	7
Projected Growth and Development	7
Land Use and Development	8
CAPACITY AND SERVICE	8
Relevant Local Agencies and Communities of Interest	11
RELEVANT PLANNING AND SERVICE FACTORS.....	11
County of Mendocino General Plan- Development Element (DE).....	11
Coastal Element: North Coast CAC Planning Area: Rockport to Little Valley Road Planning Area (Includes Westport, Inglenook).....	12
DISCUSSION	13
ANALYSIS	13
RECOMMENDATIONS	14
REFERENCES.....	14
APPENDIX A	16
FIGURE 2. LAND USE DESIGNATIONS.....	16

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend establishment of an appropriate Westport County Water District Sphere of Influence (SOI). The objective is to establish Westport County Water District SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Westport County Water District’s 2014 Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

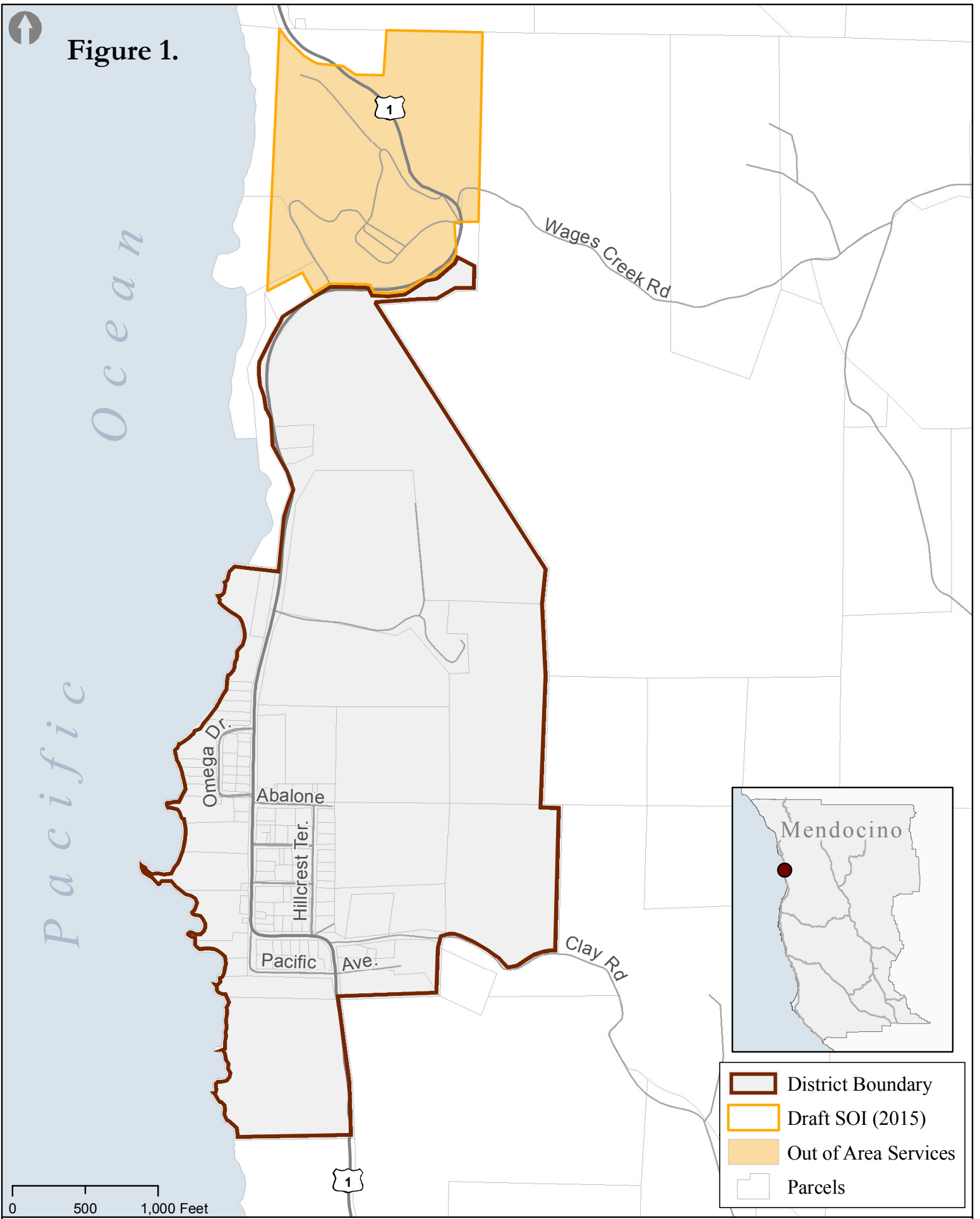
General Guidelines for Determining Spheres of Influence





The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants"):

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.



Figure 1.



-  District Boundary
-  Draft SOI (2015)
-  Out of Area Services
-  Parcels

Westport County Water District

Packet Page 99

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 9/29/2015

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Westport_County_Water_District.mxd

OVERVIEW

CURRENT AGENCY OPERATIONS

The Westport County Water District (Westport CWD or District) provides water supply and treatment; wastewater collection, treatment and disposal services to 61 residential and 12 commercial customers within the District boundary. The District provides out-of-district water and wastewater service under contract to the Westport Beach RV Park and Campground, which is adjacent to the District's northern boundary, 0.7 miles north of Westport. Additionally, water is supplied by request and fee for export water trucks (MSR 2014).

BACKGROUND

The Westport CWD is a special district that was established in 1971 by Mendocino County Board of Supervisors Resolution No. 71-369 and Mendocino LAFCo Resolution No. 71-1 under the County Water District Law (Water Code §30000–33901) for the purpose of providing water, wastewater and fire protection services to the community of Westport on the northern coast of Mendocino County. Just months after formation, in May 1971, 18-acres were detached from the northern portion of the District. No detachments or annexations have occurred since. In 2007, the Westport Volunteer Fire Department separated from the District and became a 501(c)(3) non-profit organization, which was further formalized in 2009 as a Fire Company. The Westport CWD now provides only water and wastewater services (MSR 2014).

The District is 235 acres in size. The current boundary includes the unincorporated community of Westport, which consists of residences, a small hotel/restaurant, small motel, and a store/deli. The Mendocino County Coastal Element indicates that the community is largely made up of the Westport Beach Subdivision, which lies east of Highway 1 with the exception of one parcel and that 33 of its 80 20-acre residential parcels are located wholly within the coastal zone.

The District boundary extends north to Wages Creek, and just south of Westport on the west side of Highway 1 (Figure 1). The western boundary extends to the Pacific Ocean and the eastern boundary encompasses a number of large, undeveloped rangeland parcels, as well as the District's water tanks and wastewater treatment facilities (MSR 2014).

MUNICIPAL SERVICE REVIEW

A Municipal Service Review (MSR) for the District was initiated in 2005, but was not completed. In 2014 a County-wide MSR was conducted for the county water districts, which included the Westport County Water District. This was the first MSR completed for the District (MSR 2014). A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Westport CWD MSR.

SPHERE OF INFLUENCE

The District's SOI has not been established by LAFCo. This document will assess and recommend establishment of an appropriate SOI for the District based on sphere determinations in the *Analysis* portion of this document. The SOI is considered to be coterminous with the District's boundaries at this time, and there is no information in LAFCo files to indicate otherwise.

Out of District Service

The District provides out-of-district water and wastewater service to Westport Beach RV Park and Campground (Westport Beach) under contract. This area is external to the current District boundary and coterminous with northern most portion of said boundary (see Figure 1).

Westport Beach RV Park and Campground is located just 0.7 miles north of the community of Westport at the mouth of Wages Creek. The 50-acre park provides 75 full hookup RV sites, 50 tent sites, and 5 group sites. Westport Beach also has a bluff-top two bedroom, rental cabin. Amenities include a camp store, two restroom/shower buildings, a laundromat, and play area (MSR 2014).

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The Westport CWD provides two of these services—water and wastewater (sewer). The District does not provide structural fire protection. It is therefore not responsible for assuring that fire protection service is adequately provided to the community. Fire protection is provided by the Westport Volunteer Fire Department.

As a part of Mendocino County's General Plan Update, the County conducted a Disadvantaged Unincorporated Communities (DUC) assessment. The DUCs identified include Hopland, Boonville/Philo, Covelo/Round Valley, Laytonville, and Leggett (Hannaford, 2015). Westport County Water District is not considered a DUC, nor is it within proximity to an identified DUC, and therefore no further analysis will be conducted.

CURRENT AND PROJECTED POPULATION

Population

The community of Westport has a permanent population of approximately 70 residents. There is no designated census block for Westport specifically, nor is Westport a census designated place. The community is comprised primarily of residential and residential vacation homes, which are vacant part of the year. According to the MSR, populations can double during summer months. The District provides service to 61 residential and 12 commercial customers (73 total) within the District. Assuming the County's average of 2.46 people per household and the 73 total connections, the District serves approximately 180 people during the high season (MSR 2014).

Projected Growth and Development

The growth rate within the District was estimated at 2.1 percent in 2001; however no growth has occurred since the economic downturn in 2007-2008. Further, the District anticipates little growth in population within the next few years; however, no formal population projections have been made by the District (MSR 2014).

Given Westport's isolated location and limited development potential, it's unlikely to experience significant population increases in the next few decades. There are no outstanding will-serve letters and no known developments pending. The District's water and wastewater systems were designed to accommodate 95 services each and are approximately 77 percent built out; however, the area has

experienced little to no growth in recent years. Additionally, the occupancy rate has been reduced quite a bit since the 1960s, which further reduces the projected build-out population (MSR 2014).

Land Use and Development

The Westport area is unincorporated and subject to Mendocino County land use authority. The primary service area is the current District boundary, as shown in Figure 1. The Westport CWD and Out of District Service Area are entirely within the Coastal Zone and subject to Mendocino land-use authority and the California Coastal Act. Lands within the District are primarily designated as Range Land and Rural Village. The land designations within the District are shown on the Land Use map provided in Appendix A. As with many service providers in the County, there are resource lands currently in District boundaries, but no lands under Williamson Act contract are within the District or Out of District Service Area.

Out of District Service Area (Westport Beach RV Park and Campground)

The Out of District Service Area includes the Westport Beach RV Park and Campground, which receives out-of-district water and wastewater service from the Westport CWD. There are 2 parcels within the area. One parcel is designated as Rangeland, with a combining district designation for Visitor Accommodation Services of Existing Facilities: Campground and RV. The other parcel is designated as remote residential. Together the two parcels are approximately 50 acres. The current use is the Westport Beach RV Park and Campground, which provides full hookup RV sites, tent sites, and group sites. It also has a rental cabin.

The Principal Permitted Use of the remote residential site is one dwelling unit per parcel with associated utilities, light agriculture uses and home occupations (see Mendocino County Coastal Element Policy 3.2-11). With the current land use designations and the RV Park and Campground development, no further development or additional need for services is expected within the Out of District Service Area. No additional need for services is expected given the current development and land use patterns of the two parcels. The area's use is consistent with services provided and will likely need future services and inclusion within the Westport CWD SOI appears warranted.

CAPACITY AND SERVICE

The District's water and wastewater systems were built with the capacity to accommodate 95 connections each and are approximately 77 percent built-out (73 connections used, 22 connections left) (MSR 2014).

Water Services

WCWD provides water supply and treatment to 61 residential and 12 commercial customers. The District has two developed sources of water: an appropriative water right on Wages Creek and a well near the water tank site. It pumps water primarily from Wages Creek, with emergency water coming from the largely unusable well (MSR 2015).

The District maintains a treatment, storage and distribution system. The distribution system consists of two water storage tanks totaling 200,000 gallons, a waterline, meters, and fire hydrants. As discussed above, the District provides out-of-district water and wastewater service under contract to the Westport Beach RV Park and Campground, which is coterminous with the District's northern boundary. Additionally, water is supplied by request and fee for export water trucks (MSR 2014).

Facilities

The District’s treatment, storage, and distribution system was installed in 1976 using Wages Creek as its primary water supply. The District later drilled a deep well, but is unusable due to high concentrations of manganese and iron. To use the well water, the District would need to install a filtration system that would cost in excess of \$100,000. The District has occasionally been granted permission by the State Department of Health and Safety to use the well water for supply in periods of drought (MSR 2014).

WCWD’s distribution system consists of waterlines, meters, and fire hydrants. The hydrant system is up to date. The lines remain in serviceable condition; however they are more than 35 years old and are reaching the end of their useful lives. There is no funding available for replacement of aging distribution and transmission lines (MSR 2014).

The District has a 100,000 gallon steel storage tank and a 100,000 gallon redwood tank. The steel storage tank was constructed in 2009 with the assistance of Proposition 50 IRWM Implementation Grant, to increase water supply reliability, fire protection, emergency water supply and maintenance of bypass flows in the Wages Creek water right. Although it provides improved water supply reliability within the District, the tank provides limited term storage (10 days, up to 30 days with conservation measures implemented) and water rationing has been implemented during times of high turbidity. The redwood water tank was reported in the 2014 MSR as in a state of degradation and leaking. District staff has reported that the tank received a new liner and sample tap in August of 2014 and is now in good working condition (General Manager, September 21, 2015). Both tanks are located above the community and provide water supply via gravity. Water supply for the District is dependent on adequate annual rainfall and water quality of Wages Creek, its primary water supply (MSR 2014).

Water storage needs are reported to include working, fire, and emergency storage. According to the MSR, the District’s recommended working storage is 30,000 gallons. Fire storage is required to meet a standard volume of 180,000 gallons, nearly all of the District’s current storage capacity. Emergency storage is typically one to three days of existing water demand, which was estimated at nearly 80,000 gallons. Total recommended storage volume is 290,000 gallons. Based on this, the Westport CWD has a storage deficit of 90,000 gallons (MSR 2014). The table from the 2014 MSR presenting this information is excerpted below:

Recommended Storage Volumes for WCWD

Storage Element	Storage Volume (gallons)
Recommended Storage	
Working Storage ¹	30,000
Fire Storage	180,000
Emergency Storage ²	160,000
Total Recommended Storage	290,000
Existing Storage	200,000
Storage Deficit	90,000

¹ The working storage provides water to accommodate the daily variations in water use given constant water plant output. It is estimated to be 35 percent of the maximum day average demand
² Emergency storage should be one to three days of additional water supply. Based on a demand of 78,600 GPD, one day's supply would be approximately 80,000 gallons.
Source: (Winzler & Kelly, 2003, pp. 8-3)

Figure 2. Recommended Storage Volumes for WCWD; excerpted from Final Water and Wastewater Municipal Service Review 10-06-14, Chapter 9.

It should be noted that District staff has reported sufficient water capacity at current levels of 200,000 gallons, which is double the original design capacity of the water system (General Manager, September 21, 2015).

Water Supply

The Westport County Water District has two developed sources of water: an appropriative water right on Wages Creek (SWRCB Permit No. 16729) and the previously discussed well near the water tank site. Water supply for the District is dependent on adequate annual rainfall and water quality of Wages Creek. The Wages Creek permit was obtained in 1972 and allows the District to divert flows year-round at a rate of 0.125 cubic feet per second (cfs) for a maximum 47 acre-feet/year (af/yr). Conditions of the permit require bypass flows at:

- 20 cfs from November 15 – February 29,
- 10 cfs from March 1 – May 31,
- and 3 cfs from June 1 – November 14.

District staff report that on average approximately 28 cfs flows through the treatment plant, which reportedly far exceeds average demand. Average day demand is approximately 26,230 gallons per day (GPD), and maximum day demand is 78,600 GPD (MSR 2014).

During its annual inspection in 2000, the State Water Resources Control Board (SWRCB) found that the District was not yet putting to use the full water appropriation found in their water right permit. The WCWD is currently using approximately 41 percent of its permitted annual diversion, based on an annual raw water demand of 6.32 million gallons, which is 19.4 afy (MSR 2014).

At the end of the dry season, October and into December, the flow in Wages Creek can become very low. The bypass flow requirement increases from 3 cfs to 20 cfs on November 15, making it very difficult to impossible for the District to withdraw if the winter rains have not yet started. Conversely, during very high flows, turbidity of the water poses a difficulty in meeting current water standards (MSR 2014).

The District has a drought management plan in place, which specifies voluntary conservation at Stage 1 and limits supply to 150 GPD to each homeowner in extreme drought conditions. Average daily water consumption is approximately 250 GPD. During drought conditions the District has approval to withdraw water, if less than one inch of flows are in Wages Creek (MSR 2014). The District reports that stream flow measurements are currently .5 CFS above their action level for

mandatory water conservation. Current water conservation is voluntary and requires limiting outdoor irrigation to only two days per week (District Manager, September 2015).

Wastewater Services

The Westport CWD has treatment capacity of a maximum of 20,000 gallons per day averaged over a period of 30 consecutive days of average dry weather flow. The plant is designed to provide primary and secondary treatment of wastewater (MSR 2014).

Wastewater treatment consists of two aerated ponds, followed by an approximately 11.3 million gallon polishing/storage pond. Wastewater from the polishing/storage pond is then disinfected prior to being irrigated over a 16.8-acre open field west of the community. The wastewater treatment plant handles approximately 6.4 million gallons of rainfall and storm water annually. The District has space to add an additional 25 feet to the existing lagoon should development occur that required additional wastewater capacity. Peak flow was last exceeded in March 2011 due to heavy rainfall. The infrastructure has recently been replaced, including almost all of the District's original wastewater system equipment, pump station, and collection lines (MSR 2014).

A Grand Jury Update in 2001-2002 identified the sewage settlement ponds as having sediment accumulation and sewage seepage. The 2014 MSR reported that the District has insufficient funds for required, draining, sediment removal and lining, but the District reports that sediment accumulation builds up in the aeration lagoons and is removed when needed and tilled into the hillside where they irrigate for evaporation (District Manager, September 2015).

Relevant Local Agencies and Communities of Interest

The closest communities to the District are Cleone (a census designated place) and the City of Fort Bragg, approximately 9 and 15 miles to the south, respectively. To the north is the unincorporated community of Rockport, approximately 10 miles on California State Route 1. According to the Mendocino County Coastal Element for the Rockport to Little Valley Road Planning Area, residents of Westport work in Fort Bragg, and the District is socially and economically tied to Fort Bragg. All of the aforementioned communities, including Fort Bragg are not in proximity to provide services.

RELEVANT PLANNING AND SERVICE FACTORS

County of Mendocino General Plan- Development Element (DE)

Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Coastal Element: North Coast CAC Planning Area: Rockport to Little Valley Road Planning Area (Includes Westport, Inglenook)

“The Westport CWD lies within the Rockport to Little Valley Road Planning Area. Major development in this area is constrained due to the topography, agricultural and timber resources, and the highly scenic coastline. North of the Ten Mile River, the coastal zone boundary is 1,000 yards from the shoreline, nearly all of it visible from Highway 1. 80% of the land west of Highway 1 in this area is in public ownership.

The Coastal Element protects the scenic and rural qualities of the area by limiting new subdivisions, retaining rangelands and timberlands in large parcels, and by designating specific areas between Hardy Creek and the Ten Mile River as highly scenic areas within which new development must be subordinate to the character of its setting consistent with Coastal Element Policy 3.5-3. The plan recognizes the existing subdivisions: Ocean Meadows, Seaside and Westport Beach. Each existing legally created parcel in each subdivision is allowed one residence as a principal permitted use.

The Coastal Element further meets Coastal Act requirements by directing growth to areas with available services. The plan does not anticipate formation of new districts to provide water or sewage services in this area but does recognize that the formation or expansion of existing districts requires a coastal development permit (30254). The Coastal Element calls for most new housing units to be in the Westport Beach Subdivision and the town of Westport.”

Coastal Element Policies: Westport- Only relevant policies are excerpted here.

4.2-2 Westport shall be designated a Rural Village, as described in the Land Use classification section. Commercial uses shall be limited to both sides of Highway 1 between the southern boundary of the treatment plant on the north, and to the east jog in the highway to the south.

4.2-3 Shoreline access for residents and visitors shall be provided at Pete's Beach in conformance with Policy 4.2-10.

4.2-4 Future development of Westport as a Rural Village shall require that new development be compatible with existing development relative to scope and character.

DISCUSSION

The present need for Westport CWD's services within the District is limited to the community of Westport, which has an estimated permanent population of approximately 70 residents and experiences seasonal fluctuations, more than doubling the population, during the summer months. Facility service capacity is estimated around 77 percent built-out, but population and service needs do not appear to be expanding rapidly. See *Current and Projected Population* above for initial discussion.

Projected low population growth will limit service needs. The projected build out of 95 additional hookups is not anticipated within the next 5-10 years; however unanticipated growth may occur within the 20 year planning horizon of this update, and population growth should be monitored in further SOI updates.

Water Services

The 2014 MSR states that Westport CWD appears able to provide water service to its current customers; but aging infrastructure and storage capacity are concerns for future service (See *Capacity and Service* section for initial discussion). The water supply from Wages Creek is limited by the District's water rights, which are tied to environmental inflow stream bypass requirements. While the water right allotment appears to be more than sufficient for the District's needs during normal periods, drought conditions affect the District's ability to withdraw water (due to low flow levels). The 2014 MSR also reports turbidity associated with high water flow limits water supply. With the reported water storage capacity, both low flows and high turbidly conditions may cause demand to exceed the storage supply. The District has indicated that periods of limited withdrawal occur mainly in the winter, when customer demand is low, around 2,500 gallons/day (District Manager, September 25, 2015). Additionally, voluntary water conservation measures are in place and the District utilizes management practices to anticipate limited water supply and ensure water storage is at full capacity.

Given that peak service and fireflow demand for the system occur in the summer months, and concerns regarding sufficient storage capacity occur mainly during the winter months, staff finds that the present storage capacity of the system is adequate to meet present and short-term future needs of the District. Additional storage capacity, infrastructure upgrades, and a treatment system for the well are all recommended actions to address future service needs.

ANALYSIS

1.) Present and Planned Land Use Determination

The Westport CWD and Out of District Service Area are entirely within the Coastal Zone and subject to Mendocino County General Plan and Local Coastal Program. The Out of District Service Area's land-use with combining district designation is consistent with services provided.

2.) Present and Probable Need for Public Facilities and Services Determination

The present need for Westport CWD's services is limited to the community of Westport and the Out of District Service Area. The out-of-district area receives water and wastewater service from the

Westport CWD. The establishment will likely need continued services into the future, which warrants inclusion in the Westport CWD SOI.

3.) Present Capacity of Facilities and Adequacy of Public Services Determination

Water and wastewater services appear to be adequate to accommodate existing and probable near-future demands within the current service area (Primary Service Area and Out of District Service Area). Service capacity should be monitored closely in subsequent MSR and SOI updates.

4.) Social and Economic Communities of Interest Determination

The Out of District Service Area has established social and economic ties with Westport CWD given that the area receives water and wastewater services from the District. These social and economic ties would support the inclusion of the Out of District Service Area within the District's updated SOI.

5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination

Westport CWD is not considered a DUC, nor is it within proximity to an identified DUC.

RECOMMENDATIONS

Given that the Westport County Water District has sufficient capacity to provide water and wastewater services, and given the District currently provides services outside the district boundary, staff finds that the Out of District Service Area (Westport Beach RV Park and Campground) should be included in the Westport CWD's SOI. There are no other lands adjacent to the District that are expected to need services within the next 5-10 years, and so no other lands are recommended for consideration in adoption into the Westport CWD SOI.

REFERENCES

- Grand Jury, Mendocino County, 2003. "Grand Jury Final Report 2001-2002". Westport County Water District section, pages 65-67.
- Hannaford, Graham. September 21, 2015. "GP_2015-0002- Disadvantaged Unincorporated Communities Assessment". Memorandum to the Mendocino County Planning Commission. <http://www.co.mendocino.ca.us/planning/pdf/current/1.STAFF%20MEMO%20DUC.pdf>
- Mendocino County General Plan: Coastal Element. Chapter 4- Land Use Plan: Descriptions and Policies for Thirteen Planning Areas: 4.9 Dark Gulch to Navarro River Planning Area. Albion Planning Area. Adopted by Mendocino County Board of Supervisors. November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991).
- Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.
- (MSR, 2014) "Mendocino Local Agency Formation Commission, Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala

WESTPORT COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014”. Prepared by: Kateri Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.

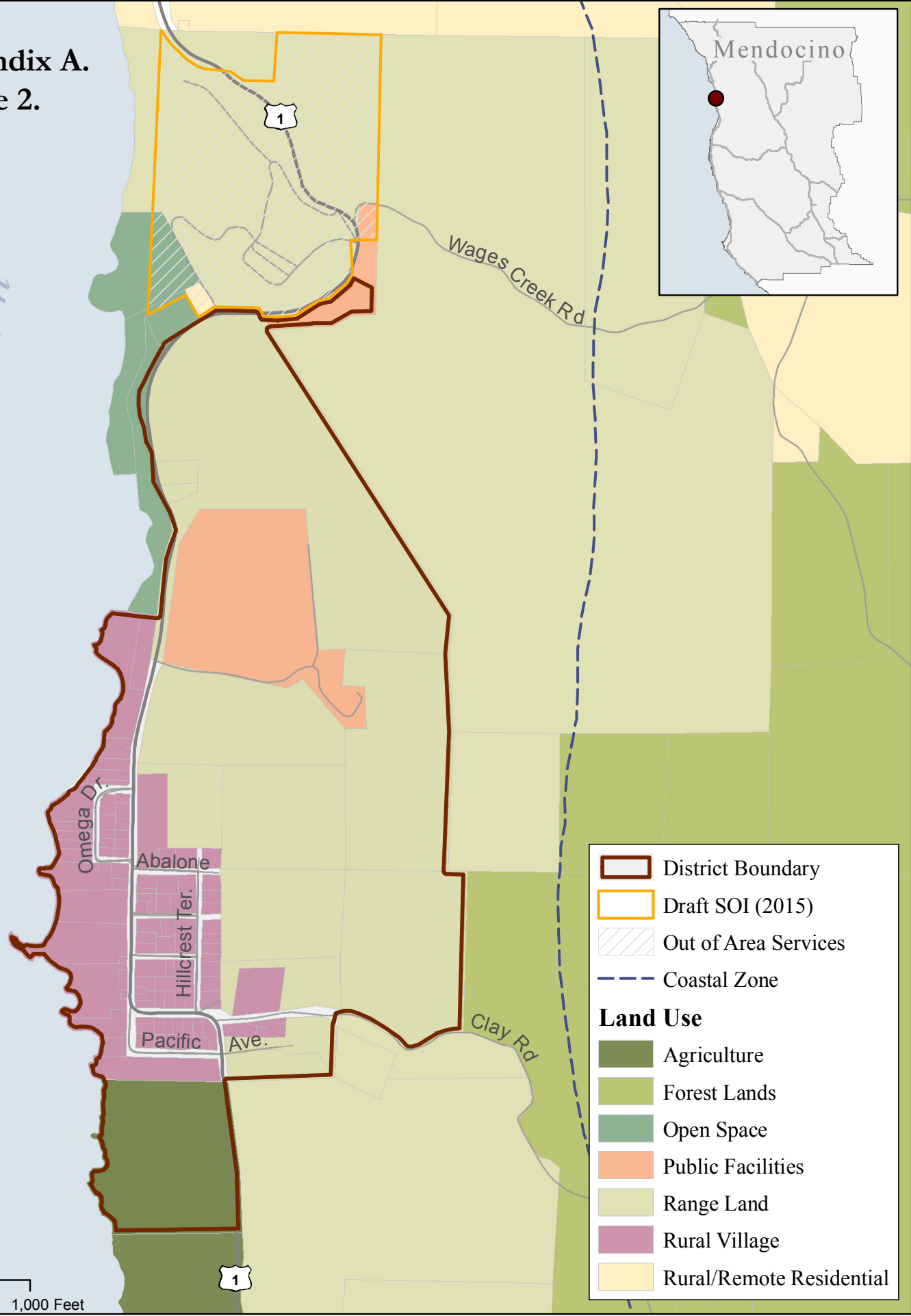
DRAFT



Appendix A.
Figure 2.



Pacific Ocean



	District Boundary
	Draft SOI (2015)
	Out of Area Services
	Coastal Zone
Land Use	
	Agriculture
	Forest Lands
	Open Space
	Public Facilities
	Range Land
	Rural Village
	Rural/Remote Residential

0 500 1,000 Feet

Westport County Water District Land Use

Prepared for **PLANWEST**
Mendocino **PARTNERS, INC.**

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.
Path: D:\Planwest_GIS\projects\current\Mendocino_LAFCo\Water_Districts\mapdocs\Westport_County_Water_District_Landuse.mxd

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: Colette Metz, Analyst and Sarah West, Services Specialist
SUBJECT: Status of MSR & SOI Updates

MSRs for the following Special Districts are remaining on the Baracco & Associates contract:

Fire Related Districts

Albion-Little River FPD	Comptche CSD	Covelo FPD	South Coast FPD
Elk CSD	Hopland FPD	Leggett Valley FPD	Westport VFD
Little Lake FPD	Long Valley FPD	Mendocino FPD	
Piercy FPD	Potter Valley CSD	Redwood Valley-Calpella FPD	

Cemetery Districts

Anderson Valley CD	Covelo Public CD	Hopland CD
Mendocino-Little River CD	Potter Valley CD	Russian River CD
Westport-Ten Mile CD	Cemetery District of the Redwoods	

Dependent Special Districts

Legal Counsel opinion – Lighting District MSRs not necessary
Meadowbrook Manor Co San District Mendocino County Water Agency
Mendocino Co Waterworks District No. 2

SOI Updates for the following cities and special districts are in progress by Planwest:

SOI Updates Scheduled for Hearing:

City of Point Arena

Scheduled for hearing in October (see Agenda Item 6).

Elk County Water District

Scheduled for hearing in October (see Agenda Item 6).

Caspar South Water District

Scheduled for hearing in October (see Agenda Item 6).

Round Valley County Water District

The Round Valley County Water District General Manager and Board have requested more time to review and comment on the Draft SOI Update. The General Manager attended the September workshop where the Commission discussed involving the Round Valley Tribe in SOI discussions. This public hearing was continued to the Commission's November meeting.

Anderson Valley Community Services District

Anderson Valley CSD General Manager Joy Andrews attended the September Commission workshop on the Draft SOI Update. Prior to the workshop, a CSD fire response area was submitted and included in Appendix A. CSD staff has requested more time to review and intends to take the Draft SOI Update to the CSD Board at their October meeting. LAFCo staff has discussed fire response and sphere boundaries with the Fire Chief. A Final Draft SOI Update will be prepared to incorporate district comments, and will be noticed for public hearing at the November meeting.

Pacific Reefs Water District

The Draft SOI Update was sent to the District via mail and e-mail, and several phone calls were made to Pacific Reefs Board representatives. This is a small single purpose district and the SOI is proposed to be the same as the District Boundary. This Draft SOI Update will be noticed for public hearing at the November meeting.

Irish Beach Water District

The Irish Beach Water District General Manager and Board reviewed the Draft SOI Update at their September meeting. The Board also discussed and took action on a resolution intended to keep the De Ruiter parcel in the District, which is referenced in the SOI Update. LAFCo has received a letter from the Coastal Commission stating the need for a Local Coastal Plan amendment for detachment. This letter was forwarded to the applicant's representative. Due to this, the public hearing on the SOI Update was continued to the Commission's December meeting to allow additional time to address the De Ruiter Detachment proposal.

SOI Updates Scheduled for Workshop:

Laytonville County Water District

Scheduled for workshop in October (see Agenda Item 7).

Westport County Water District

Scheduled for workshop in October (see Agenda Item 7).

Gualala Community Services District

The General Manager is currently reviewing the Administrative Draft SOI Update. Comments are expected by mid-October. A Draft SOI Update is tentatively scheduled for workshop in November.

Willow County Water District

The General Manager is currently reviewing the Administrative Draft SOI Update. Comments are expected by mid-October. This is one of several districts identified for possible consolidation in the Ukiah Valley MSR. A Draft SOI Update is tentatively scheduled for workshop in November/December.

Calpella County Water District

The General Manager is currently reviewing the Draft SOI Update. Comments are expected by mid-October. This is one of several districts identified for possible consolidation in the Ukiah Valley MSR. An annotated Draft SOI Update is tentatively scheduled for continued workshop in November/December.

Millview County Water District

An Administrative Draft SOI Update is being prepared and will be sent to the District for review and comment. This is one of several districts identified for possible consolidation in the Ukiah Valley MSR. A Draft SOI Update is tentatively scheduled for workshop in November/December.

Hopland PUD

An Administrative Draft SOI Update is being prepared and will be sent to the District for review and comment. This is one of several districts identified for possible consolidation in the Ukiah Valley MSR. A Draft SOI Update is tentatively scheduled for workshop in November/December.

SOI Updates in Preparation:

- City of Willits (waiting on questionnaire)
- Ukiah Valley Sanitation District (administrative draft in preparation and review)
- Noyo Harbor District (administrative draft in preparation and review)
- Mendocino County Resource Conservation District (drafting questionnaire)
- Mendocino Coast Healthcare District (drafting questionnaire)
- Potter Valley Irrigation District (drafting questionnaire)

Joint MSR and SOI Updates to Complete:

- City of Fort Bragg (drafting questionnaire)
- Brooktrails Township CSD (drafting questionnaire)
- Covelo CSD (drafting questionnaire)
- Fort Bragg Rural FPD (drafting questionnaire and resolving annex boundary discrepancy)
- Mendocino City CSD (drafting questionnaire)
- Mendocino Coast Recreation and Park District (drafting questionnaire)

SOI Updates on Hold:

- Redwood Valley CWD (pending possible consolidation)
- Russian River Flood Control District (pending possible consolidation)

Fire SOI Updates:

Waiting on MSR completion

Cemetery SOI Updates:

Waiting on MSR completion

Other Districts (waiting on MSR completion):

- Meadowbrook Manor County San District
- Mendocino County Water Agency
- Mendocino County Waterworks District No. 2

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: Colette Metz, Analyst and Sarah West, Services Specialist
SUBJECT: SOI Update Format Template

At the September meeting, the Commission reviewed and provided feedback on a document format template currently in use for SOI Updates. Subsequent to the meeting, the Planning Committee met on September 28th and recommended removing Appendix B from the template based on that it primarily referenced procedures rather than policy considerations that would inform sphere updates.

An updated template is attached for additional feedback, if necessary. This template is being used as a guide for each of the SOI Updates to ensure consistency between the various documents.

Attachment:
SOI Update Template

MENDOCINO **Local Agency Formation Commission**

Ukiah Valley Conference Center ♦ 200 South School Street ♦ Ukiah, California 95482

AGENCY NAME
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- DATE

Draft Hearing- DATE

Final Adoption- DATE

Table of Contents

INTRODUCTION	3
OVERVIEW	3
REVIEW PERIOD	3
EVALUATION CONSIDERATIONS	3
General Guidelines for Determining Spheres of Influence	4
OVERVIEW	5
CURRENT AGENCY OPERATIONS	6
BACKGROUND	6
MUNICIPAL SERVICE REVIEW	6
SPHERE OF INFLUENCE	6
DISADVANTAGED UNINCORPORATED COMMUNITIES	6
CURRENT AND PROJECTED POPULATION	6
Population and Growth	6
CAPACITY AND SERVICE	6
Relevant Services	6
Relevant Local Agencies and Communities of Interest	6
RELEVANT PLANNING AND SERVICE FACTORS	7
County of Mendocino General Plan	7
Other Relevant Policy, Analyses or Reports	7
DISCUSSION	8
ANALYSIS	8
1.) Present and Planned Land Use Determination	8
2.) Present and Probable Need for Public Facilities and Services Determination	8
3.) Present Capacity of Facilities and Adequacy of Public Services Determination	8
4.) Social and Economic Communities of Interest Determination	8
5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination	8
RECOMMENDATIONS	8
REFERENCES	8
APPENDIX A	8

INTRODUCTION

OVERVIEW

This update is prepared as part of a Cortese Knox Herzberg (CKH) Act mandated (GC §56076) process which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county”. A “SOI” under the CKH Act (GC §56076) definition is “.... a plan for the probable physical boundaries and service area of a local (government) agency”.

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend establishment of an appropriate AGENCY NAME Sphere of Influence (SOI). The objective is to establish AGENCY NAME SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the AGENCY NAME Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the AGENCY NAME.

REVIEW PERIOD

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

EVALUATION CONSIDERATIONS

When updating the SOI, the Commission considers and adopts written determinations:

Sphere Determinations: Mandatory Written Statements

1. Present and planned land uses in the area, including agricultural and open space.
 2. Present and probable need for public facilities and services in the area.
 3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.
 4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.
 5. If the city or district provides water, sewer, or fire, the present and probable need for those services of any disadvantaged unincorporated communities within the existing sphere.
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

General Guidelines for Determining Spheres of Influence

The following is excerpted from *Mendocino LAFCo's 2004 Policies and Procedures*, "Chapter 5: Policies That May Apply for Some Applicants":

1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required to be reviewed by LAFCO. Additional territory may be considered for inclusion if information is available that will enable the Commission to make determinations as required by Section 56425.
2. Territory will not be considered for inclusion within a city's sphere of influence unless the area is included within the city's general plan land use or annexation element.
3. A special district that provides services, which ultimately will be provided by another agency (e.g. mergers, consolidations) will be assigned a zero sphere.
4. When more than one agency can serve an area, agency service capabilities, costs for providing services, input from the affected community, and LAFCO's policies will be factors in determining a sphere boundary.
5. If additional information is necessary to determine a sphere boundary a partial sphere may be approved and a special study area may be designated.
6. A local agency may be assigned a coterminous sphere with its existing boundaries if:
 - There is no anticipated need for the agency's services outside its existing boundaries.
 - There is insufficient information to support inclusion of areas outside the agency's boundaries in a sphere of influence.
 - The agency does not have the service capacity, access to resources (e.g. water rights) or financial ability to serve an area outside its boundaries.
 - The agency's boundaries are contiguous with the boundaries of other agencies providing similar services.
 - The agency's boundaries are contiguous with the sphere of influence boundaries previously assigned to another agency providing similar services.
 - The agency requests that their sphere of influence be coterminous with their boundaries.
7. If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a service specific sphere of influence may be designated.

FIGURE 1.

DRAFT

OVERVIEW

CURRENT AGENCY OPERATIONS

BACKGROUND

MUNICIPAL SERVICE REVIEW

[An overview of the MSR, the date it was done, who conducted it, etc.]

SPHERE OF INFLUENCE

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of an SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The AGENCY NAME provides AGENCY SERVICES, and is therefore only responsible for assuring that this service is adequately provided to communities.

[Further discussion of DUCs in proximity to the Agency. Based upon information in the MSR and the Disadvantaged Unincorporated Communities Assessment provided by the County as a part of their housing element. Informs Determination 5, Services for DUCs]

POPULATION AND LAND USE

Population and Growth

Land Use and Development

CAPACITY AND SERVICE

Relevant Services

[Based upon information in the MSR, discusses services provided by the agency in detail. Particular attention is paid to water, wastewater, and fire protection services. Informs Determination 3, Present Capacity of Facilities and Adequacy of Public Services.]

Relevant Local Agencies and Communities of Interest

[Presents the local conditions of the agency's area in terms of proximal communities and other agencies providing service. Informs Determinations 2-5]

RELEVANT PLANNING AND SERVICE FACTORS

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

County of Mendocino General Plan- Development Element (DE)

General Plan Water Supply and Sewer (Wastewater Treatment) Services Policies:

Policy DE-186: Coordinate community water and sewer services with General Plan land use densities and intensities.

Policy DE-187: The County supports efficient and adequate public water and sewer services through combined service agencies, shared facilities, or other inter-agency agreements.

Action Item DE-187.1: Work aggressively with water and sewer service providers to overcome current and projected system and supply deficiencies necessary to serve planned community growth.

Action Item DE-187.2: Support funding applications to improve and expand water and sewer service capabilities in areas planned for future growth or to resolve existing deficiencies.

Action Item DE-187.3: Work with communities and public water and sewer service entities to monitor, manage and/or maintain community-wide or decentralized water/sewer systems.

Policy DE-188: Encourage water and sewer service providers to incorporate water conservation, reclamation, and reuse.

- Encourage the development and use of innovative systems and technologies that promote water conservation, reclamation, and reuse.
- Encourage the development of systems that capture and use methane emissions from their operation.
- Encourage the development and use of innovative systems and technologies for the treatment of wastewater.

Policy DE-189: Oppose extension of water or sewer services to rural non-community areas when such extensions are inconsistent with land use and resource objectives of the General Plan, except where the extension is needed to address a clear public health hazard.

Policy DE-190: Development of residential, commercial, or industrial uses shall be supported by water supply and wastewater treatment systems adequate to serve the long-term needs of the intended density, intensity, and use.

Policy DE-191: Land use plans and development shall minimize impacts to the quality or quantity of drinking water supplies.

Other Relevant Policy, Analyses or Reports

[Presents other information on local conditions and policies for consideration. This may include, but not limited to Grand Jury Reports, Local Coastal Plans, analyses or studies, and agency resolutions.]

DISCUSSION

[This section focuses on discussing the SOI and the factors/issues pertinent to this specific District in deciding the SOI boundary.]

ANALYSIS

[Specific determinations based off of information provided in the Overview and Discussion sections]

- 1.) **Present and Planned Land Use Determination**
- 2.) **Present and Probable Need for Public Facilities and Services Determination**
- 3.) **Present Capacity of Facilities and Adequacy of Public Services Determination**
- 4.) **Social and Economic Communities of Interest Determination**
- 5.) **Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) Determination**

RECOMMENDATIONS

[Summary or next steps for agency and commission to consider.]

REFERENCES

Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.

APPENDIX A

[Additional maps or information, such as a land-use map, if applicable.]

**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: October 5, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: Status of Current and Future Projects

Active Proposals: There are currently three (3) active applications on file with the Commission:

-City of Ukiah Sphere of Influence Update

The EIR Contract has been awarded and a startup meeting with LACO Associates was held on September 3. An additional deposit has been received from the City of Ukiah. An EIR Scoping Meeting is scheduled for November 3, 2015.

-City of Ukiah Detachment of Ukiah Valley Sanitation District (UVSD) Served Areas

No activity in September.

-Irish Beach County Water District Detachment

Discussions are still under way between the applicant and the District. Staff received a letter from the Coastal Commission noting that detachment would require an LCP amendment. This matter is not anticipated to be brought before the Commission again until December 2015.

Future Proposals: There are three (3) potential new proposals that may be submitted in the future:

-Formation of a Recreation and Park District in the Long Valley/Willits Area

No activity in September.

-Anderson Valley CSD Activation of Water and Sewer Services Latent Powers

No contact from District this month.

Elk County Water District potential annexation associated with adjacent parcel map

No contact from District this month.