

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

A G E N D A

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

Vacant
Special District Member

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

Administrator
Sarah West

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

Regular Meeting of Monday, November 2, 2015 9:00 AM
County Board of Supervisors Chambers 501 Low Gap Road, Ukiah, California

Call to Order and Roll Call

ELECTION OF OFFICERS

Pursuant to Commission Policy and Procedures, Chapter III, Section E.2, nominations are in order to select a successor to fill vacated positions of Chair (and Vice Chair, if applicable) for the balance of the calendar year.

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 October 5, 2015 Meeting Summary Minutes
2. Approval October 2015 claims
3. Acceptance of the Monthly Financial Report and Quarterly 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 (10-15-15)
Mendocino Fire Protection District (10-14-15)
Potter Valley Community Service District (10-06-15)
Redwood Valley-Calpella Fire Protection District (10-10-15)

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

6. Sphere of Influence (SOI) Updates
Commission consideration and possible adoption of the Final Draft SOI Updates for the following:

City of Point Arena
Caspar South Water District
Elk County Water District
Round Valley County Water District
Pacific Reefs Water District
Westport County 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.mendolaferco.org or by contacting the LAFCo office.

WORKSHOPS

7. Sphere of Influence (SOI) Updates
Staff presentation of the Draft SOI Update for the **Gualala Community Service District**.

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

MATTERS FOR DISCUSSION & POSSIBLE ACTION

8. De Ruiter Detachment from Irish Beach Water District Proposal
Staff presentation of the request from applicant to place application in an “Inactive” or “Hold” status.
9. Sustainable Groundwater Management
Staff presentation of local efforts to implement the Sustainable Groundwater Management Act.
10. 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 are welcome.
11. 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 are welcome.

OTHER ITEMS

12. Correspondence. No action will be taken on these items at this meeting.
13. Executive Officer’s Report. No action will be taken on these items at this meeting.
- Special District Nominations
 - Budget Status Report
14. Commissioner Reports, Comments or Questions. No action will be taken on these items at this meeting. Commissioner opportunity to make announcements, comments, etc.
- FY 2013-14 Audit
 - Policies and Procedures Update by the Planning Committee
 - CALAFCO University Course: Implementing SB 88 – Water System Consolidations

15. Legislation Report. No action will be taken on these items at this meeting.
Opportunity for Staff and Commissioner to make announcements, comments, etc. on legislation.

ADJOURNMENT

The next Regular Commission Meeting is scheduled for
Monday, December 7, 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

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Telephone: 707-463-4470 Fax: 707-462-2088 E-mail: eo@mendolafco.org Web: www.mendolafco.org

Agenda Item No. 1

VICE CHAIR

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Calpella County Water District

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George Williamson

Counsel
Scott Browne

Analyst
Colette Metz

Administrator
Sarah West

Commission Clerk
Elizabeth Salomone

Regular Meetings

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

MINUTES

LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY

Regular Meeting of Monday, October 5, 2015

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

Call to Order

Chair Shoemaker called the meeting to order at 9:07am.

Roll Call

Members Present:

Commissioners Doug Hammerstrom (departed 9:40am), John McCowen, Theresa McNerlin (departed 10:07am), and Richard Shoemaker

Members Absent:

Commissioners Dan Hamburg, Holly Madrigal, and Jerry Ward

Alternate Members Present:

Commissioners Carre Brown, Kevin Doble, Carol Rosenberg, and Angela Silver

Alternate Members Absent:

None

Staff Present:

Colette Metz, Analyst & Sarah West, Administrator
Elizabeth Salomone, Clerk

Alternate Commissioners immediately took seat: Brown for Hamburg, Doble for Madrigal, and Rosenberg for Ward.

Consent Calendar

- Approval of the September 14, 2015 Regular Meeting Summary Minutes
- Approval September 2015 Claims
- Acceptance of the Monthly Financial Report

Commissioner Brown asked for Item 1 to be pulled from the Consent Calendar for discussion.

Commissioner Rosenberg noted her concern that the remaining budget of SOI Updates (7501) may be depleted prior to completion of the work. Commission directed George Williamson to provide a budget track presentation at the November 2015 Regular Meeting, including the SOI work.

Upon motion by Commissioner McCowen and second by Commissioner McNerlin, Item 2 & 3 of the Consent Calendar were approved by roll call vote:

Ayes: Commissioners Brown, Doble, Hammerstrom, McCowen, McNerlin, Rosenberg, and Shoemaker

Absent: Commissioners Hamburg, Madrigal, and Ward

Commissioner Brown submitted written comments to Commission Clerk for suggested changes to September 14, 2015 Regular Meeting Summary Minutes, page 3 of 6 under Potter Valley CSD, noting Commissioner Brown stated the District boundary has been resolved due to an adopted resolution by the Board of Supervisors in 1958 that describes the PVCSD boundary and the District now accepts that boundary to be the same as the SOI.

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

Ayes: Commissioners Brown, Doble, McCowen, McNerlin, Rosenberg, and Silver
Absent: Commissioners Hamburg, Hammerstrom, Madrigal, and Ward

4. Public Expression

Chair Shoemaker: Due to his recent appointment as City Manager to the City of Point Arena, time constraints and potential conflict of interest, Chair Shoemaker respectfully resigned from Mendocino LAFCo. He expressed gratitude for the work his fellow Commissioners, Staff, and Contractors have done at Mendocino LAFCo. He apologized to his fellow Special District members for not having the special district training program in place before his departure but spoke in support of the work continuing on this important project. He also thanked Jerry Ward for his outstanding work as Treasurer to the Commission.

Vice Chair McCowen thanked Richard Shoemaker for his years of service to LAFCo, noting the extensive time he dedicated to LAFCo and how he was instrumental in the continued professionalism of the Commission. Vice Chair McCowen asked Richard Shoemaker to submit a formal resignation from Mendocino LAFCo in writing. He directed staff to add selection of Chair and Vice Chair to the November Regular Meeting agenda.

Alternate Commissioner Silver immediately took seat for Commissioner Shoemaker.

Public Hearing

5. Fire District Municipal Services Reviews (MSRs) Part 2 CONTINUED

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

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

Comments and questions were offered by Commissioners McCowen, Brown, Hammerstrom, Doble, and Rosenberg as well as Colette Metz, Elizabeth Salomone, and Richard Shoemaker.

Vice Chair McCowen questioned if the Public Hearing to adopt the Fire District MSRs Part 2 is properly noticed on the Agenda for Commission to take action at this meeting. He noted the absence of the documents being considered for adoption and confusion of staff report and attachment within the Agenda Packet.

Colette Metz directed Commissioners to the Agenda Item 5 Staff Report and apologized for the confusion of the heading on the attachment. She noted the Public Hearing is on the agenda because it was continued to the October meeting despite Bruce Baracco not providing the documents as directed by the Commission.

Vice Chair McCowen accepted these explanations. He asked who is managing the communications with Bruce Barraco as a Contractor.

Commissioner Brown noted Bruce Baracco's progress had previously been supervised by the Executive Committee and suggested the Committee renew their efforts in that direction. She asked Richard Shoemaker for comment. Vice Chair McCowen supported this suggestion.

Richard Shoemaker recommended all work and documents be retrieved from Bruce Baracco and Planwest complete the work formally contracted to Mr. Baracco.

Commissioner Hammerstrom asked for the last communication from Bruce Baracco and it was determined to be the Staff Report dated September 14, 2015.

Commissioner Doble asked for clarification of the directions given and actions taken in previous Commission meetings regarding the request for documents from Bruce Baracco with a report back at the November meeting. Commissioners McCowen and Rosenberg supported this request. The Clerk shared from her notes taken at the July 13, 2015 Regular Meeting, Commissioner Brown made a motion, seconded by Commissioner Madrigal, that the request to Baracco & Associates for all remaining existing work product and documentation for Districts as listed in Agenda Item No 12 Staff Report be submitted to Mendocino LAFCo by August 1st, 2015 and was approved by unanimous consent. Commission also discussed the possibility of Planwest would complete the necessary work and distribute drafts to Districts and Commissioners as necessary, though no formal action was taken on this aspect of the discussion. Richard Shoemaker noted that Planwest has access to all the documents in their current draft form in the shared dropbox.

Albion-Little River Fire Protection District

No update provided.

Mendocino Fire Protection District

No update provided.

Potter Valley Community Service District

Commissioner Brown noted updates from September meeting were not conveyed to Bruce Baracco. She sent Mr. Baracco a memo with an explanation from Leif Farr, GIS, explaining how the District Boundaries were confirmed and the Potter Valley CSD agreed with the findings, therefore resolving the issue. Commissioner Brown noted this document is very close to being completed by Bruce Baracco.

Redwood Valley-Calpella Fire Protection District

Commissioner Brown noted Chief Dale came to the September LAFCo meeting but left when he was informed no updated document had been provided by Bruce Baracco for the meeting. The boundary issue was still pending at that time, as was an agreement with one of the Tribes in the District. Commissioner Brown noted this document is very close to being completed by Bruce Baracco.

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 November 2, 2015 Regular Commission Meeting.

The Executive Committee will meet with the Executive Officer for discussion on completion of the MSRs currently the responsibility of the former Executive Officer (Bruce Baracco) and the issue will be on the November 2, 2015 meeting agenda in format to allow for discussion and possible action

6. Sphere of Influence (SOI) Updates CONTINUED

Commission consideration and possible adoption of the Final SOIs for the following agencies:

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

The Public Hearing was opened at 10:53 on September 12, 2015 and Vice Chair McCowen noted the Public Hearing is continued to this meeting.

Colette Metz presented the SOI Updates, noting all reports were transitioned to the new format as discussed in the September Commission Meeting. Comments and questions were offered by Commissioners McCowen, Doble, and Rosenberg.

City of Point Arena

Richard Shoemaker, newly appointed Point Arena City Manager, complimented the document presentation. He requested continuation to the November 2, 2015 to allow him time to consult with the Point Arena City Council. He noted some specific boundary issues that need clarification. Vice Chair McCowen suggested study and evaluation on the Stornetta lands within city limits and outside the urban limit line. Vice Chair McCowen also asked staff to evaluate the relevance of reference to the Mendocino County General Plan in pages 12 and 13 of the Draft SOI.

Commissioner Doble requested several map edits for clarification to the document.

Commissioner Rosenberg asked for clarification on the area between the Pier and the Cove, particularly the discontinuance of the boundary line over water. Discussion was held and Staff directed to further investigate.

This public hearing was continued to the Commission's November meeting.

Elk County Water District

Colette Metz presented changes to the draft SOI Update. Comments and questions were offered by Commissioner Brown.

Commissioner Brown requested several map edits for clarification to the document.

Charlie Acker, Elk CWD Manager, reported the Elk CWD Board has reviewed the document and met with George Williamson. He requested several minor edits. Further discussion was held regarding the status of several parcels. Comments and questions were offered by Commissioners McCowen, Doble, Brown, McNerlin, and Colette Metz.

This public hearing was continued to the Commission's November meeting in order to provide staff and District time to research the possible addition of parcels to SOI and interest in future annexation.

Vice Chair McCowen called a break from 10:08am to 10:13am.

Caspar South Water District

Colette Metz presented changes to the draft SOI Update. She noted District Manager Steve Clouse submitted additional comments regarding the Districts efforts to continue to maintain and upgrade systems. Comments and questions were offered by Commissioners McCowen and Rosenberg.

Commissioner McCowen noted the boundary lines on the map do not currently match the individual parcel boundaries. Colette noted GIS efforts to correct. Commissioner McCowen asked staff to review the public lands shown on the map.

Commissioner McCowen noted the need for referencing the LAFCo directive to revisit the Municipal Service Review for the District in one year instead of five years.

This public hearing was continued to the Commission's November meeting to allow Staff time for mapping updates and other revisions.

Action on Public Hearing for SOIs

Vice Chair McCowen continued the Public Hearing for the City of Point Arena, Elk County Water District, and Caspar South Water District to the November 2, 2015 Regular Commission Meeting.

7. Sphere of Influence (SOI) Updates

Sarah West presented the Administrative Draft SOI Updates for the following Districts:

Laytonville County Water District Westport County Water District

Laytonville County Water District

Staff reported on the SOI Update issues that are awaiting confirmation in order to finalize update for public hearing. Comments and questions were offered by Commissioners Silver, Doble, and Rosenberg. No one from public had comment.

Westport County Water District

Comments and questions were offered by Commissioners Silver, Rosenberg, and McCowen. Commissioner Silver noted for the record that on page 101 lists Disadvantaged Unincorporated Communities (DUCs) and Calpella County Water District is not one.

Action on Workshop SOIs

The two Workshop SOI Updates were conducted and Public Hearings will be scheduled as soon as Staff is able to confirm and complete the reports.

Matters for Discussion & Possible Action

8. Status of MSR and SOI Updates

Sarah West reviewed the status of MSR and SOI Updates. Comments and questions were offered by Commissioners McCowen and Rosenberg. Discussion was held regarding the remaining budget for these reports. Colette Metz noted the delay in MSR completions by Bruce Baracco is not holding up the SOI Updates being undertaken by Planwest.

9. SOI Update Template

Colette Metz presented the revised template. Comments and questions were offered by Commissioners Doble, Rosenberg, and McCowen.

Other Items

10. Status of Current and Future Projects - Nothing to report.

11. Correspondence - Nothing to report.

12. Executive Officer's Report

In George Williamson's absence, Commission Clerk reported the Planning Committee is very close to having a final Policies and Procedures draft to present to the Commission. The Fiscal Audit updates will be reported in future months.

13. Commissioners Reports, Comments or Questions

Commissioners Rosenberg: Noted that the new water legislation needs to be reviewed and addressed by Commission. Colette Metz noted a future agenda item is planned to bring forward more information. Commissioner McCowen noted Commission Brown has extensive experience in the water issues of the county and recommended her as a resource.

14. Legislation Report – There was no report presented.

Adjournment

There being no further business, at 10:55am the meeting was adjourned to the next regular meeting on Monday, November 2, 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: November 2, 2015
 TO: Mendocino Local Agency Formation Commission
 FROM: George Williamson, Executive Officer
 SUBJECT: Claims for the Period of October, 2015

 The following claims are recommended for payment authorization:

Name	Account Description	Amount
Planwest Partners	5500 Basics Services: EO, Analyst, Administrator 7501 SOI Updates 6200 Bookkeeping 8008 & 8009 Applications: \$13,950.00 5500 Basic Services: Clerk \$1,540.00	\$15,490
Ukiah Valley Conf. Center	5502 Office space: \$375.00 5503 Work room: \$ 30.00 5603 Photocopy: Estimated \$30.00 5605 Postage : Estimated \$30.00 CREDIT FROM PRIOR INVOICE: 39.91	\$ 465.00
P. Scott Brown	6300 Legal Counsel Monthly flat fee	\$ 500.00
LACO	8008 City of Ukiah SOI Reduction EIR August 23 – Sept 19 Services: \$ 3,244.05 Sept 20 – Oct 10 Services: \$ 7,729.64	\$ 10,973.69
Pacific Internet	5700-5703 Upgrade to Standard Hosting Plan	\$ 45.54
CSDA	6600 Memberships	\$1,156.00
Petty Cash	Replenishment (see Financial report for classification of expenditures)	\$188.59

Please note that copies of all invoices, bank statements, and petty cash register were forwarded to Commission Treasurer.



INVOICE

DATE: October 26, 2015 INVOICE #: 15-218-10
TO: Mendocino LAFCo
PROJECT: LAFCo Planning/Staffing Services & Expense – September 29 - October 26, 2015

September 29 – October 26 COSTS SUMMARY

Table with 2 columns: Description and Amount. Rows include Acct 5500 - Basic Services Planwest (\$6,532.00), Acct 5500 - Basic Services Clerk Services – Beth Solomone (\$1,540.00), Acct 8008 - Application City of Ukiah SOI Reduction (\$520.00), Acct 8009 - Application DeRuiter Detachment from IBWD (\$312.00), Acct 7501 - Sphere of Influence Updates (\$6,066.00), Acct 6200 - Other Services (\$520.00), and TOTAL AMOUNT DUE (\$15,490.00).

Basic Services Acct 5500

Table with 3 columns: Description, Hours, and Amount. Rows include Executive Officer, George Williamson (10.5 hours at \$104 per hour, \$1,092.00), Analyst, Colette Metz (40.0 hours at \$78 per hour, \$3,120.00), Clerk, Elizabeth Salomone (44 hours at \$35 per hour, \$1,540.00), GIS Analyst (8.0 hours at \$58 per hour, \$464.00), and Service Specialist (32.0 hours at \$58 per hour, \$1,856.00).

Application - City of Ukiah SOI Reduction Acct 8008

Table with 3 columns: Description, Hours, and Amount. Row includes Executive Officer, George Williamson (5.0 hour at \$104 per hour, \$520.00).

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

Table with 3 columns: Description, Hours, and Amount. Row includes Analyst, Colette Metz (4.0 hours at \$78 per hour, \$312.00).

SOI Updates Acct 7501

Table with 3 columns: Description, Hours, and Amount. Rows include Analyst, Colette Metz (7.5 hours at \$78 per hour, \$585.00), GIS Analyst (32.0 hours at \$58 per hour, \$1,856.00), and Service Specialist (62.5 hours at \$58 per hour, \$3,625.00).

Other Services Acct 6200

Table with 3 columns: Description, Hours, and Amount. Row includes Executive Officer, George Williamson (5.0 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 October 5 2015 commission meeting. Transcribed and reviewed draft October meeting minutes for review at November meeting. Staffed office in October. Prepared November meeting agenda and staff reports including SOI and MSR status, status of filed and pending applications. Compiled claims for payment in November. Provided policy materials and staffed October Policy committee meeting. 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.

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planners@planwestpartners.com
www.planwestpartners.com

Provided FY 2015-16 Quarter 1 report to treasurer in audit format. Researched Sustainable Groundwater Management Act for LAFCo involvement. Prepared staff report on the LAFCo role in groundwater sustainability plans for November meeting packet

Applications

8008 - City of Ukiah SOI Reduction.

Attended startup meeting with LACO Associates for Draft Environmental Impact Report startup meeting. Reviewed scope for reduced SOI analysis in relation to prior environmental documents including City General Plan and Ukiah Valley Area Plan. At applicant's request, advised consultant to stop work on project.

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

Reviewed De Ruiter Detachment correspondence from applicant's representative. Application requested to go on inactive status at property owner request. Contacted County planning department regarding Coastal Commission LCP comments. Discussed applicant request with Irish Beach Water District staff.

Sphere of Influence Updates/ Municipal Service Reviews

Updated the following Draft SOI Updates for November 2 hearing based on commission review and agency input:

City of Point Arena; Elk County Water District; Irish Beach Water District; and Caspar South Water District; Pacific Reefs Water District; Westport County Water District

Based on specific requests from the special districts, holding the following SOI Updates pending district input: Calpella County Water District; Round Valley County Water District; Anderson Valley Community Services District.

Prepared the following Administrative Draft SOI Update for Workshops: Gualala Community Services District. Provided SOI update to District for review.

Continued to coordinate staff level reviews for the following agencies: Laytonville County Water District; Willow County Water District, Millview County Water District; and City of Willits.

Sent questionnaires for following SOI Updates: Hopland Public Utility District;

Other Services

Compiled claims for commissioner review and approval at November meeting. Finalized budget tracking and QuickBooks accounting/checks for claims at November 2 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	
9/29/2015	Basic Service Office Duties	4.00		4.00
9/30/2015	Basic Service Office Duties	0.50		0.50
10/1/2015	Basic Service Office Duties	4.50		4.50
10/5/2015	Basic Service, Meeting and Office	3.50		3.50
10/6/2015	Basic Service Office Duties	4.00		4.00
10/7/2015	Basic Service Office Duties	0.25		0.25
10/8/2015	Basic Service Office Duties	4.75		4.75
10/13/2015	Basic Service Office Duties	4.00		4.00
10/15/2015	Basic Service Office Duties	4.00		4.00
10/16/2015	Basic Service Office Duties	1.25		1.25
10/19/2015	Basic Service Office Duties	1.50		1.50
10/20/2015	Basic Service Office Duties	4.25		4.25
10/21/2015	Basic Service Office Duties	1.25		1.25
10/22/2015	Basic Service Office Duties	5.00		5.00
10/23/2015	Basic Service Office Duties	0.25		0.25
10/25/2015	Basic Service Office Duties	1.00		1.00
Subtotal Hours		44.00	0.00	44.00
Costs at \$35 per hour		\$ 1,540.00	\$ -	\$ 1,540.00
Total Amount Due				\$ 1,540.00

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:

10/15/2015

Payment due by the 15th of next month

In Reference To: CLIENT CODE: MENDO-01

Professional Services

	<u>Hours</u>
9/29/2015 PSB Telephone call from George Williamson re: possible incompatible office.	0.40
9/30/2015 PSB Begin research on incompatible office.	1.00
10/2/2015 PSB Further research on incompatibility of office.	0.50
10/5/2015 PSB Work on opinion.	0.75
10/6/2015 PSB Work on opinion.	1.00
10/8/2015 PSB Complete opinion on incompatible office.	2.00
10/9/2015 PSB Review email from George Williamson and respond,	0.30
SUBTOTAL:	[5.95]

	<u>Amount</u>
Total Professional Hours	5.95
Per Representation Agreement, flat fee of \$500/month.	\$500.00
Previous balance	\$500.00

Payments and Credit Activity

10/15/2015 Payment - Thank You. Check No. 1084	(\$500.00)
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CLIENT CODE: MENDO-01

	<u>Amount</u>
Total payments and adjustments	(\$500.00)
<i>TOTAL BALANCE NOW DUE</i>	<i>\$500.00</i>

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!

Statement

LACO ASSOCIATES
21 W. 4th Street
PO Box 1023
Eureka, CA 95502
(707) 443-5054

October 19, 2015
Project No: 08317.00

George Williamson
Mendocino County LAFCO
Ukiah Valley Conference Center
200 South School Street, Suite F
Ukiah, CA 95482

Current	10,973.69
Past Due	
Balance Due	<u>10,973.69</u>

Project: 08317.00 Mendocino LAFCO: Ukiah SOI Reduction EIR

Outstanding Invoices

Number	Date	Invoiced	Received	Balance Due	Days Outstanding
0036197	9/28/2015	3,244.05		3,244.05	21.00
0036292	10/16/2015	7,729.64		7,729.64	3.00
Statement Totals					
Total for 08317.00		10,973.69		10,973.69	

George Williamson
 Mendocino County LAFCO
 Ukiah Valley Conference Center
 200 South School Street, Suite F
 Ukiah, CA 95482

October 16, 2015
 Project No: 08317.00
 Invoice No: 0036292

Project Manager Elizabeth Burks

Project 08317.00 Mendocino LAFCO: Ukiah SOI Reduction EIR

Payment Terms: **Net 45**

Please contact your Project Manager at 707-443-5054 with questions regarding billing.

Professional Services from September 20, 2015 to October 10, 2015

Phase 2400 Planning Services

Task 2400 Project Management & Client Communications

Fee				
Total Fee	5,627.00			
Percent Complete	52.00	Total Earned	2,926.04	
		Previous Fee Billing	844.05	
		Current Fee Billing	2,081.99	
		Total Fee		2,081.99
			Total this Task	\$2,081.99

Task 2410 Project Initiation Meeting

Fee				
Total Fee	2,400.00			
Percent Complete	100.00	Total Earned	2,400.00	
		Previous Fee Billing	2,400.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
			Total this Task	0.00

Task 2420 Draft Project Description / PEIR Outline

Fee				
Total Fee	3,901.00			
Percent Complete	95.00	Total Earned	3,705.95	
		Previous Fee Billing	0.00	
		Current Fee Billing	3,705.95	
		Total Fee		3,705.95

Please remit payment to: PO Box 1023, Eureka, California 95502

Total this Task \$3,705.95

Task 2425 Notice of Preparation & Scoping Meeting

Fee

Total Fee	3,100.00		
Percent Complete	10.00	Total Earned	310.00
		Previous Fee Billing	0.00
		Current Fee Billing	310.00
		Total Fee	310.00
		Total this Task	\$310.00

Task 2430 Prepare Admin Draft PEIR: CEQA Required Section

Fee

Total Fee	2,030.00		
Percent Complete	0.00	Total Earned	0.00
		Previous Fee Billing	0.00
		Current Fee Billing	0.00
		Total Fee	0.00
		Total this Task	0.00

Task 2435 Prepare Admin Draft PEIR: Impact Evaluation / Environmental Issues

Fee

Total Fee	32,634.00		
Percent Complete	5.00	Total Earned	1,631.70
		Previous Fee Billing	0.00
		Current Fee Billing	1,631.70
		Total Fee	1,631.70
		Total this Task	\$1,631.70

Task 2440 Administrative Draft & Final PEIR

Fee

Total Fee	9,187.00		
Percent Complete	0.00	Total Earned	0.00
		Previous Fee Billing	0.00
		Current Fee Billing	0.00
		Total Fee	0.00
		Total this Task	0.00

Task 2450 Meetings & Public Hearings

Fee

Total Fee	5,707.00		
Percent Complete	0.00	Total Earned	0.00
		Previous Fee Billing	0.00

Please remit payment to: PO Box 1023, Eureka, California 95502

Project	08317.00		Invoice	0036292
		Current Fee Billing	0.00	
		Total Fee		0.00
			Total this Task	0.00

Task	2460	Findings of Fact & Statement of Overriding Considerations		
Fee				
Total Fee	2,514.00			
Percent Complete	0.00	Total Earned	0.00	
		Previous Fee Billing	0.00	
		Current Fee Billing	0.00	
		Total Fee		0.00
			Total this Task	0.00
			Total this Phase	\$7,729.64
			Total this Invoice	\$7,729.64

Please remit payment to: PO Box 1023, Eureka, California 95502

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: November 2, 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: NONE

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 October 2015. The October claims are also itemized in Agenda Item 2.

Petty Cash:

10/21/15 USPS Special District Nomination Certified Mailing: \$191.58

(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 October 26
 2015

Task	Account #s	FY 15-16 Budget/Deps	July	August	Sept.	Oct.	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	\$6,532.00	\$20,834.00	\$20,166.00
Basic Services - Clerk	5500	\$18,000.00	\$1,216.25	\$1,837.50	\$1,251.25	\$1,540.00	\$5,845.00	\$12,155.00
Other Expenses		\$46,235.00						
Rent	5501-5503	\$4,860.00	\$405.00	\$405.00	\$405.00	\$405.00	\$1,620.00	\$3,240.00
Office Expenses (postage, copying, petty cash replenishment) EST	5600-5607	\$2,800.00	\$254.14	\$44.09	\$110.09	\$248.59	\$656.91	\$2,143.09
Internet & Website Costs	5700-5703	\$1,056.00				\$45.54	\$45.54	\$1,010.46
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	\$520.00	\$1,872.00	\$2,228.00
Legal Counsel (S Browne)	6300	\$6,000.00	\$500.00	\$500.00	\$500.00	\$500.00	\$2,000.00	\$4,000.00
A-87 Insurance Costs	6400	\$3,000.00					\$0.00	\$3,000.00
Insurance General Liability	6500	\$1,200.00	\$964.60				\$964.60	\$235.40
Memberships (CALAFCO/CSDA)	6600	\$2,100.00				\$1,156.00	\$1,156.00	\$944.00
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	\$6,066.00	\$20,803.00	\$8,197.00
FY 2013-14 MSR Finalization		\$6,300 + Expenses						
Barraco & Associates **	7000	\$6,300.00					\$0.00	\$6,300.00
FY 2013-14 Final MSR Exp.	7000						\$0.00	\$0.00
Monthly/ Year to Date Totals			\$17,528.99	\$13,749.04	\$12,713.42	\$17,013.13	\$61,004.58	

** Amount reflects balance from prior year contract

**Mendocino Local Agency Formation Commission
Statement of Activities**

FY 2015-16

Jul - Sep 15

Program Revenues

4000	LAFCo Apportionment Fees	\$0.00
4030	Fees & Reimbursements (Application Deposits)	\$25,624.00
4910	Interest Income	\$11.05
Program Income		<u>\$25,635.05</u>

General Government-Planning Expense

5500	Professional Basic Services (includes Clerk Fees)	\$17,810.25
5501	Rent Expense	\$1,215.00
5603	Photocopy	\$162.46
5605	· Postage	\$30.25
5607	Office Equipment	\$266.00
5900	Publication and Legal Notices	\$1,170.62
6000	Televising Meetings	\$630.00
6100	Auditing Services (Pehling & Pehling FY 2013-14)	\$1,475.00
6170	Computer and Internet Expenses	\$1,037.98
6200	Bookkeeping (Other) Services	\$1,326.00
6250	Dues and Subscriptions	\$785.00
6300	Legal Counsel	\$1,504.80
6500	Insurance-General Liability	\$964.60
6670	GIS Services (Mendocino County)	\$0.00
6800	Conferences (CALAFCO)	\$1,796.00
7501	SOI Updates	\$14,991.00
Program Expenses		<u>\$45,164.96</u>

Application Expenses (100% Reimbursable)

8008	· City of Ukiah SOI Reduction	\$2,221.00
8009	· De Ruitter Detach IBWD	\$182.00
8010	· City of Ukiah UVSD detach	\$208.00
Total Expense		<u>\$47,775.96</u>

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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.

Annotated MSRs specific to the following fire protection districts (Part 2) were submitted prior to the meeting and posted on the LAFCo website:

Albion-Little River Fire Protection District (10-15-15)
Mendocino Fire Protection District (10-14-15)
Potter Valley Community Service District (10-06-15)
Redwood Valley-Calpella Fire Protection District (10-10-15)

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 were distributed to Commissioners and to the Fire Districts by Baracco & Associates.

Commissioners: please bring your copy to the meeting. Additional copies will not be provided unless requested from Clerk by October 29th.

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

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: November 2, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **Public Hearing** for Sphere of Influence Updates

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

City of Point Arena
Caspar South Water District
Elk County Water District
Round Valley County Water District
Pacific Reefs Water District
Westport County Water District

At the September and October meetings, public hearings were held on the draft SOI Updates for Commission review and possible action. These hearings were continued to the November meeting, with comments and revisions made in track changes. Westport County Water District's workshop was held at the October meeting and was noticed for public hearing as well. Staff recommends the Commission review and consider approving the Sphere of Influence Updates by resolution, with the exception of Round Valley, which is recommended for continuance.

City of Point Arena SOI Update

The Point Arena City Council received a Draft SOI Update presentation from the Executive Officer at their July meeting and comments were provided on the proposed SOI boundary. At the October meeting the newly appointed City Manager Richard Shoemaker requested that the Commission continue the public hearing to November to allow more time for City review. This document was made available for public comment on the Mendocino LAFCo website on October 12, 2015. The City Manager provided feedback, with comments and minor revisions noted within the document. In addition, Commissioner McCowen provided input regarding the Urban Limit Line and the need to define a Study Area for the portion of the California Coastal National Monument located within the City limits but outside the City's Urban Limit Line. The document was reviewed by the Point Arena City Council on October 27, 2015. Staff is working to address all comments and will provide a final draft prior to the Commission's meeting.

Caspar South Water District SOI Update

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. At the October meeting, the Commission requested clarification of District boundaries, additional information regarding the District's SWRCB compliance history, and clarification regarding the one year MSR review for the District. The applicable information has been added, and the District map has been changed to better clarify that the boundary follows parcel lines. This document was made available for public comment on the Mendocino LAFCo website on October 12, 2015.

Commissioner McCowen provided minor word edits to the paragraph regarding the sea cave discharge (see pg. 6) and clarified the details of the one year MSR review (see pg. 7). McCowen also had further questions regarding the District boundaries following parcel lines. Staff confirmed that the District Boundary does indeed follow parcel lines. Commissioner Rosenberg suggested a word change in the Projected Growth and Development section (see pg. 8).

Elk County Water District SOI Update

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. The District Manager Charlie Acker addressed the Commission at the October meeting, requesting more time to clarify the District's SOI needs. District comments are reflected in the final draft included for the November meeting. This document was made available for public comment on the Mendocino LAFCo website on October 12, 2015. Commissioner Rosenberg provided a typo correction (see pg. 1) and clarified the removal of the County information on DUCs (see pg. 7). Commissioner McCowen requested further clarification of future development within the Out of District Service Areas, particularly Area 2 (see pgs. 8 and 10 for expanded discussion). McCowen also submitted questions regarding the public right of way (ROW) displayed in figure 3, which identifies land uses including parcels designated as "Public ROW" by Mendocino County. The small section of Area 2 that was not cross-hatched has been corrected.

Round Valley County Water District SOI Update

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. Based on the General Manager's request for additional time, staff recommends continuing the public hearing to the January 2016 meeting.

Pacific Reefs Water District SOI Update

The Draft SOI Update was sent to the District via mail and e-mail, and multiple follow up phone calls have been made to Pacific Reefs Board representatives, with no response. This is a small single purpose district and the SOI is proposed to be the same as the District Boundary. This document was made available for public comment on the Mendocino LAFCo website on October 12, 2015.

Westport County Water District

An administrative draft was provided to the District General Manager, Josh Azevedo in September, 2015. The District reviewed the document and was helpful in providing additional information. The District's board reviewed the Update at their October meeting, with no comments or revisions. Per the Commission's request, staff reached out to the Westport Municipal Advisory Council (WMAC). WMAC reported they do not meet until November 3, 2015 but that the SOI Update was provided to the WMAC directors and posted at the Westport Store. This document was made available for public comment on the Mendocino LAFCo website on October 12, 2015. Subsequent to the public comment period, the District manager indicated that the Out of District Service Area receives only water services. As such, staff recommends a water service-only sphere for this area.

Attachments: Draft SOI Updates
Resolutions

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-__

**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, October 5, and November 2, 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 2nd day of November, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, 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

October 5, 2015

November 2, 2015

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) 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” (GC §56425). A “SOI” is defined under the CKH Act as “... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

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.

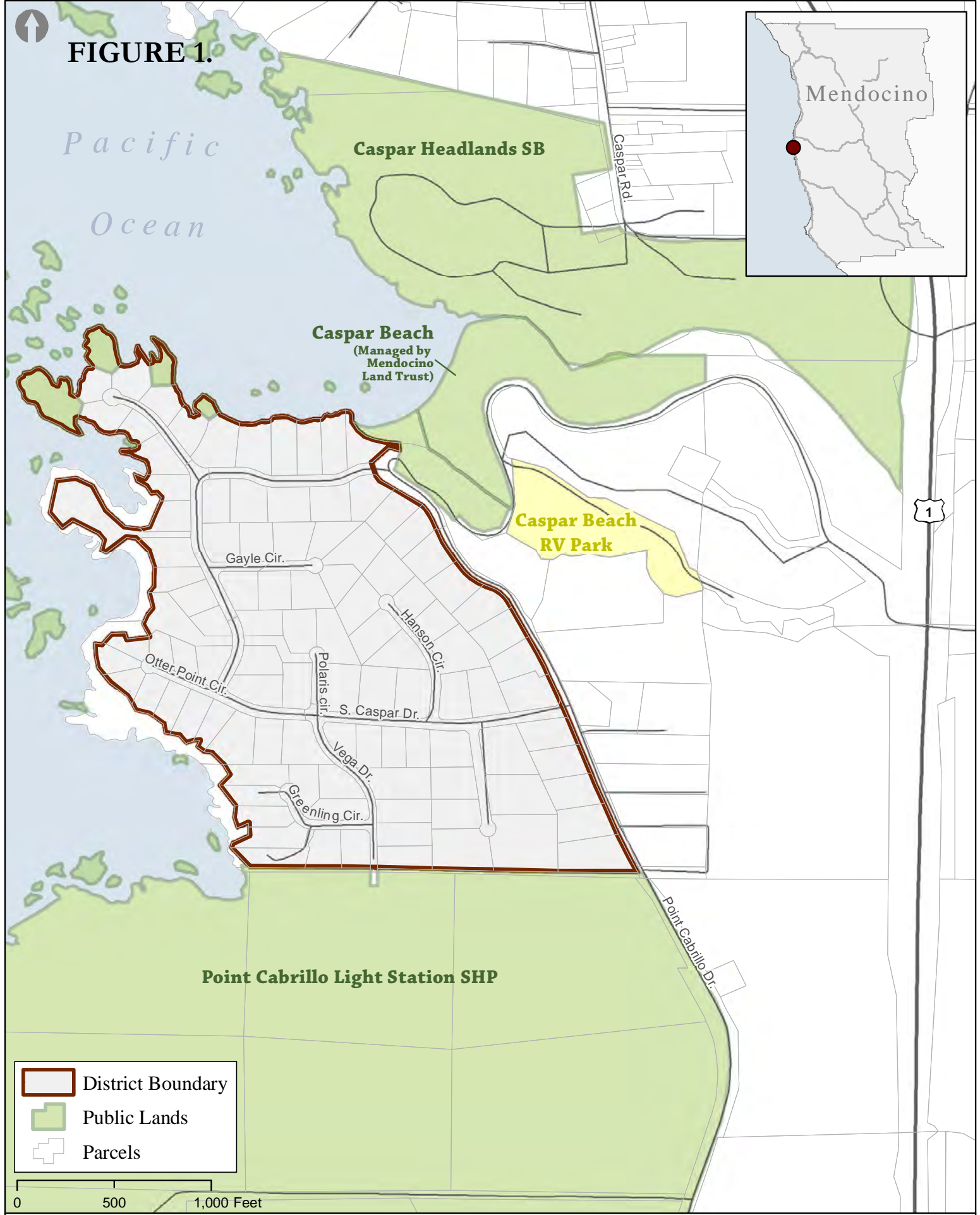
General Guidelines for Determining Spheres of Influence

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
	Public Lands
	Parcels

0 500 1,000 Feet

Caspar South Water District

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 10/26/2015

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 (MSR 2014).

The original centralized sewage system for the Caspar South Subdivision was constructed in 1965 and initially discharged effluent into a cave which led directly to the Pacific Ocean. This method of effluent discharge does not comply with modern water quality regulations and led to a cease and desist order in 1979 by the North Coast Regional Water Quality Control Board. When the CSWD was formally organized in 1978, it acquired the centralized sewage system (MSR 2014).

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 (MSR 2014).

On May 2, 2006, the State Water Resources Control Board issued a general order to all districts to bring their systems into compliance with permissible average daily flow allowances. CSWD did exceed flow allowances during the wettest winter months up to the year 2006. At that time, the District actively pursued repairs to the wastewater infrastructure to remedy this situation (MSR 2014).

In 1982, the District obtained a permit from the California Coastal Commission to construct a pumping station and install one large community leach field to service the existing Caspar South Subdivision. At that time, the treatment plant located at the end of Otter Point Circle was

decommissioned, and subsequently served as a sewage collection tank. Permits were also obtained from the Mendocino County Department of Environmental Health and the North Coast Regional Water Quality Control Board. This project was completed in a timely manner (MSR 2014).

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. Caspar South CWD's MSR was adopted by the Commission at the December 1, 2014 meeting with the condition that the MSR shall be reviewed by LAFCo 12 months after adoption. The review will primarily evaluate the District's operation and compliance with regulatory requirements, in particular evidence of process initiation of a Capital Improvement Plan and a Sanitary Sewer Management Plan. LAFCo is expected to conduct a review in December 2015, but the outcome of that review is not expected to have an impact on the SOI designation for CSWD.

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 if** 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). 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 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 challenges** including geographic isolation, small size, and the need for volunteers. Based on information within the MSR provided by the District regarding facilities, management practice, accountability, and financing, CSWD's wastewater treatment and disposal capacity is sized and designed appropriately to serve up to 75 residences.

Finances and Infrastructure

Revenues have exceeded expenditures over the past three fiscal years and net income is an estimated \$106,000 in reserves. The District does not have any bonded indebtedness. The District works to ensure the integrity of its system via testing and other measures including continual maintenance and monitoring. It is also working to identify storm water intrusion sources. Toward this end, the District retained an engineering firm, Winzler and Kelly, to conduct a preliminary engineering report of the current system, including the leach field. Through a series of small projects (average cost \$15,000), the District has been working toward eliminating the intrusion problem (MSR 2014). The

District has noted that based of the hydro-flush and camera inspection of the entire system on 5/14/15 they have prioritized repairs/replacements and are in the process of performing these. Additional work will continue into 2016 (District President, October, 2015).

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, whose boundary is approximately the same as the CSWD boundary. 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.

DISCUSSION

The District faces significant service delivery **barrierschallenges**, 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

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

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.

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.

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&wssystemnumber=CA2300736

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-__

**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, October 5, and November 2, 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 December 1, 2014.
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 2nd day of November, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-__

**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, October 5, and November 2, 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 October 2, 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 2nd day of November, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO **Local Agency Formation Commission**

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

PACIFIC REEFS WATER DISTRICT
SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- September 14 2015

Draft Hearing- November 2, 2015

Final Adoption- DATE

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FIGURE 1.



Pacific Reefs Water District

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

INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) 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” (GC §56425). A “SOP” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

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 Pacific Reefs Water District Sphere of Influence (SOI). The objective is to establish Pacific Reefs 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 Pacific Reefs 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.

OVERVIEW

CURRENT AGENCY OPERATIONS

The Pacific Reefs Water District (PRWD) provides water services to the 34 acre Pacific Reefs Subdivision, located immediately south of Big Salmon Creek near the community of Albion in southwestern Mendocino County. The subdivision is located between State Highway 1 and the Pacific Ocean (see Figure 1). On average, the District supplies approximately 400,000 gallons annually to its 14 customers and provides backup water supply to 3 additional customers within the District that are on private wells. The District's water supply consists of two springs and a well. All water flows through a chlorinator before being pumped into the District's two storage tanks and distributed to customers.

BACKGROUND

The District was formed on June 5, 1967 under California Water Code §34503, by LAFCo Resolution No. 67-5, for the sole purpose of providing water service to Pacific Reefs Subdivision customers. The Certificate of Filing with the Office of the Secretary of State is dated January 8, 1968. The District's boundaries coincide with the Pacific Reefs Subdivision, a gated subdivision served by private streets which encompasses approximately 34 acres. There have been no annexations to or detachments from the District since its original formation.

MUNICIPAL SERVICE REVIEW

A Municipal Service Review (MSR) was conducted for Pacific Reefs Water District as a part of a County-wide Water and Wastewater MSR, which was adopted by the LAFCo Commission on October 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

The District's Sphere of Influence (SOI) was first adopted in August 1994 (LAFCo Resolution No. 94-4). The SOI is coterminous with the Pacific Reefs Subdivision boundaries, which are also the District boundaries. According to information in the MSR, regarding an appropriate SOI for the District, the District responded that it only serves the Subdivision, with no potential for expansion. The District does not provide any services outside its boundaries. Further, because of physical limitations of the area, which is located on an isolated seaside bluff between Highway 1 and the Pacific Ocean, the provision of services beyond its boundaries is not readily feasible.

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 Pacific Reefs Water District provides water service, and is therefore only responsible for assuring that this service is adequately provided to communities.

Pacific Reefs is located just south of Albion, which is a 'census designated place' (CDP), and considered a DUC according to the California Department of Water Resources Disadvantaged Communities Mapping Tool. The 2010 median household income (MHI) for Albion is \$33,232,

which is 54% of the California 2010 MHI (\$61,094). The PRWD, however, is not located within the Albion CDP. Median household income is not available for the PRWD specifically.

POPULATION AND LAND USE

Population and Growth

The District is specific to the Pacific Reefs 24-lot subdivision in unincorporated Mendocino County. Located between Highway 1 and the Pacific Ocean, immediately south of the community of Albion, the District consists entirely of residential properties. Seventeen of the subdivision lots are developed, and are comprised of primary and secondary homes. Approximately 50 percent of the residences are year-round homes, the remaining are summer and vacation homes. According to the District, the average occupancy is two persons per household. The year-round population is approximately 34 persons, with additional weekend and seasonal residents.

Projected Growth and Development

Future growth and development of the District is subject to Mendocino County land use regulations. The County has adopted plans and policies to regulate growth including a General Plan and a zoning ordinance. The County's zoning ordinance contains three major geographical parts and the Pacific Reefs area is included in Coastal Zoning Code. The County's General Plan and Zoning Ordinance designate most of the Albion area and all of Pacific Reefs as single family residential.

The State Department of Finance (DOF) projects that the population of unincorporated Mendocino County will grow by a little more than 4 percent in the next 10-20 years, from 87,924 in 2010 to 91,498 in 2020 and 95,158 in 2030 (MSR).

The District serves only the Pacific Reefs Subdivision, which is currently 68% built-out, so the anticipated growth in the District is limited to development of an additional 7 residences. At the current persons per household (approximately 2 persons per household), subdivision build-out would result in a projected population of 48 persons. At the overall County growth of less than one percent, Subdivision build-out would not occur until well beyond the 5 year planning horizon of this sphere update.

Land Use and Development

The PRWD is subject to the land use authority of Mendocino County. Land use designations within the District are Rural Residential (RR5, RR1, RR5-DL, RR1-DL). Principally permitted RR uses are residential and associated utilities, light agriculture, and home occupation. Rural Residential is not intended to be a growth area and residences should create minimal impact on agricultural viability. This designation has larger minimum parcel sizes, such as: RR-1: 40,000 sq. ft.; and RR-5: 5 acres.

Northeastern parcels adjacent to the ocean and within the Pacific Reefs subdivision have a combining land use designation of Development Limitations (DL), used on parcels or portions of parcels that have serious constraints that may prevent or severely limit development (slope over 30 percent, erosion, or landslide). Many parcels with this designation have experienced severe bluff erosion and currently may have no feasible building site remaining. In each case on-site inspection and tests will be necessary to determine whether a building site exists.

~~The District serves only the Pacific Reefs Subdivision, which is currently 68% built-out and anticipated growth in the District is limited to development of an additional 7 residences.~~

CAPACITY AND SERVICE

Relevant Services

The District provides water services to 14 of the 17 built lots within the Pacific Reefs Subdivision. No other services are provided and no out-of-district connections exist. Water service is provided as a backup-connection to 3 property owners with private wells in the subdivision. On average, the District supplies approximately 400,000 gallons annually to customers. The system is operating at approximately 60 to 80 percent capacity. The District's water supply and infrastructure is sufficient to accommodate full build-out (24 residential lots) of the subdivision.

The PRWD is located in the Whitesboro Cove Springs watershed, which drains to the Pacific Ocean. The District's water supply consists of two springs and a well, both of which are located within the subdivision and District boundaries, and on District-owned land. The well is equipped with a pump that operates at approximately 1.5 gallons per minute (gpm). The spring water is also collected and pumped to the storage tanks. All water flows through a chlorinator before being pumped into the District's two storage tanks. The storage tanks include a 40,000 gallon steel tank (which collapsed in May 2013) and a 20,000 gallon wooden tank. The District is planning to replace a collapsed 40,000 gallon steel tank [What is the status of replacement?]. Existing storage capacity is estimated to be the equivalent of 57 days of average usage.

On average, the District supplies approximately 400,000 gallons annually to its 14 customers and provides backup water supply to 3 additional customers within the District that are on private wells. Average daily use for the District is estimated at 1,050 gallons per day (75 gallons per residence per day on average), with an average peak day demand at 1,370 gallons per day (100 gallons per residence). The system is operating at approximately 60 to 80 percent capacity. Thus, according to the 2014 MSR, the District's water supply and infrastructure ~~is~~ are sufficient to accommodate full subdivision buildout (24 residential lots).

The water system is automated to reduce daily operating requirements. Operations and maintenance are performed by a part time Water Master under contract; the District does not employ any staff. The District holds its meetings at board member residences and has no administrative office outside residences. Furthermore, the District contracts with a water master who provides his own tools for maintenance purposes and contracts with local contractors to do larger repairs and maintenance.

Based on information within the MSR regarding facilities, management practice, accountability, and financing, PRWD's service appears to be adequate. Very little growth will occur within the District and, based on current operating capacity, its facilities are adequate to serve Subdivision build-out.

Relevant Local Agencies and Communities of Interest

The PRWD is located along the Mendocino Coast and is isolated from surrounding development by topography and natural features. The nearest community is Albion, which is a Census Designated Place (CDP) with a 2010 population of 168. The Albion CDP encompasses approximately 1.8 square miles, and includes primarily rural residential properties with commercial development along Highway 1 and Albion River. Albion is served by several water entities including the Albion Field Station, and the Albion Mutual Water Company. The Albion River Campground is located near the District, just north-east across from Highway 101. The Albion-Little River Fire Protection District provides fire protection to all the properties within the District.

RELEVANT PLANNING AND SERVICE FACTORS

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 or 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: Dark Gulch to Navarro River Planning Area (Albion Planning Area)

The PRWD lies within the Albion Planning Area. There are no specific Planning Area policies or designated access points, trails, or recreation areas for Pacific Reefs. Plan policies for this area focus on the need for preservation of visual resources and how those policies affect future development, and minor highway improvements.

DISCUSSION

~~This update and its analysis focuses on the Commission's core policy interest to consider the District's existing prescribed role in providing public water services to the Pacific Reefs subdivision. This involves considering the community's need for PRWD's services relative to the District's ability to provide these services consistent with the Commission's interests.~~

The PRWD SOI is coterminous with the District boundary, and serves as the Primary Service Area of this report. ~~It is important to note the~~ The District does not provide any out-of-district services, and the update does not identify any areas lying outside PRWD's current jurisdictional boundary for possible inclusion into the District's sphere, therefore this update will not evaluate any additional Study Areas. The decision not to consider expanding the sphere beyond PRWD's jurisdiction appears appropriate at this time.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use

Current designated land uses within the District are principally Rural Residential. The District subdivision is 68% built-out, limiting development to seven additional residences.

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

The District provides water services to Pacific Reefs Subdivision property owners. The District has an adequate service level to accommodate the anticipated growth within District boundaries.

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

The District's water supply and infrastructure are sufficient to accommodate full subdivision build-out (24 residential lots). Based on information within the MSR regarding facilities, management practice and accountability, and financing, PRWD's service appears to be adequate.

4.) Social and Economic Communities of Interest

The PRWD is isolated from surrounding development. No specific areas outside the District boundaries have been identified that require services from the District.

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

No specific information is available regarding household income within the District. The nearby community of Albion qualifies as a DUC. PRWD provides only water services and is determined to be providing adequate service.

~~The PRWD is subject to the land use authority of Mendocino County. Land use designations within the District are Rural Residential (RR5, RR1, RR5-DI, RR1-DI). Principally permitted RR uses are residential and associated utilities, light agriculture, and home occupation. Rural Residential is not intended to be a growth area and residences should create minimal impact on agricultural viability. This designation has larger minimum parcel sizes, such as: RR-1: 40,000 sq. ft.; and RR-5: 5 acres.~~

~~Northeastern parcels adjacent to the ocean and within the Pacific Reefs subdivision have a combining land use designation of Development Limitations (DL), used on parcels or portions of parcels that have serious constraints that may prevent or severely limit development (slope over 30 percent, erosion, or landslide). Many parcels with this designation have experienced severe bluff erosion and currently may have no feasible building site remaining. In each case on-site inspection and tests will be necessary to determine whether a building site exists.~~

~~The District serves only the Pacific Reefs Subdivision, which is currently 68% built-out and anticipated growth in the District is limited to development of an additional 7 residences.~~

~~**Determination 1:** Current designated land uses within the District are principally Rural Residential. The District subdivision is 68% built out, limiting development to seven additional residences.~~

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

~~The District provides water services to property owners within the Pacific Reefs Subdivision, as well as backup service to property owners with private wells. No other services are provided and the District does not provide any out-of-district services. The year-round population is approximately 34 persons, with additional weekend and seasonal residents. The District anticipates little population growth within the near term (five years) and long-term planning horizon (20 years). The provision of services beyond District boundaries is not readily feasible because of physical limitations of the surrounding area. No wastewater services are provided to residents within the District. All residents are assumed to be on septic. A need for wastewater service may exist. Albion Little River Fire Protection District provides fire protection services for the District Area.~~

~~**Determination 2:** The District provides water services to Pacific Reefs Subdivision property owners and little population growth within the five year planning horizon is anticipated. Provision of services beyond District boundaries is not currently feasible because of physical limitations of the area. No wastewater services are provided and there may be a future need for wastewater services.~~

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

~~The District provides water services to the Pacific Reefs Subdivision. No other services are provided and no out of district connections exist. Water service is also provided as a backup to property owners with private wells. The Subdivision is currently 68% built-out, and growth is limited to the development of 7 additional residences.~~

~~On average, the District supplies approximately 400,000 gallons annually to 14 customers and provides backup water supply to 3 additional customers on private wells within the District. The existing storage, without the planned replacement tank is estimated to be the equivalent of 57 days of average usage. The well is equipped with a pump that operates at approximately 1.5 gallons per minute (gpm). Water from the spring is also pumped and stored in tanks. The system is operating at approximately 60 to 80 percent capacity. The District's water supply and storage infrastructure is sufficient to accommodate full subdivision build-out (24 residential lots).~~

~~**Determination 3:** The District's water supply and infrastructure is sufficient to accommodate full subdivision build-out (24 residential lots). Based on information within the MSR regarding facilities, management practice and accountability, and financing, PRWD's service appears to be adequate.~~

~~Social and Economic Communities of Interest~~

~~The PRWD is located along the Mendocino Coast, and is isolated from surrounding development by Highway 101 and coastal bluffs. The small, unincorporated community of Albion is the nearest socioeconomic center in the area, located just to the north of PRWD. No specific areas outside the District boundaries have been identified that require services from the District.~~

~~**Determination 4:** The PRWD is isolated from surrounding development. No specific areas outside the District boundaries have been identified that require 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, sewer, and fire protection. The PRWD provides one of these services—water, and is not responsible for the other two basic services. Wastewater service is not provided and Fire protection is provided by the Albion Little River Fire Protection District.~~

~~Since PRWD falls within the County of Mendocino, the MHI of the area’s unincorporated residents is assumed to approximate the County MHI of \$43,721, or 71% of the statewide MHI of \$61,632. The area in and around WCWD is therefore considered to be a DUC. As such, consideration of essential municipal services should be evaluated. Within District boundaries, all properties receive water service and fire protection, but wastewater service. PRWD provides only water service and is therefore not responsible for providing wastewater services.~~

~~**Determination 5:** No specific information is available regarding household income within the District. Using the County’s MHI, the District is considered to be a DUC. PRWD provides only water services and is determined to be providing adequate service. The properties within the District are not receiving wastewater service. If the subdivision qualifies as a DUC the properties within the District should be evaluated for wastewater service needs.~~

RECOMMENDATIONS

Based off of the information provided herein, Mendocino LAFCo recommends that the Pacific Reefs Water District SOI remain coterminous with the current District boundary.

REFERENCES

- 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)
- 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).
- 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.

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-__

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE PACIFIC REEFS 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 Pacific Reefs 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 November 2, 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 Pacific Reefs Water District was accepted by the Commission on October 2, 2014.
2. The Commission, as Lead Agency, finds the update to the Pacific Reefs 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 Pacific Reefs 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: “Pacific Reefs 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 Pacific Reefs 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 Pacific Reefs Water District's sphere of influence.

BE IT FURTHER RESOLVED that the Pacific Reefs 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 2nd day of November, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

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

Hearing Draft

Commission Review

Draft Workshop- October 5, 2015

Draft Hearing- November 2, 2015

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) 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” (GC §56425). A “SOP” is defined under the CKH Act as “... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

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"):

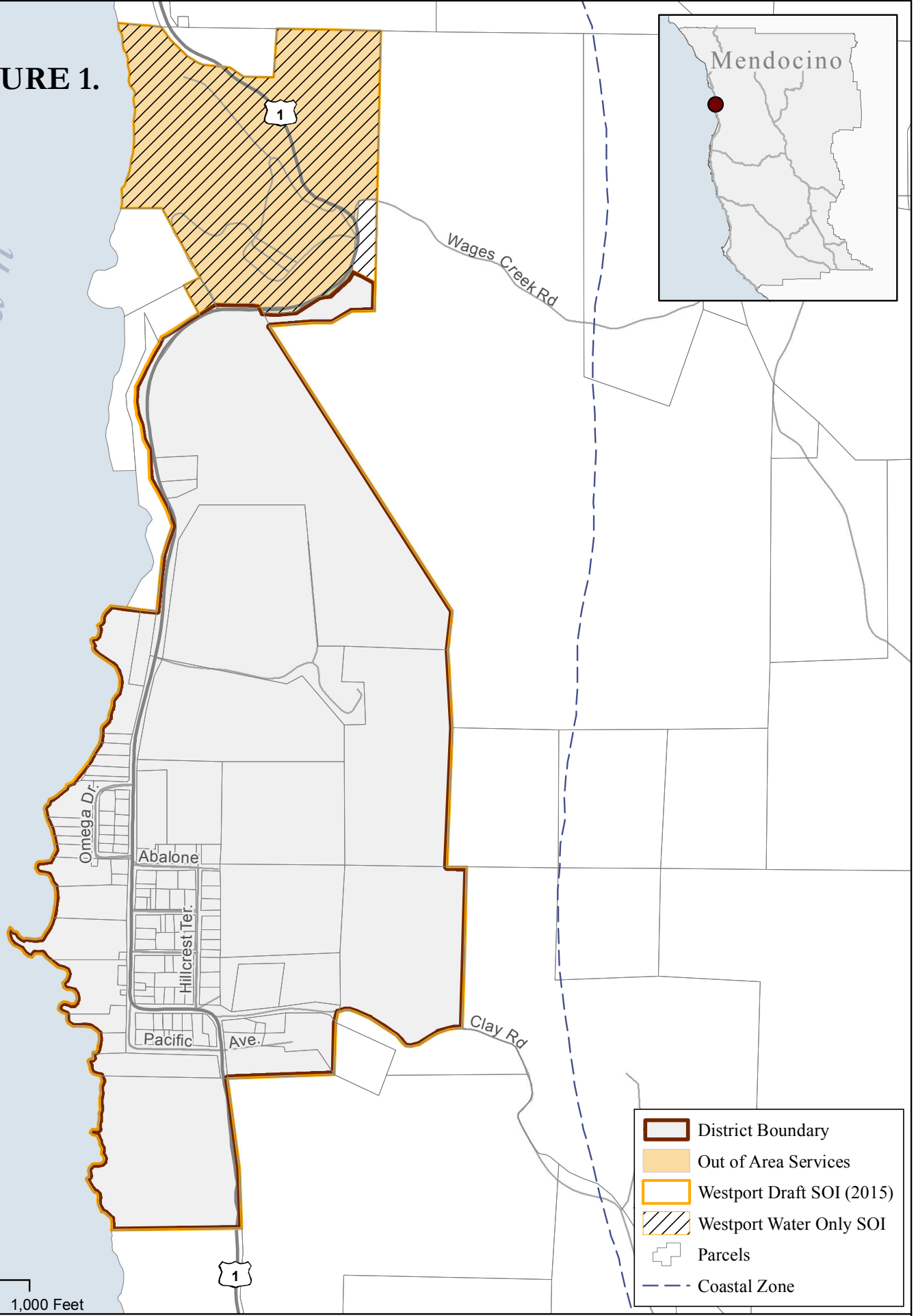
1. Territory that is currently receiving services from a local agency shall be considered for inclusion within that agency's sphere. Territory that is projected to need services within the next 5-10 years may be considered for inclusion within an agency's sphere, depending on a number of factors required 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.



Pacific Ocean



- District Boundary
- Out of Area Services
- Westport Draft SOI (2015)
- Westport Water Only SOI
- Parcels
- Coastal Zone

0 500 1,000 Feet



Westport County Water District

Prepared for **PLANWEST PARTNERS, INC.**

Mendocino **LAFCo** by: Date: 10/27/2015

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, [LAFCo prepared](#) a County-wide [water and wastewater services](#) MSR ~~was conducted for the county water districts~~, which included the Westport County Water District. [The Westport CWD MSR was approved by the Commission on October 2, 2014.](#) 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 ~~services and wastewater service~~ to the Westport Beach RV Park and Campground (Westport Beach) under contract ([District Manager, October 27, 2015](#)). This area is external to the current District boundary and coterminous with northern most portion of said boundary (see Figure 1).

The 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. The District does not provide structural fire protection and 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 (Hannafor, 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; however, population and service needs do not appear to be expanding rapidly (see *Current and Projected Population* above for initial discussion). The estimated full 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 water service and fire flow demand for the system occur in the summer months, whereas concerns regarding insufficient 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.

Recommended Sphere

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. The parcels receiving service in the Out of District Service Area (APNs 013-240-051 and 013-240-049) receive only water services. A water service specific SOI for this area should be considered. Additionally, to the southeast of this area is a parcel (APN 013-240-047), which is currently only partially included in the District boundaries. Including the portion of this parcel not already within District boundaries in the SOI will provide for a more logical boundary. Adjacent parcels to the east of the Out of District Service Area were not considered appropriate for inclusion within the SOI given their open space land use designation.

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

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

Staff recommends that the Westport County Water District Sphere of Influence be coterminous with the District boundaries with the exception of an expanded area include the two parcels receiving water service (APNs 013-240-051 and 013-240-049) and the split parcel (APN 013-240-047), which together should be designated as a water-only SOI area. See Figure 1.

There are no other lands adjacent to the District that are expected to need services within the next 5-10 years; therefore, 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.

WESTPORT COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE
MENDOCINO LAFCO

~~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 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.

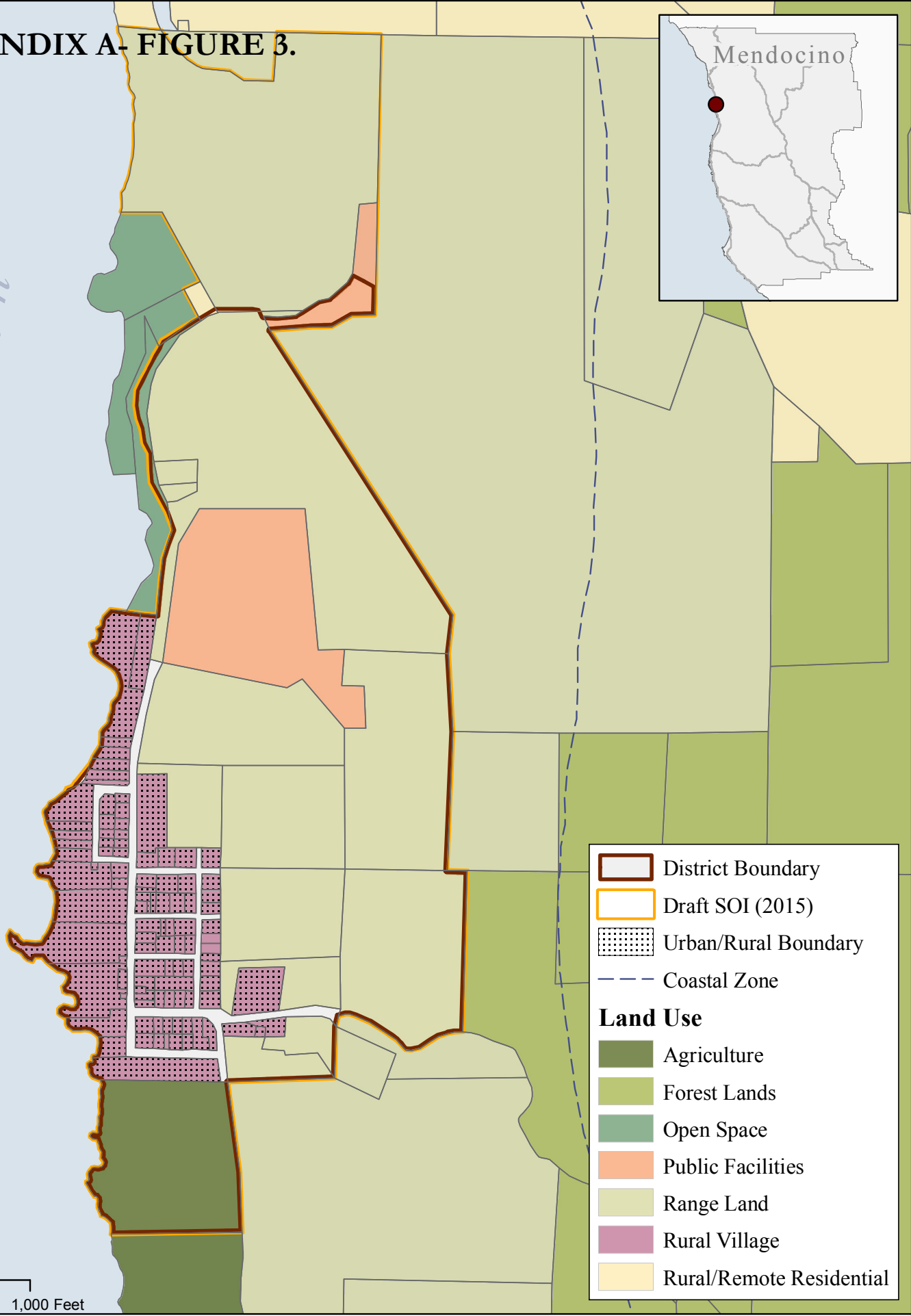
DRAFT



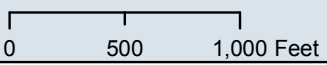
APPENDIX A- FIGURE 3.



Pacific Ocean



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



Westport County Water District Land Use

Prepared for **PLANWEST PARTNERS, INC.**
Mendocino LAFCo by: Date: 10/27/2015

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-__

**A RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY
APPROVING THE WESTPORT 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 Westport 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 November 2, 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 Westport County Water District was accepted by the Commission on October 2, 2014.
2. The Commission, as Lead Agency, finds the update to the Westport 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 Westport County Water District confirmed during the review of its sphere of influence that its services are currently limited to water and 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: “Westport 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 Westport 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 Westport County Water District's sphere of influence.

BE IT FURTHER RESOLVED that the Westport 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 2nd day of November, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

GEORGE WILLIAMSON, Executive Officer

MENDOCINO
Local Agency Formation Commission

Staff Report

DATE: November 2, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: **WORKSHOP** for Sphere of Influence Updates

This is a workshop to introduce the Draft SOI Update for the Gualala Community Service District.

An administrative draft was provided to the Gualala Community Service District (GCSD) in August, 2015. District staff reviewed the document and provided further information where requested via several phone conversations and e-mail. The District Board reviewed the document at their October meeting. GCSD provides wastewater services to the community of Gualala. The GCSD provides out of district services via sewer connection to the Gualala Point Regional Park to the south and pumping services via truck to nearby beaches and campground toilet vaults.

Attachments: Draft SOI Update

MENDOCINO **Local Agency Formation Commission**

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

**GUALALA COMMUNITY SERVICES
DISTRICT**

SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Administrative Draft Workshop- November 2, 2015

Draft Hearing- December 7, 2015 (Tentative)

Final Adoption- DATE

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INTRODUCTION

OVERVIEW

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) 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” (GC §56425). A “SOI” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

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 Gualala Community Services District Sphere of Influence (SOI). The objective is to establish Gualala CSD’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 Gualala CSD 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.
-

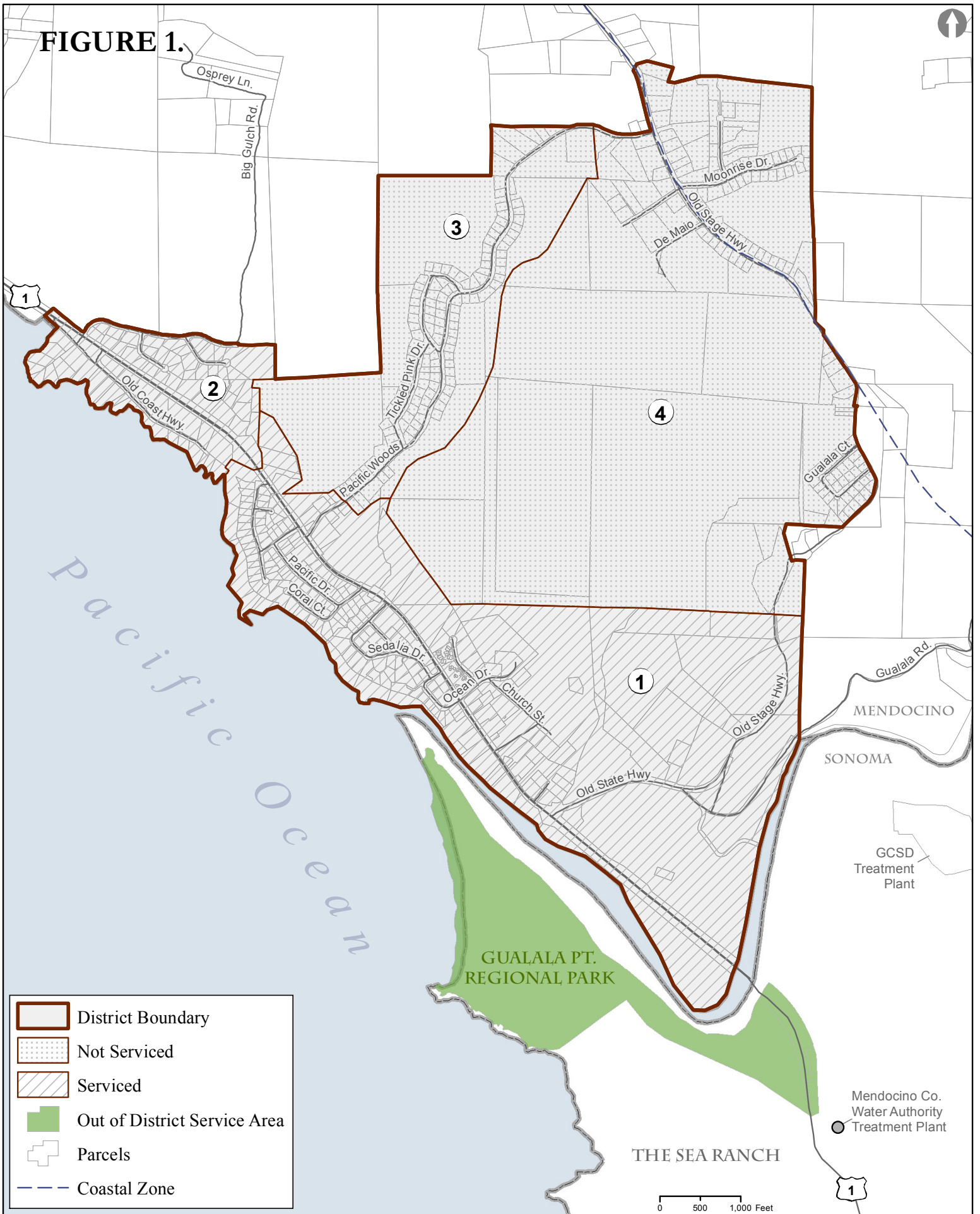
Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission's seven interrelated policies, as listed below, with respect to determining 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
	Not Served
	Served
	Out of District Service Area
	Parcels
	Coastal Zone

Gualala Community Services District

Prepared for
Mendocino
LAFCo by: **PLANWEST PARTNERS, I.N.C.**
Date: 10/9/2015

OVERVIEW

CURRENT AGENCY OPERATIONS

The Gualala Community Services District (GCSD/District) provides wastewater services to the community of Gualala in Mendocino County. Services include the collection, treatment, and disposal of wastewater generated by connections within the service area and maintenance of related facilities and equipment. The GCSD provides out of district services via sewer connection to the Gualala Point Regional Park to the south and pumping services via truck to nearby beaches and campground toilet vaults (District Administrative Manager, October 2015).

The District boundaries include four (4) zones and encompass 1,430 acres (2.23 square miles). There are approximately 416 billable units on a total of 369 parcels within Zones 1 and 2 (District Administrative Manager, October 2015). For the purposes of this document, these zones within District boundaries will be referred to as service zones. GCSD facilities provide service to Service Zones 1 and 2 which contain approximately one-third of the District's territory. Properties within Service Zones 3 and 4, while within the District boundaries, do not receive services from the District (MSR 2014).

BACKGROUND

Mendocino County is the principal county for this District and Mendocino LAFCO is the principal LAFCO. In a few instances, services are provided within Sonoma County.

The District serves residents of the unincorporated community of Gualala, in the southwest portion of Mendocino County and adjacent to the Pacific Ocean. Located north of the Sea Ranch and south of Point Arena, California, the District shares its southern border with the border of Mendocino and Sonoma counties. The Gualala community is the socioeconomic center of the area. The Pacific Ocean forms the western boundary of the District and offers coastal resources such as beaches, wildlife, and fish.

Gualala CSD was initially formed in 1986 through Mendocino LAFCo's approval of Resolutions 86-2 and 86-4 on July 7, 1986; and the Mendocino County Board of Supervisor's approval of Resolution 86-175 on August 5, 1986. GCSD facilities were accomplished via 10 percent local funding and a grant under the Clean Water Act through the State Water Resources Board. Construction of the infrastructure and treatment facilities finished in September 1992 and the wastewater treatment plant began operations October 1, 1992 (MSR 2014).

MUNICIPAL SERVICE REVIEW

A Municipal Service Review (MSR) was conducted for the Gualala Community Services District as a part of a County-wide Water and Wastewater MSR, which was adopted by the LAFCo Commission on October 2, 2014. 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 Gualala CSD MSR.

SPHERE OF INFLUENCE

Existing Sphere

The District's Sphere of Influence (SOI) was originally established in 1986 as part of District formation and has not been updated since. Though not originally depicted, the SOI may be seen

on a map dated August 5, 1991, in LAFCo's files. This map may have been prepared as part of a Master Service Element that was prepared at that time. The map depicts three zones within the SOI, Zones A, B, and C. Zones A and B are located to the north of the District. Zone C is located to the east/south-east of the District. The map notes that the intent was to provide sewer service to Zones A and C within 10 years and service to Zone B within 15 years. LAFCo Staff have recreated the map, which may be seen in Appendix A, Figure 3. If in fact Zones A, B, and C are within the existing SOI, the District has indicated it will not seek expansion of the existing boundaries into the Sphere of Influence for at least another 15 years (MSR 2014).

Out of District Service

The GCSD collects and treats wastewater via a service connection from the Gualala Point Park, which is managed by the Sonoma County Parks Department. This service area is outside of the current District boundaries and SOI. It is adjacent to the Gualala CSD boundary in Sonoma County, and described as the Out of District Service Area for this SOI Update (See on Figure 1.). According to the GCSD, the Park was connected when the District started servicing customers in June 1992. No records exist of the original agreement, but the District reports that the Park has paid fees since service began (District Administrative Manager, October 2015). In addition, the District provides septic tank pumping services to the same park at two residences and also provides pumping services via truck to nearby facilities.

The facilities that receive pumping services include:

- Salal Beach
- Shell Beach
- Pebble Beach
- Black Point Beach
- Stillwater Beach
- Stillwater campgrounds

The District reports that it pumps the toilet vaults at these facilities. The operator lifts the toilet off the floor and puts the hose in the vault and pumps out the solids. Liquid goes to the leach fields. (District Administrative Manager, October 2015).

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 GCSD provides wastewater, and is therefore only responsible for assuring that this service is adequately provided to communities.

Median household income is not available for the Gualala community specifically. GCSD is located south of Anchor Bay, which is a 'census designated place' (CDP), and considered a disadvantaged community according to the California Department of Water Resources Disadvantaged Communities Mapping Tool. The 2010 median household income (MHI) for Anchor Bay is \$29,471, which is 48% of the California 2010 MHI (\$61,094). The GCSD, however, is not located within the Anchor Bay CDP.

The Gualala Community Services District is a portion of the community of Gualala. However Gualala is not a ‘census designated place’ (CDP), therefore the median household income amount is not available. Even if the Gualala community qualified as a DUC, there are no indications that wastewater service from GCSD is substandard, especially given that effluent is treated to tertiary standards (MSR 2014).

POPULATION AND LAND USE

Population and Growth

The District estimates that 750 people currently live within the District’s boundaries (i.e., Service Zones 1, 2, 3, and 4). The current population within the Sphere of Influence (i.e., in-boundary plus those within SOI of Sphere Zones A, B, and C) is approximately 1,000 persons (MSR 2014). The 2014 MSR estimates that the 2015 population for the entire community of Gualala is around 2,133 people.

Projecting future growth within the District boundaries is a challenge since Gualala is a small unincorporated town with no central point to obtain economic data. U.S. Census data is not separated out for Gualala. Compounding this problem is that much of Gualala’s market is driven by economic activities in Sonoma County.

A Community Action Plan was prepared for the community of Gualala in 2007. During plan preparation, a socio-economic study was created and entitled “Appendix D, Economic Inputs to Gualala Community Action Plan”. This study estimates a future growth rate for Gualala at approximately 16 new residences per year with an average household size of 2.25 persons per household. This results in an average annual growth rate of 8 percent, much higher than that projected for Mendocino County as a whole (MSR 2014).

The California Department of Finance (DOF) estimated a 1.1 percent annual growth rate for the unincorporated portions of Mendocino. Using their more conservative rate, the 2014 MSR estimates the Gualala community will have a population of 2,173 in 2020 and 2,257 in 2030. The MSR then notes that the actual growth rate in Gualala is likely to be much less than that estimated due to the water moratorium imposed on the North Gualala Water Company by the California Public Utilities Commission. Due to difficulty in securing rate increases to support needed infrastructure repair, the North Gualala Water Company is not accepting new connections to its water service and this constrains future growth in the area. No new homes can be built due to lack of water infrastructure and the GCSD is not expecting any increases in demand for its wastewater treatment services until the water moratorium is lifted and growth and development resume (MSR 2014).

Land Use and Development

Properties within the District are primarily zoned residential, commercial, light agricultural and coastal open space. Local businesses include lodging establishments, restaurants and cafes, supermarkets, bakeries, shops, galleries, medical services, pharmacy, real estate services, and banks. The Gualala Town Plan does provide policies to support new development in the area. For example, the Ocean Ridge Subdivision, located near the eastern part of Zone 3, has a total of 100 approved lots and only 40 percent of these lots are currently developed. Additionally, a 480-acre “residential reserve” is located east of town and was identified as a suitable location for future residential development (MSR 2014).

The majority of the District is within the Coastal Zone, and an Urban/Rural Boundary has been identified that generally encompasses Service Zones 1 and 2. See Figure 2 in Appendix A.

CAPACITY AND SERVICE

Wastewater System

The District provides collection, treatment, and disposal of wastewater generated by hookups within the service area and maintenance of related facilities and equipment services. Wastewater is treated to a tertiary level. To achieve the tertiary level of treatment, the District utilizes an extended aeration activated sludge plant with clarification and Title 22 Sand Filter and Disinfection method. The Wastewater Treatment Plant is a Step System. The waste solids are disposed of at a solids disposal site and the treated effluent is used to irrigate the Sea Ranch Golf Links (MSR 2014).

The District has an agreement with the Sonoma County Water Agency to treat secondary effluent from the District at the northern wastewater treatment plant (WWTP) of The Sea Ranch to tertiary standards. GCSO disposes of this tertiary effluent by selling it to The Sea Ranch Golf Links for irrigation purposes ((MSR 2014) & (Sonoma LAFCO 2004)).

The State Water Resources Control Board (SWRCB) recommended that the District plant be located in Sonoma County to enable the additional use of the treatment plant as a reclamation facility for the Sea Ranch development and golf course. Authorities felt that this recommendation would reduce and offset freshwater demands on the environmentally sensitive Gualala River (MSR 2014).

The wastewater system was designed to serve existing development and provide for additional growth within the GCSO Sewer Assessment District boundaries, which approximates the boundaries of Zones 1 and 2 (Coastal Commission, 2007). New development within Service Zones 1 and 2 must connect to the wastewater treatment system. Service Zones 3 and 4, while located within the District's boundaries, do not currently receive sewer service; rather, these areas are assumed to be served via private septic systems (MSR 2014). In 2003 GCSO commissioned a Sewer Feasibility Study which outlined various options and costs for extending and expanding District facilities to provide sewer service to these zones. Expansion of the wastewater treatment plant would likely require a Local Coastal Plan amendment and further environmental review. The District has also surveyed residents within these two zones and the survey results indicate that most residents prefer to retain their septic system. Due to costs of new planning/infrastructure, and resident preference, the District does not have any immediate plans to expand their facilities into Service Zones 3 and 4, or elsewhere (MSR 2014).

Capacity

District policy requires that if a structure in Service Zones 1 and 2 is within 500 feet of the collection line, it must be connected to the system. The GCSO treatment plant had an original design capacity of 131,000 gallons per day (gpd). The treatment plant currently receives approximately 66 gpd per person during the winter period, and a daily average flow volume of 65,000 gpd. Peak flow in the 2014 MSR was reported as 125,000 gpd. In the past the District has experienced minor sanitary sewer overflows. The State Regional Water Quality Control Board levied fines on the District, which were paid. Additionally, peak flow capacity was exceeded in February 2009 and January 2010 at 132,400 gpd and 172,600 gpd, respectively (MSR 2014). The

District takes measures to ensure the integrity of the wastewater collection system, including regular inspections of the system (visual and video) and adding cleanouts in the gravity lines for camera access (MSR 2014).

According to the Gualala Town Plan, in Mendocino County's Coastal Element, the initial design capacity of the system was 625 Equivalent Single Family Dwellings (ESDs). Built in 1993, this design assumed a two percent annual residential growth rate and a three percent annual commercial growth rate for a 20-year planning horizon. With the original system anticipated growth rate and timeline, the District would have reached treatment capacity in 2013. See the below "Relevant Planning and Service Factors" for the full excerpt of the Gualala Town Plan service discussion. In 1997 the system was estimated to have 460 ESDs connected and 165 ESDs remaining. In other words the system was at approximately 75% of its treatment capacity in 1997. No ESD estimates for the District are currently available, but based off of the original design capacity and the peak annual flow for 2014, the treatment plant would be at ~95% of its flow capacity.

The District reported that the plant and collection system are generally in good condition. GCSD has added a second filter and is in the process of adding a second clarifier. The additions will substantially reduce risk in case of a major equipment failure, and will also increase the plant's peak capacity (District Administrative Manager, October 2015). In terms of billable units, currently the District reports that it serves 189 single residential homes, 12 multiple residences, 18 mixed use residences (commercial and residential), 139 commercial, and 1 mobile home park with 58 units (District Administrative Manager, October 2015).

Relevant Local Agencies and Communities of Interest

Gualala CSD, Sonoma County Water Agency and the Sea Ranch Golf Course have a 40-year Tri-Party Agreement that was adopted in 1992, which pertains to the service relationship discussed in the above wastewater system section. There are a number of current issues related to the agreement, including treatment capacity and costs for services. The parties are in the process of re-writing the agreement, which also ties into the District's renewal of its permit from the Regional Water Quality Control Board. A revised agreement is expected to be considered by the parties in 2015 (General Manager, 2015). Other external partners and stakeholders include the Gualala Municipal Advisory Council (GMAC), the Sonoma County Water Agency (SCWA), North Gualala Water Company, and Mendocino County (MSR 2014).

GCSD is located entirely within the North Gualala Water Company's Service Area. The District does not jointly own or share any capital facilities or services with other agencies. Due to the geographic isolation of the District, there are no areas within the existing District boundaries that might be served more efficiently by another agency (MSR 2014).

RELEVANT PLANNING AND SERVICE FACTORS

Mendocino County regulates growth and development that occurs within the District's boundaries. Several County plans and policies regulate this growth including a General Plan (Mendocino, 2009) and a zoning ordinance. The County's zoning ordinance contains three major parts and the Gualala area is included in the Coastal Zoning Code.

On January 15, 2002, Mendocino County adopted The Gualala Town Plan as part of the Coastal Element of the Mendocino County General Plan. This plan serves as the Local Coastal Plan

required as part of the California Coastal Act. The Gualala Town Plan provides planning goals and policies that establish a scenario for growth within the Town Plan area over a 30-year planning horizon (i.e. until 2032). Additionally, the Board of Supervisors created the Gualala Municipal Advisory Council (GMAC) in 1990 with a two-part mandate to 1) advise the Board of Supervisors on current development applications; and 2) to indicate long-range planning efforts to update the Coastal Element of the Mendocino County General Plan as it pertains to the Gualala area.

County of Mendocino General Plan

General Plan Development Element (DE) Water Supply and Wastewater 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 service entities to monitor, manage and/or maintain community-wide or decentralized water or 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 3.8

“The Gualala Community Services District (GCS D) sewer treatment system was designed to serve existing development and additional growth within the GCS D Sewer Assessment District boundary. The system was designed to accommodate annual increases of residential growth at a constant rate

of 2 percent for a twenty (20) year planning horizon. This was in conformance with population increases projected in Policy 3.9 (Locating and Planning New Development) of between 0.5 and 2.4 percent. Annual increases in commercial development were projected at 3 percent for the twenty (20) year planning period. Requests for sewer service outside the existing GCSD Sewer Assessment District boundary, but within the approved Gualala Community Services District boundary, shall be subject to environmental review of development-related impacts, and may require an amendment of the county Land Use Plan.”

Coastal Element- Gualala Town Plan

Sewer Service/Septic Availability pg. 276

“The Gualala Community Services District (GCSD) wastewater treatment system was completed in 1993. The GCSD area encompasses approximately 1,430 acres, 550± acres of which are included within the initial Sewer Assessment District boundary. The Gualala Town Plan area includes most of the GCSD area. Construction of the community wastewater treatment system removed one of the primary constraints to commercial development in Gualala. The initial design capacity of the system of 625 Equivalent Single Family Dwellings (ESDs) assumed a two percent annual residential growth rate and a three percent annual commercial growth rate for a 20-year planning horizon.

As of October 1997, approximately 460 ESDs were allocated, and the unused capacity represented approximately 165 remaining ESDs. New development within the GCSD assessment/service area cannot proceed unless connection to the wastewater treatment system has been authorized by the GCSD. The remaining ESDs may not be sufficient to accommodate the demands for sewer connections for the 30-year planning horizon of the Gualala Town Plan”... “buildout of residential uses under the Coastal Element, March ‘91 (assuming the 75/50% scenario) would demand an additional 331 ESDs. Under the Gualala Town Plan (75/50% scenario), buildout of residential uses would require 759 ESDs. Under both of these scenarios (neither of which account for increased demands from commercial uses), the remaining capacity of the GCSD treatment plant would be exceeded.

When 500 ESDs are in use, the GCSD is required to initiate plans for wastewater treatment plant expansion. The treatment plant design was selected, in part, to make future increases in treatment capacity possible. A Local Coastal Plan amendment and further environmental review will be necessary prior to approval of any expansion of the GCSD facilities. Minimum parcel sizes in the coastal zone have been assigned with consideration of septic requirements and development on parcels outside of the GCSD assessment/service area requires approval of a septic system by the Mendocino County Department of Environmental Health.”

It should be noted that the Gualala Town Plan includes a map that depicts the Urban/Rural boundary for the community. In a 2007 California Coastal Commission (CCC) Staff Report, a map is presented as Exhibit #4 which presents a corrected Urban/Rural Boundary that is smaller in area than that presented in the Gualala Town Plan (See Figure 4, Appendix A). The corrected boundary appears to only include Service Zones 1 and 2, which are already receiving services from GCSD.

DISCUSSION

In the 2014 MSR, it is estimated that 750 people live within the GCSD boundaries. In another section of that same document, an estimate of 428 service connections with an assumed 2.25 persons per connection provides that the District serves approximately 963 persons. This is a difference of 213 people as estimated within the document. Predicted growth rates for the region vary widely from 8 percent to 1.1 percent. These estimates do not account for the new hookup water service moratorium in effect for the area. The moratorium effectively prohibits almost all new growth and impacts anticipated new hook ups for the Gualala CSD. Given the moratorium and generally accepted lower growth rate, anticipated need for new services is expected to be minimal.

As stated above, much of Gualala's market is driven by economic activities in Sonoma County, given that it sits just north of the Mendocino-Sonoma County border and the Sea Ranch housing development. The Gualala CSD provides out of district service to the Gualala Point Regional Park, which is south of the District and in Sonoma County. Ties to Sonoma County are further strengthened by the Tri-party agreement mentioned in the *Relevant Local Agencies and Communities* section, and the physical location of the GCSD plant in Sonoma County. The District has indicated that it will likely explore annexing the Out of District Service Area in the near future, and possibly look at annexing the wastewater treatment facilities in Sonoma County. They noted that the latter is a long-range possibility and not a matter they are considering at this time (District Administrative Manager, October 2015).

ANALYSIS

As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

1.) Present and Planned Land Use Determination

Land designations within the District are consistent with LAFCo policy. The Out of District Service Area of Gualala Point Regional Park is generally considered open space, but services provided are for recreational public facilities and therefore staff finds service to be consistent with LAFCo policy.

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

Given the current water service moratorium and anticipated low growth rate, the need for services presently provided by the District are expected to continue and slightly increase in the foreseeable future. The Out of District Service Area is expected to continue to require service but with no further increase in need.

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

The District appears to be nearing the end of the treatment plant's original design capacity, but is in the process of adding additional infrastructure to provide expanded capacity. The additional capacity appears to be sufficient for the continued service of Zones 1 & 2.

4.) Social and Economic Communities of Interest

The District has substantial economic and service ties with the community of Sea Ranch immediately south of the GCSD.

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

Gualala is not considered a DUC.

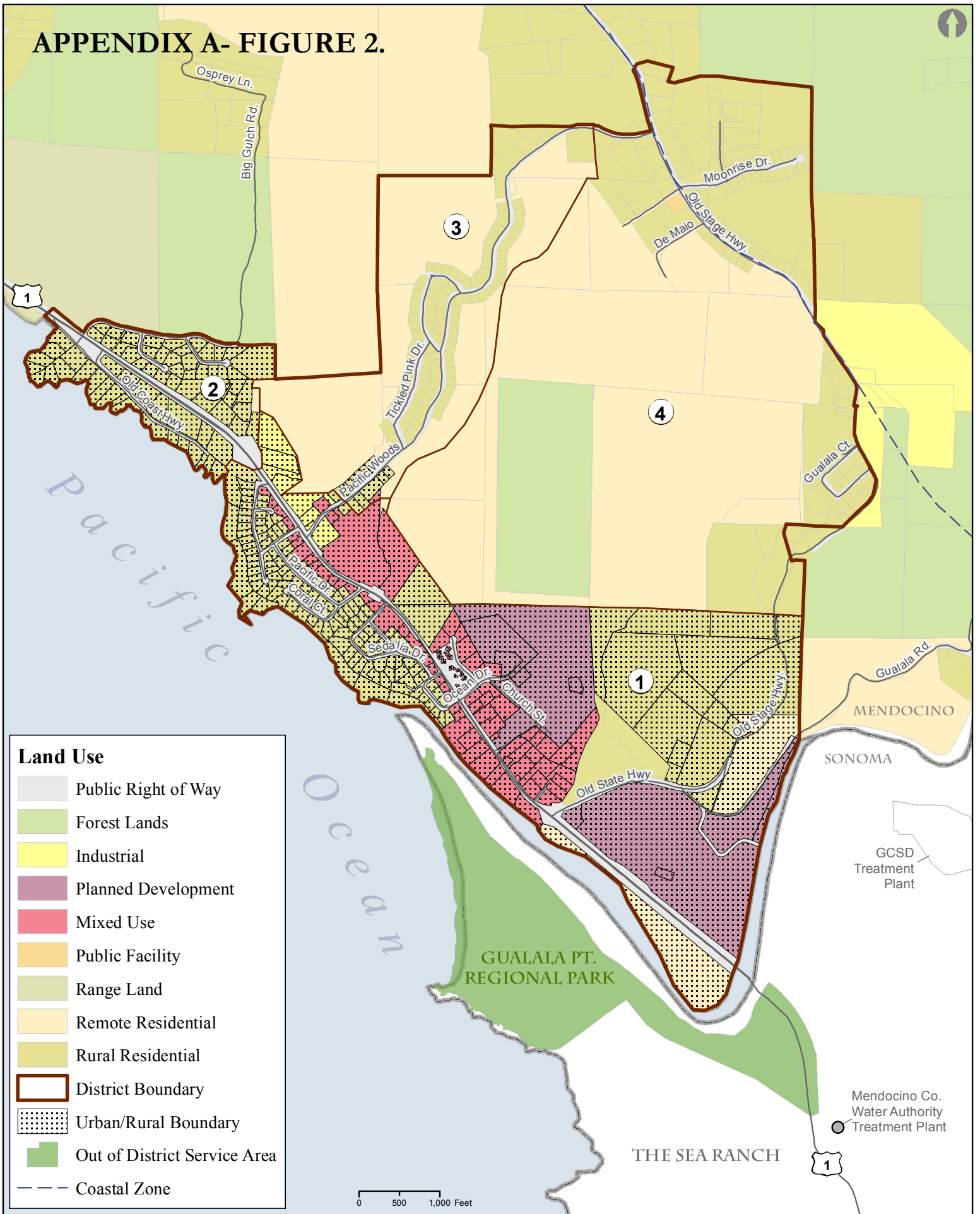
RECOMMENDATIONS

Recommendations to be added following workshop review.

REFERENCES

- California Coastal Commission (November 30, 2007). “F7a. Staff Report: Appeal Substantive Issue”. Appeal No: A-1-MEN-07-043.
- Gualala Community Services District, February 2003. “Sewer Feasibility Study”, prepared by Winzler and Kelley Consulting Engineers for the Gualala Community Services District.
- Grand Jury Report, 2007. “Waste Not . . . Want Not- A Report on the Gualala Community Services District”. May 3, 2007. Mendocino County
- 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 County (2002). “Gualala Town Plan”, January 15, 2002. Mendocino County Coastal Element.
- 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.
- Sonoma County Water Agency (2015). “Sea Ranch Sanitation Zone” webpage. Accessed 10/12/2015. <http://www.scwa.ca.gov/SRSZ/>
- Sonoma LAFCo (November 2004). “Final Report County of Sonoma Water & Sewer District Providers Municipal Service Review”. Prepared by Economic & Planning Systems, Inc.

APPENDIX A- FIGURE 2.



Gualala Community Services District

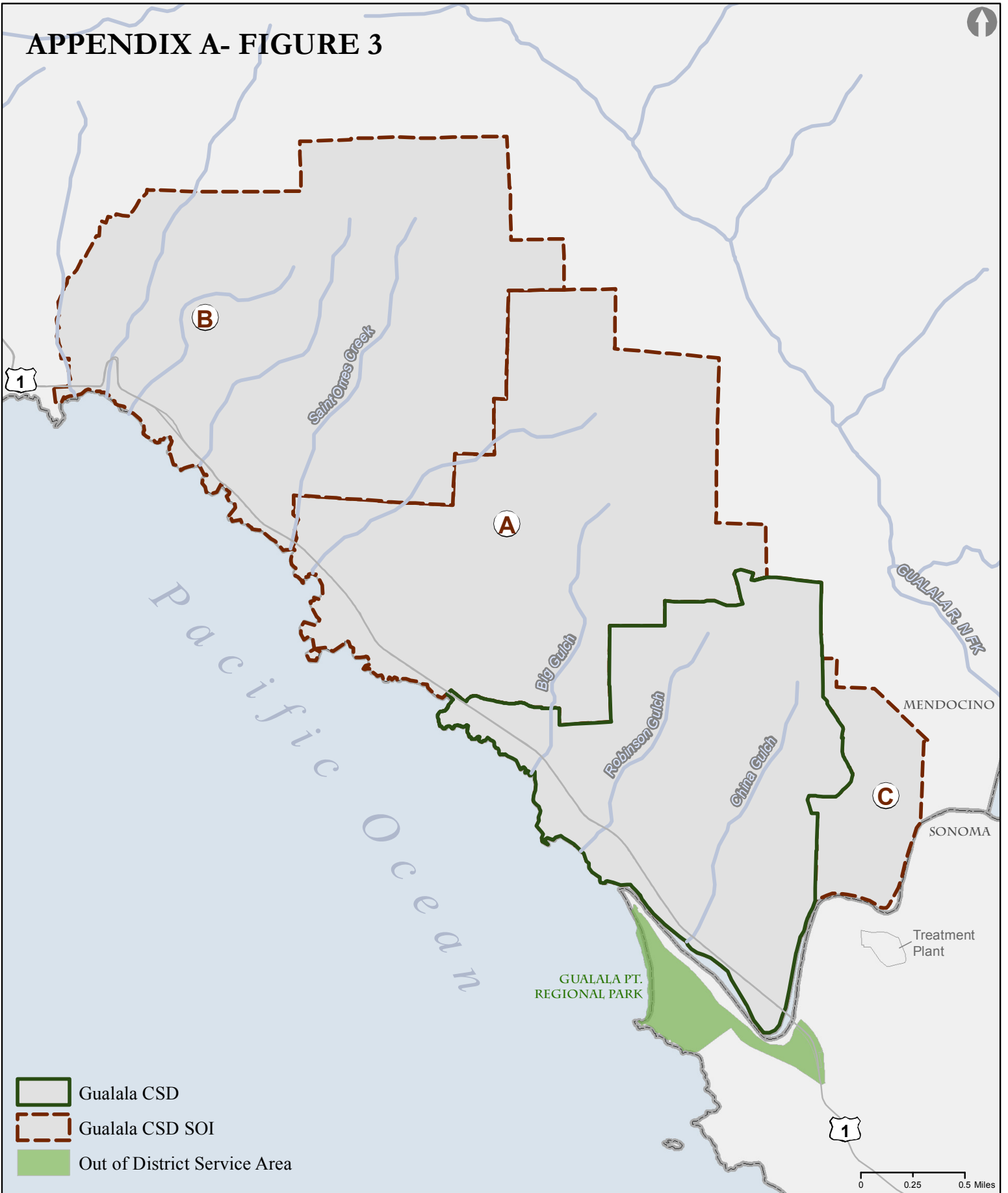
Landuse Designations

Prepared for
Mendocino
LAFCo by:



Date: 10/12/2015

APPENDIX A- FIGURE 3



Gualala Community Service District

Sphere of Influence & Out of District Service Area

Prepared for Mendocino LAFCo by:



**MENDOCINO
Local Agency Formation Commission**

Staff Report

DATE: November 2, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: De Ruiter Detachment from the Irish Beach Water District
LAFCo File No. D-2014-01, Start Date: May 26, 2015

LAFCo has received an application, by landowner petition, to detach a single parcel (APN 132-210-44), approximately 60.5 acres, from the Irish Beach Water District (IBWD). The De Ruiter parcel is part of an area referred to as the “Nichols Ranch” in the southerly portion of the District. It is separated from the portion of the District that currently receives water services by Irish Gulch Creek. The subject property is designated Range Lands (RL-160) in the Mendocino County General Plan and is outside the Urban/Rural Boundary. The proposed detachment would create an ‘island’ encompassing the remainder of the Nichols Ranch.

The subject property is currently vacant with an existing well. On September 9, 2014, the Mendocino County Board of Supervisors authorized the issuance of Coastal Development Permit No. CDP 8-2014 for construction of a single-family residence, barn, guest cottage, driveway and related development for the subject property. In addition, an application for a building permit is on file with the Mendocino County Planning and Building Services Department. However, in order for a building permit to be issued, the applicant must satisfy all CDP conditions.

One of the CDP conditions, as requested by the IBWD, ensures compliance with IBWD Resolution No. 2013-1, as follows:

CDP Condition 11: Prior to issuance of the Coastal Development Permit, the applicant shall record a declaration, reviewed and approved by Planning and Building Services Staff, County Counsel, and the Irish Beach Water District consistent with the requirements of Irish Beach Water District Resolution 2013-1.

The IBWD Resolution No. 2013-1 serves to exempt the subject property from the District’s well drilling moratorium established in 2000, but limits the pumping to 300 gallons per day for *domestic purposes only* [emphasis added], as provided below:

Pumping shall be limited to 300 gallons per day for domestic purposes only. If more water is needed, the owner of Parcel No. 132-210-44-00 shall: 1) notify the District in writing setting forth the reason(s) why more than 300 gallons per day is needed for the Parcel (consistent with the principles of reasonable and beneficial use in Water Code sections 100 and 300 et seq.); and provide the District with a hydrologic study conducted by a properly licensed engineering firm

showing conclusively that the additional pumping will not adversely impact underflow or subsurface flow to Irish Gulch. The District shall have the right to reject any such hydrologic study based on review by the District's manager and engineering consultants.

The property owner objected to the 300 gallon per day pumping requirement and asserted that this restricts use of the parcel for agriculture purposes as permitted by zoning. However, the IBWD expressed concern about the effect of withdrawals from the well affecting surface water flow rates at the District's intake in Irish Gulch. As such, the District contracted with a hydrogeologist to conduct an independent evaluation of the hydrologic setting and groundwater recharge rates at the subject property in order to estimate a "safe yield" for the De Ruiter well (i.e., the quantity of groundwater that can be withdrawn from the well without causing a significant reduction in stream flow in Irish Gulch Creek at the IBWD diversion). Based on the conclusions of an independent hydrological study funded by the IBWD, under current subsurface conditions, the De Ruiter well could have a steady-state withdrawal rate between 2,280 and 4,000 gallons per day, indefinitely, without materially affecting Irish Gulch Creek surface flows. Therefore, it appears that some agricultural water use, even in addition to a single-family residential water use, on the De Ruiter property could occur without significantly affecting the existing IBWD water sources at the southerly portion of the district.

According to the County Planning and Building Services Department, an agreement for CDP Condition 11 was finalized and signed by the County on October 22, and is in process of being recorded by the applicant. As such, this condition of approval has been fulfilled and remains in effect as long as the property is in the IBWD.

While the subject property will not require the provision of urban services by the IBWD in the foreseeable future, the District has expressed opposition to the proposed detachment given IBWD's interest in monitoring both district and private groundwater withdrawals that may affect the existing IBWD water sources. According to the California Coastal Commission, changes to the service district boundary (including detachment) would require a local coastal plan (LCP) amendment and environmental review. LAFCo staff has reached out to the County to determine the appropriate process and lead agency for processing the LCP amendment with the Coastal Commission.

Most recently, the property owner's representative has submitted a request for the Commission to place the De Ruiter Detachment Proposal in an "inactive" or "hold" status (see attached). LAFCo staff recommends the Commission deny this request and direct staff to continue processing the application as submitted. As noted previously, this would likely require an LCP amendment and environmental review. However, considering there have already been substantial delays in processing the application in an effort to amicably resolve property owners concerns about pumping restrictions, and in recognition of a finalized agreement signed by the County addressing this issue, staff feels it is appropriate to continue processing the application unless it is withdrawn by the applicant.

Attachments:

Property Owner Request for Hold Status
Coastal Commission Letter

Law Offices of Elizabeth Ann Reifler
P.O. Box 8575
Santa Rosa, CA 95407
TEL: (707) 665-5861 ❖ FAX: (415) 814-5801

Email: elizabethinsko@comcast.net

Elizabeth Ann Reifler

October 15, 2015

Mendocino Local Agency Formation Commission
200 South School Street, Suite F
Ukiah, CA 95482

Via First Class Mail and
Via Email to eo@mendolafco.org

Attention: George Williamson, Executive Officer

Subject: David De Ruiters' Proposal for Detachment of his 60-acre parcel
APN 132-210-44 from the Irish Beach Water District

Re: Placing De Ruiters Detachment Proposal in an "Inactive" or "Hold" Status

Refer to : Detachment Proposal filed on or about October 9, 2015;
See also, LAFCo's "Irish Beach Water District Sphere of Influence
Update" [Admin Draft dated June, 2015]

Ladies and Gentlemen of the Mendocino LAFCo:

I represent David De Ruiters, the owner of APN 132-210-44, a 60 +/- acre parcel located just south of Irish Gulch in Nichols Ranch. In October 2014, I filed a Proposal for Detachment of this parcel from the Irish Beach Water District. That Detachment Proposal is still active, as it has been neither dismissed nor decided. .

LAFCO has not yet held a hearing on the Proposal for Detachment, pursuant to Mr. De Ruiters' request for continuance of the last hearing scheduled for September 14, 2015. At this time, Mr. De Ruiters does not want to schedule a hearing, but he does not want to completely abandon or dismiss his Proposal for Detachment because there are still some outstanding issues to be resolved with the Irish Beach Water District.

Therefore, I hereby request that Mr. De Ruiters' Proposal for Detachment of APN #132-210-44 be placed in an "inactive" or "hold" status until a further request for action is made by Mr. De Ruiters or by his attorneys, heirs, successors and/or assigns.

Thank you for your anticipated cooperation.

Very truly yours,

Elizabeth Ann Reifler

cc: David De Ruiters (via email)

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
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September 18, 2015

George Williamson, Executive Officer
Mendocino Local Agency Formation Commission
200 South School Street
Ukiah, CA 95482

SUBJECT: Comments on LAFCo Referral for Proposed Parcel Detachment from the Irish Beach Water District (LAFCo File No. D-2014-01; David Deruiter) and Concurrent Sphere of Influence Amendment, at 15801 South Highway One, Manchester (A.P.N. 132-210-44)

Dear Mr. Williamson:

We received a referral dated May 26, 2015 for the subject detachment application from the Mendocino Local Agency Formation Commission (LAFCo) on June 19, 2015. As described in the LAFCo referral, the landowner has filed a petition with LAFCo requesting to detach the approximately 60.5-acre parcel from the Irish Beach Water District. The subject property is designated RL-160 and has been described in the past as part of a 196-acre property previously referred to as the “Nichols Ranch.” The property is outside the Urban/Rural boundary, and located immediately south of Irish Gulch.

According to the referral, the property is currently vacant with an existing well. Mendocino County Planning Department approved coastal development permit (CDP) #8-2014 in September 2014, authorizing construction of a single family residence, barn, guest cottage, driveway, and ancillary development on the subject site; our office previously submitted comments (enclosed) in response to the County referral for CDP #8-2014. The LAFCo referral indicates that Irish Beach Water District has commented that they “own granted easements across the subject property which they will want preserved and that their water rights may extend to the subject property.” Additionally, the referral indicates that “The proposed detachment would create an “island” for the District, encompassing the remainder of the Nichols Ranch..., and would necessitate a concurrent sphere of influence (SOI) amendment to remove the affected territory from the District’s SOI.

We did not receive the referral notice and request for comments prior to the final comment submittal deadline of June 16, 2015 as described in the referral. However, following my telephone conversation with you on July 20, 2015, I offer the following comments for your consideration.

As we discussed by telephone, an amendment to the local coastal plan (LCP) and further environmental review would be necessary prior to any action that would authorize

changes to the service district boundary. When the Commission acts on an LCP amendment, the Commission must find that the Land Use Plan as amended is consistent with the Coastal Act at the time of certification of the amendment.

The Coastal Act includes policies that address the location, type, and intensity of new development to ensure the protection of coastal resources. Overall, these requirements reflect a fundamental goal of the Coastal Act: protection of coastal resources by concentrating new development in existing developed areas able to accommodate it. For example, Coastal Act Section 30250(a) requires in part that new development shall be located within areas able to accommodate it and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Coastal Act Section 30254 states in applicable part that special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the Coastal Act.

While proposals to expand service district boundaries are more common than the subject proposed contraction of the existing district boundary, as part of any LCP amendment Commission staff must nonetheless demonstrate whether any proposed change in the service district boundary would ensure consistency with Coastal Act policies, including but not limited to Sections 30250 and 30254. To facilitate our analysis, we would initially need to understand the relationship between the access easements, water rights, and water sources on the subject property, and whether any of these water sources identified by Irish Beach Water District currently serve or were envisioned under the certified LCP to eventually serve any of the parcels within the Irish Beach Services District.

I understand from our conversation that the proposed detachment is on hold while LAFCo works with the applicant to explore other possible options. Please keep us apprised of any updates with the proposal, and we would be happy to meet with you, County staff, and the applicant to discuss the LCP amendment application process should the applicant decide to proceed with the proposed detachment.

Should you have any questions, please call me at (707) 826-8950, extension 4.

Sincerely,



TAMARA L. GEDIK
Coastal Program Analyst

Enclosure: July 14, 2014 letter to Mendocino County PBS staff re: Comments on Referral for CDP 9-2014 (DeRuiter)

Cc: Mendocino County Planning and Building Services, Fort Bragg

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: November 2, 2015
TO: Mendocino Local Agency Formation Commission
FROM: George Williamson, Executive Officer
SUBJECT: Sustainable Groundwater Management

The Sustainable Groundwater Management Act (Act) of 2014 provides groundwater management authority and responsibility, to eliminate adverse overdraft effects. Key Act provisions include:

- Establishment of local Groundwater Sustainability Agencies (GSAs), or equivalent, for high and medium priority basins by June 30, 2017. GSAs can be single agencies or Joint Powers Authorities (JPAs). If, in a high/medium priority basin, another local agency does not decide to be GSA, then the county is presumed to be GSA for area and must notify DWR of its decision to accept or decline responsibility. LAFCo would have a role only if GSA establishment involves special district formation, annexation, consolidation or merger. There is no LAFCo jurisdiction over JPA formations.
- Groundwater Sustainability Plans (GSPs) for high/medium priority basins subject to critical overdraft conditions by January 31, 2020 and other high/medium priority basins by January 31, 2022, (DWR to determine “critical overdraft basins” this fall). Low priority basins are “encouraged” but not required to develop GSPs.
- Twenty years after GSP adoption, the basin must achieve sustainability through implementation of the GSP and use of the tools provided by the Act, including the authority to determine the sustainable yield of the basin, measure and limit extraction, impose fees for groundwater management, and enforce the terms of the GSP.
- The Act defines Sustainable groundwater management as groundwater use without causing undesirable results such as lowering groundwater levels, reducing storage, seawater intrusion, water quality degradation, land subsidence, or streamflow depletion.
- If local agencies fail to act, then the state will act to achieve groundwater sustainability.

There are no “high” priority basins and only one “medium” prior basin in Mendocino County – the Ukiah Valley Basin. However, additional basins of concern are currently being monitored through the CASGEM program (described below) and include: Round Valley/Covelo, the Fort Bragg Terrace Area, Anderson Valley, and Sanel Valley.

The Mendocino County Water Agency (Water Agency) is a special district that encompasses all of Mendocino County and is governed by the Board of Supervisors sitting as the Board of Directors. The Water Agency was created by State Law in 1949 under the name of the Mendocino County

Flood Control and Water Conservation District (MCFCWCD). In 1987, California Assembly Bill 2068 amended the original act and the former MCFCWCD became the Mendocino County Water Agency (MCWA). The act established the Water Agency as an organization autonomous of other county departments. Funding for the District/Agency was limited to State and County apportioned tax revenues. In 2010, the Water Agency merged with the Planning and Building Services Department. By action of the Board of Supervisors, sitting as the Board of Directors, the Agency was transferred to its current location within the Executive Office in 2015.

The Water Agency has been coordinating several of the County’s federally mandated water related programs, including the California Statewide Groundwater Elevation Monitoring (CASGEM) program – a statewide effort to track seasonal and long-term trends in groundwater elevations. As part of the CASGEM program (authorized by SBx7-6, enacted in 2009), the County of Mendocino has been officially recognized, as of August, 2014, as the monitoring entity for the Ukiah Valley and is currently in compliance. The monitoring entity is the designated entity that conducts or coordinates the monitoring of groundwater elevations for a basin or subbasin. The County contracts with the Mendocino County Resource Conservation District (MCRCD) to perform the monitoring in the Ukiah Valley. Coordination involves collecting well data from the local agencies that are conducting the well monitoring and then formatting and uploading the information to the State system. The following table describes the local agencies, the basins they monitor, and the number of wells that are being used for CASGEM monitoring.

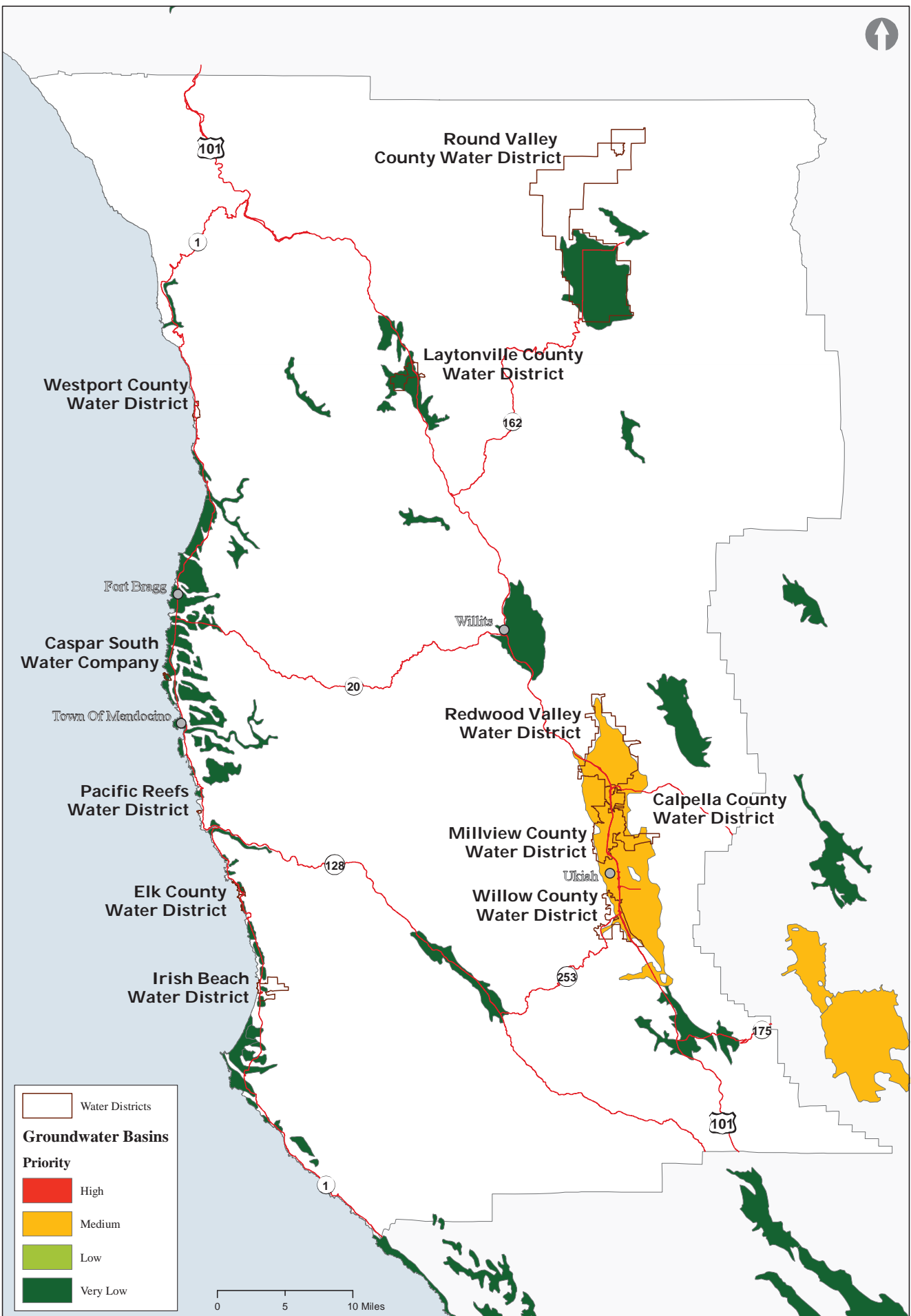
Table: CASGEM Monitoring Partners

Agencies	Basin	# of Wells	Priority
Mendocino County Resource Conservation District	Ukiah Valley	15	Medium
Round Valley County Water District	Round Valley/Covelo	15	Low
Mendocino City Community Services District	Fort Bragg Terrace Area	24	Low
Dept. of Water Resources	Anderson Valley/Sanel Valley	11	Low

As part of the newly ratified Sustainable Groundwater Management Act, the Water Agency is working to identify options for establishing a GSA for the Ukiah Valley Basin. The Water Agency is holding stakeholder meetings and coordinating GSA formation options. Ultimately, the Water Agency will present to the Board of Supervisors options for establishing a GSA for the Ukiah Valley Basin.

Attachments:

Figure of Groundwater Basins by Priority Ranking
 Excerpt from the Mendocino County Water Agency Action Plan



Mendocino County Water Districts

Bulletin 118 Groundwater Basins

Prepared for **PLANWEST PARTNERS, INC.**
 Mendocino
 LAFCo by: Date: 9/4/2015

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

MENDOCINO COUNTY WATER AGENCY



WATER AGENCY ACTION PLAN



Board of Directors

Carre Brown – John McCowen – Tom Woodhouse – Dan Gjerde – Dan Hamburg

Carmel J. Angelo, General Manager, Mendocino County Water Agency

Sarah Dukett, Project Manager, Mendocino County Water Agency

501 Low Gap Road, Room 1010 • Ukiah, CA 95482 • (707) 463-4441 • www.co.mendocino.ca.us

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Sustainable Groundwater Management Act of 2014 (SGMA)

Background: On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA comprehensively reforms groundwater management in California. The intent of the Act is to place management at the local level under state oversight. Under the Act, the state will have direct oversight of how groundwater basins are managed at the local level and may intervene to manage basins when local agencies fail to take appropriate responsibility.

SGMA requires the creation of a groundwater sustainability agency(ies) (GSA) to develop and implement local Groundwater Sustainability Plans (GSP), allowing 20 years to achieve sustainability. The Ukiah Valley Basin is currently designated as “medium” priority basin and will be required to comply with SGMA. A GSA must be formed for the Ukiah Valley Basin by June 30, 2017, and managed by a GSP by January 31, 2022.

Objective: Review basin ranking data and request DWR review and reevaluate the Ukiah Valley Basin medium priority ranking (Attachment C). Present Mendocino County Board of Supervisors options for establishing a GSA for the Ukiah Valley Basin.

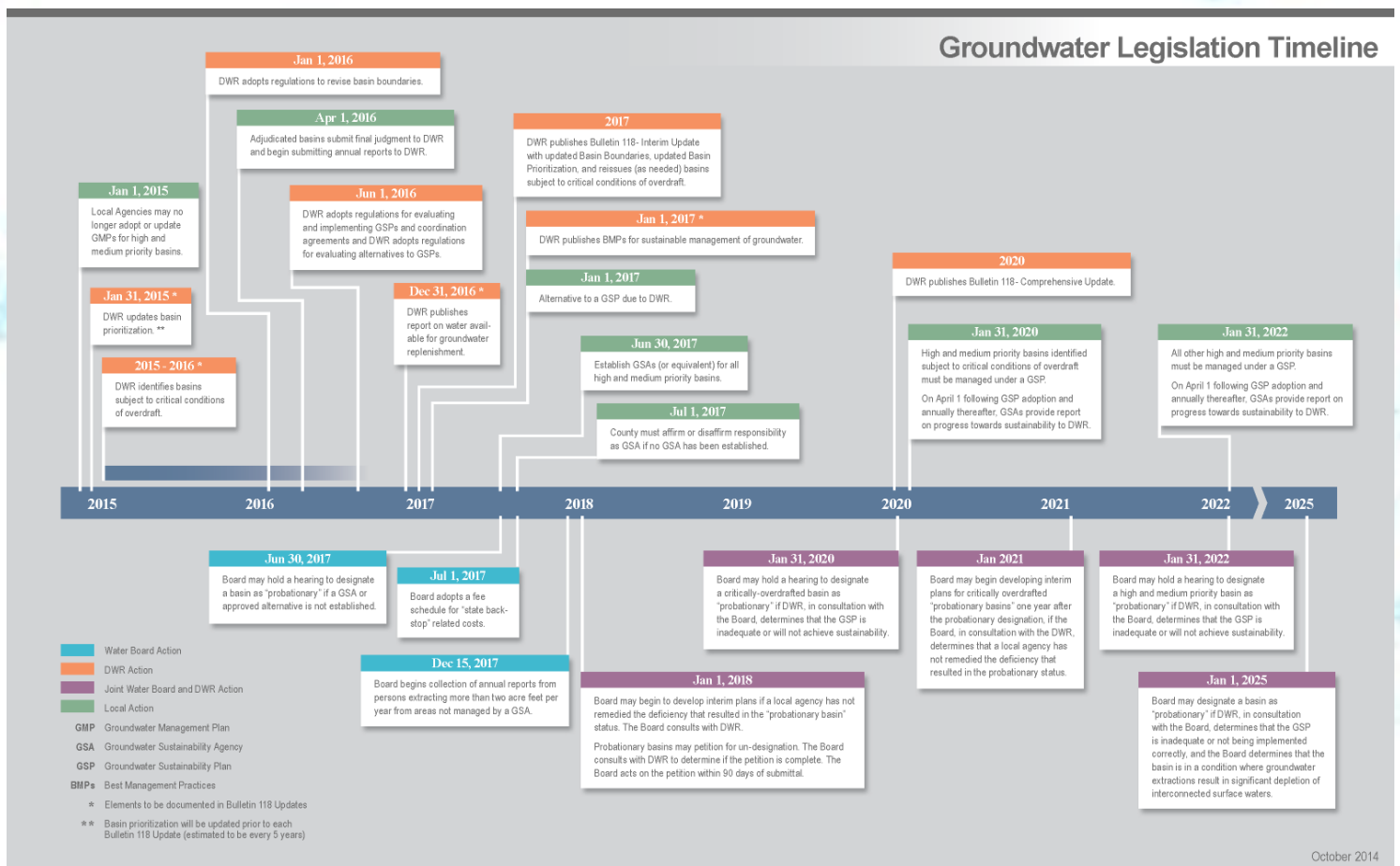
Action:

1. Basin ranking data review/collection and provide updated information to DWR for possible adjustment of basin ranking. Send DWR formal correspondence requesting a reevaluation of the Ukiah Valley Basin as a medium priority ranking.
 - i. Lead: LACO (Chris Watt), EO/WA, EH, and Ag Commissioner
 - ii. Due: June 1, 2015
2. Identify the various stakeholders within the groundwater basin.
 - i. Lead: BOS, EO & LACO (Chris Watt)
 - ii. Due: June 1, 2015
3. Hold public stakeholder meetings (with identified groups such as Farm Bureau, all public/private water agencies in the groundwater basin) regarding the formation of a GSA.
 - i. Lead: EO/WA for scheduling and media outreach & BOS (Carre Brown)
 - ii. Due: August 1, 2015
4. Analyze the pros and cons of forming a Centralized GSA, Distributed GSA, a combination of a Centralized and Distributed GSA or multiple GSAs.
 - i. Lead: LACO (Chris Watt, Drew Jack)
 - ii. Due: September 1, 2015

Objective: Present future implications of forming a GSA on County Land Use Planning and specifically, how the Ukiah Valley Area Plan (UVAP) can accomplish established goals.

Action:

1. Review the Ukiah Valley Area Plan to look for gaps, restrictions, or incentives to forming a GSA; and, how GSA duties through developing a Groundwater Sustainability Plan may fulfill UVAP water sustainability related goals.
 - i. Lead: Planning Staff (Andy Gustavson) and LACO (Chris Watt)
 - ii. Due: August 1, 2015
2. Review established GSPs in other communities to inform future land use planning.
 - i. Lead: Planning Staff (Andy Gustavson), LACO (Chris Watt)
 - ii. Due: September 1, 2015



Draft

Attachment C – Request for Review of Ukiah Valley Sub Basin Ranking Values

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board
Water Agency General Manager



CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4221
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS
WATER AGENCY BOARD OF DIRECTORS**

April 24, 2015

Mr. Curtis K. Anderson, Northern Region Office Chief
Department of Water Resources, Northern Region Office
2440 Main Street
Red Bluff, CA 96080

Subject: Request for Review of Ukiah Valley Sub Basin Ranking Values

Dear Mr. Anderson,

The Mendocino County Board of Supervisors, which also serves as the Mendocino County Water Agency Board of Directors, is deeply concerned about the current ranking criteria data for the Ukiah Valley sub basin. We are requesting the Department of Water Resources review the ranking criteria data for the Ukiah sub basin in regards to data components four and five, total number of wells and total irrigated acreage, respectively.

Currently, the Ukiah Valley sub basin has received a ranking value of 5 for total number of wells and a ranking value of 3 for total irrigated acreage. However, after our own cursory review of the data available to us and some of the data utilized by the Department of Water Resources, we believe that these rankings might not be entirely representative of the conditions present in the Ukiah Valley sub basin. We believe the accuracy of data components four and five could be improved through a further review of all of the data available. This would, in turn, improve the accuracy of the overall basin priority ranking score.

We look forward to working with you to improve these data sets and increase the accuracy of the overall ranking of the Ukiah Valley sub basin. Please do not hesitate to contact us with further questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Carre Brown".

Carre Brown, Chair
Mendocino County Board of Supervisors
Mendocino County Water Agency Board of Directors

cc: Carmel J. Angelo, Mendocino County Water Agency General Manager
Mark W. Cowin, Department of Water Resources Director
The Honorable Mike McGuire, Senator
The Honorable Jim Wood, Assemblymember

THE BOARD OF SUPERVISORS – WATER AGENCY BOARD OF DIRECTORS

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First District

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Second District

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Third District

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Fourth District

DAN HAMBURG
Fifth District

MENDOCINO Local Agency Formation Commission

Staff Report

DATE: November 2, 2015
TO: Mendocino Local Agency Formation Commission
FROM: Colette Metz, Analyst and Sarah West, Administrator
SUBJECT: Status of MSR & SOI Updates

Municipal Service Reviews

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

Other MSR-Related Matter for Consideration:

At the December 1, 2014 meeting the Commission approved the Caspar South Water District MSR contingent upon a review by LAFCo 12 months after adoption. The review is to evaluate the District's operation and compliance with regulatory requirements, in particular evidence of process initiation of a Capital Improvement Plan and a Sanitary Sewer Management Plan. Staff requests direction from the Commission for further action regarding this matter.

SOI Updates Scheduled for Hearing

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

City of Point Arena

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

Caspar South Water District

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

Elk County Water District

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

Round Valley County Water District

Scheduled for hearing in November (see Agenda Item 6). Staff recommendation to continue the hearing to the January meeting.

Pacific Reefs Water District

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

Westport County Water District

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

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.

Anderson Valley Community Services District

Anderson Valley CSD General Manager Joy Andrews attended the September Commission workshop on the Draft SOI Update. LAFCo staff has also discussed fire response and sphere boundaries with the Fire Chief. CSD staff has requested more time to review the Draft SOI Update. A Final Draft SOI Update will be prepared to incorporate district comments, and is scheduled to be noticed for public hearing at the Commission's January meeting.

SOI Updates Scheduled for Workshop:

Gualala Community Services District

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

Willow County Water District

The General Manager is currently reviewing the Administrative Draft SOI Update. 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 December.

Calpella County Water District

The General Manager and District Board are currently reviewing the Draft SOI Update. 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 December.

Millview County Water District

An Administrative Draft SOI Update has been prepared and 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 December.

Hopland PUD

An Administrative Draft SOI Update has been 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 December.

SOI Updates in Preparation:

Redwood Valley County Water District (questionnaire sent to district)

Russian River Flood Control District (drafting questionnaire)

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

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: November 2, 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 City of Ukiah has requested a hold on any further work until City Council has considered further options (see attachment).

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

No activity in October.

-Irish Beach County Water District De Ruiter Detachment

See Agenda Item 8

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 October.

-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.

Attachment:

October 8, 2015 letter from Charley Stump, Planning Director for City of Ukiah



300 Seminary Avenue, Ukiah, CA 95482
www.cityofukiah.com

October 8, 2015

George Williamson, Executive Officer
Mendocino LAFCo
Via email: eo@mendolafco.org

RE: Sphere of Influence (SOI) Reduction Project

Dear George:

As I mentioned on the phone this afternoon, City Staff has been discussing our SOI Reduction application and may present options for City Council consideration. At this time we would like to request that LAFCo table any further processing until we can conclude our discussions and obtain City Council direction. We do not want the environmental impact report preparation process to continue until a decision is made.

If you have any questions or need additional information, please contact me directly at (707) 463-6219 / cstump@cityofukiah.com.

Sincerely,

Charley Stump, Director
Planning and Community Development

cc: Sage Sangiacomo, City Manager
David Rapport, City Attorney
Tim Eriksen, Public Works Director/City Engineer

The California Association of Local Agency Formation Commissions is proud to present a popular topic and timely CALAFCO University Course ...



Implementing SB 88 – Water System Consolidations: What Does It Mean for LAFCo?

A PRACTICAL WORKSHOP for STAFF and COMMISSIONERS

Senate **Bill 88**, one of the 2015-16 budget trailer bills, authorizes the State Water Resources Control Board (SWRCB) to order consolidations of water systems that consistently fail to provide an adequate supply of drinking water in disadvantaged communities. It also allows for certain CEQA exemptions with respect to well permitting or changes in land use and would exempt from CEQA the adoption of the initial regulations by the state board.

So what does all of this mean for LAFCo? How will existing MSRs be used by the State as a resource? What if LAFCo is already involved and there is a pending action? What will the consulting process between LAFCo and the SWRCB look like? What happens after the consolidation is finally ordered? Who does what and who files what?

Join us for a discussion with the SWRCB, the Office of Research and Planning (OPR), and members of the Governor's staff to better understand how SB 88 will actually be implemented and how these changes may impact LAFCo. There will also be an opportunity to offer ideas on policy clean-up legislation.

Speaker Panel still being finalized, but confirmation has been received from SWRCB Staff (including legal counsel and finance) with invites to SWRCB members, OPR staff/legal counsel and members of the Governor's staff.

SESSION AGENDA AND SPEAKER CONFIRMATIONS COMING SOON

COURSE DETAILS

**MONDAY
November 9, 2015**

9:30 a.m. (check-in and registration)

10:00 am to 3:00 pm (session time, lunch provided)

CALAFCO CONFERENCE ROOM

1650 K Street, Suite 1650
Sacramento, CA 95814

Registration Fees

CALAFCO Members and Associate Members
\$75/person

\$60/person for three or more from the same LAFCO

Non-Members
\$125/person

Registration includes course materials and lunch.

Registration anticipated to include 5 AICP credits



DEADLINE TO REGISTER IS NOVEMBER 2.



REGISTRATION

Please send registration and check payable to "CALAFCO" to:

CALAFCO
1215 K Street, Suite 1650
Sacramento, CA 95814
916-442-6536

Or Register online at www.calafco.org

Curriculum Questions

Kris Berry, AICP, Executive Officer, Placer LAFCO and CALAFCO DEO
530-889-4014 or kberry@calafco.org

SPACE IS LIMITED TO THE FIRST 50 PEOPLE REGISTERED



Sharing Information & Resources
www.calafco.org

REGISTRATION FORM – SB 88 Workshop: Sacramento

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Address _____

Phone () _____

Attendees
Please include e-mail _____

NOTICE: Seating is limited. Registrations are transferable but there are no refunds. Payment must accompany registration.

FEES

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Three or more from same agency registering together

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_____ at \$125 \$_____

Total Enclosed \$_____