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**MENDOCINO**    **Local Agency Formation Commission**

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

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**Mendocino County Resource Conservation  
District**

**SPHERE OF INFLUENCE UPDATE**

Prepared in accordance with Government Code §56425

**ADOPTED April 4, 2016**

## MENDOCINO LOCAL AGENCY FORMATION COMMISSION

### LAFCo Resolution No. 15-16-17

#### A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY APPROVING THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT SPHERE OF INFLUENCE UPDATE 2016

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 Mendocino County Resource Conservation 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 April 4, 2016; 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 the Mendocino County Resource Conservation District, adopted by the Commission on August 4, 2014.
2. The Commission, as Lead Agency, finds the update to the Mendocino County Resource Conservation 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 Mendocino County Resource Conservation District confirmed during the review of its sphere of influence that its services are currently limited to soil erosion, soil conservation, rural road and watershed assessments, and other natural resource-related services. 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: "Mendocino County Resource Conservation District Sphere of Influence Update 2016"

5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Mendocino County Resource Conservation 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 Mendocino County Resource Conservation District sphere of influence.

BE IT FURTHER RESOLVED that the Mendocino County Resource Conservation District's sphere of influence is expanded to be coterminous with the Mendocino County boundary, as depicted in Exhibit "A".

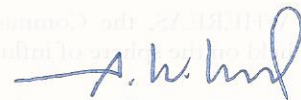
The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4<sup>th</sup> day of April, 2016, by the following vote:

AYES: 6

NOES: 0

ABSTAIN: 0

ABSENT: 1 (Madrigal)



JERRY WARD, Chair

ATTEST:

  
GEORGE WILLIAMSON, Executive Officer

# EXHIBIT A

HUMBOLDT

TRINITY

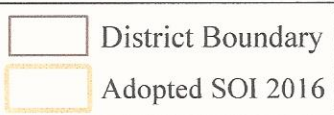
TEHAMA

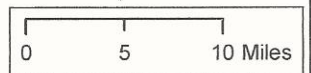
GLENN

LAKE

SONOMA



 District Boundary  
Adopted SOI 2016



## Mendocino Resource Conservation District

LAFCo Resolution No. 15-16-17

04-04-16

Page 3 of 3

Prepared for  
Mendocino  
LAFCo by:



Date: 1/26/2016

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## **INTRODUCTION**

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### **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 an appropriate Mendocino County Resource Conservation District (MCRCD) Sphere of Influence (SOI). The objective is to update MCRCD’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 MCRCD 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**

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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 agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act. 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 2016 Policies and Procedures*, "Chapter 9: Spheres of Influence, MSRs, and Special Studies":

#### **Section 1. Spheres of Influence**

##### *Reduced Spheres*

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency's sphere of influence if either of the following two conditions apply:

- the land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- the land is inside the affected agency's jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

##### *Zero Spheres*

LAFCo may adopt a "zero" sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

##### *Service Specific Spheres*

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.

##### *Agriculture and Open Space Lands*

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency's sphere of influence unless the area's exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency's boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency's sphere. Exclusion of these areas from an agency's sphere of influence indicates that detachment is appropriate.

##### *Annexations are not Mandatory*

Before territory can be annexed to a city or district, it must be within the agency's sphere of influence (G.C. §56375.5). However, territory within an agency's sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

##### *Islands or Corridors*

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.



# FIGURE 1. DISTRICT BOUNDARY AND PROPOSED SOI

HUMBOLDT

TRINITY

TEHAMA

GLENN

LAKE

SONOMA

*Pacific Ocean*

271

1

162

Laytonville

20

Willits

Mendocino

Tomki Rd

Orr Springs Rd

Elk



128

Ukiah

253

101

1

 District Boundary  
 Proposed SOI

0      5      10 Miles

## Mendocino Resource Conservation District

Prepared for **PLANWEST PARTNERS, INC.**  
 Mendocino  
 LAFCo by:      Date: 1/26/2016

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

Path: D:\Planwest\_GIS\projects\current\Mendocino\_LAFCo\Other\_Districts\Mendocino\_Resource\_Cons\_District.mxd



## **OVERVIEW**

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### **CURRENT AGENCY OPERATIONS**

Mendocino County Resource Conservation District (MCRCD) is a non-regulatory agency with the mission of advising and assisting individuals and public agencies in the prevention of soil erosion, soil conservation, rural road and watershed assessments, education and outreach, land use planning, conservation of wildlife and other related natural resources. The District accomplishes its mission by promoting public awareness of the continuing need for resource conservation through educational workshops, informational fliers and papers, planning partnerships, hands on cleanup or restoration projects, and as a conduit for or source of grant financing. Additionally, MCRCD conducts biological surveys and assessments and manages projects by assisting landowners with permitting and implementation (MSR 2014).

Unlike many other resource conservation districts in the state, MCRCD does not receive ad valorem property taxes or other special tax or assessment revenue. The organization is close to 100 percent grant funded, although the District does offer fee-for-service in areas such as biological monitoring, natural resource assessments, and conservation planning (District Executive Director, February 2016).

### **BACKGROUND**

MCRCD was formed as an independent special district under the provisions of the California Soil Conservation District Act (Division 9 of the Public Resources Code), and was established by election on May 14, 1945. Originally it was named the Willits Soil Conservation District and was comprised of 146,000 acres in the Little Lake Valley. Soil Conservation Districts assisted landowners with erosion and flood control problems, primarily on agricultural lands. In 1956, the District became essentially countywide via an election (Ukiah News, 1956) with the exception of the territory within the cities and private timber lands which were excluded (MSR 2014). At that same time, the District's name was changed to Mendocino County Soil Conservation District. In fiscal year (FY) 1972-73, the name was changed to the current one—Mendocino County Resource Conservation District as a part of legislative changes to the principal act (Division 9 of the California Public Resources Code, Section 9151, et seq.). With these legislative changes, the District's range of services expanded to include watershed-related programs in keeping with the District's authorizing legislation (MSR 2014).

The District's Board of Directors is appointed by the Mendocino County Board of Supervisors (MSR 2014). The appointment of directors by the Board of Supervisors does not affect the status of the District as an independent special district (PRC § 9314 (b) (3)). As such the District Board retains "independence" from the appointing Board as they represent the community, not the appointing Board.

### **MUNICIPAL SERVICE REVIEW**

A Municipal Service Review (MSR) was conducted for the MCRCD in 2014 and was adopted by the LAFCo Commission on August 4, 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 MCRCD MSR.

### **BOUNDARY**

The District's territory extends throughout most of Mendocino County, including close to 100 percent of all federal and state publicly held lands (see Figure 2 in Appendix A). The existing map of

District boundaries covers 1,872,500 acres of land (84% of the county) (District Executive Director, February 2016). MCRCD boundaries have historically included all territory within Mendocino County except for some private timber company lands, and incorporated cities (MSR 2014). In addition, timberland once held by Georgia-Pacific and Louisiana-Pacific timber companies remains outside of District boundaries. It should be noted that current owners of those forest tracts also own extensive tracts of forestland within the district's boundaries. For example, 81 percent of Mendocino Redwood Company (MRC) timberland is located within MCRCD's boundaries. MRC land outside district boundaries includes an extent of land located within the Noyo River Watershed, which was once owned by Louisiana-Pacific (District Executive Director, February 2016).

During the 2014 MSR process, the District map was identified as "in progress" for the (Mendocino LAFCo Minutes, 2014). For the purposes of this SOI Update, LAFCo staff, the County GIS staff, and the District have worked together to identify a likely boundary (See Figure 1). The following describes some of the District's challenges with the current boundary.

#### *TIMBERLAND*

MCRCD boundaries encompass 74 percent of all timber production zoned land in the County (see Figure 3 in Appendix A). The nature of the pattern of land ownership within and outside of MCRCD boundaries requires an understanding of ownership boundaries when working with forestland owners. For example, the District frequently works in partnership with MRC and the Conservation Fund on fisheries enhancements, rural roads assessments and upgrades, and other restoration projects. It is not always clear which parcels fall within district boundaries and which do not for a single ownership. As MCRCD continues to build its Forestland Conservation Program with USDA NRCS, the Mendocino Fire Safe Council, and CAL FIRE it would be helpful to have the district's boundaries or SOI coincide with County boundaries to avoid inconsistencies in service provision or inequitable distribution of federal and state grant funds to County landowners. Extending the District's boundaries to coincide with the County boundary would be important if MCRCD were to assume control of the Mendocino County Fire Safe Council, which is currently under consideration (District Executive Director, February 2016).

#### *INCORPORATED AREAS*

Although MCRCD's service area did not traditionally include incorporated cities, the expansion of city boundaries over the last three to four decades now includes a significant number of parcels within MCRCD's District boundaries (see Figure 4 and Table 1 in Appendix A). The MCRCD board and staff have noted that they feel it would be logical to extend the District's boundaries or SOI to include all incorporated city parcels rather than removing those which lie within District boundaries. In recent years, MCRCD has begun working more closely with city departments and schools, providing much needed technical expertise, grant writing assistance, and project development around issue areas such as urban stream restoration, stormwater management, low-impact development, and water conservation. MCRCD is currently under contract with the County of Mendocino to provide stormwater management outreach and education assistance to all County residents. The District is working with Ukiah High School, which lies within MCRCD boundaries, as well as with the Anderson Valley Unified School District, to fund water conservation projects and education and outreach (District Executive Director, February 2016).

#### *UNSERVED TERRITORY*

MCRCD reported that a small portion of the Gualala watershed in the southern part of Mendocino County is the only area that is actively not served by the District, as Sonoma RCD has accepted

responsibility for that area through an informal agreement. Though this area is not presently served by the District, MCRCD has indicated that the informal agreement could change at any time, and the territory should be included within the area considered for future services by MCRCD.

## **SPHERE OF INFLUENCE**

The District SOI is assumed to be coterminous with its boundaries, based on documented records (MSR 2014). The District has requested its SOI be expanded to include all lands within Mendocino County.

## **DISADVANTAGED UNINCORPORATED COMMUNITIES**

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of a 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. The criterion for the provision of adequate services to a DUC is limited to water supply, sewage disposal, and structural fire protection. The Resource Conservation District does not provide these services and is not responsible for assuring that these services are adequately provided to the communities that meet the DUC thresholds (MSR 2014).

## **POPULATION AND LAND USE**

### **Population and Growth**

According to the 2010 Census, there are approximately 59,156 residents within the Mendocino County unincorporated area, which may serve a rough approximation of the District's population (MSR 2014).

The State Department of Finance (DOF) projects that the population of the unincorporated portion of Mendocino County will grow by 4.6 percent from 2010 to 2020. Thus, the average annual population growth in the unincorporated portion of the County is anticipated to be approximately 0.4 percent. Based on these projections, the District's population would increase from 59,156 in 2010 to approximately 61,877 in 2020. It is anticipated that demand for service within the District attributable to population will increase minimally, based on the DOF population growth projections through 2020 (MSR 2014).

While MCRCD anticipates minimal growth in population within the District, the District anticipates that demand for services will most likely increase, due to various regulations and conservation programs. The District reported that it has experienced a general increase in demand in recent years due to various factors. The District attributes the growth in service demand to water quantity and water quality issues, the increase in threatened and endangered fish problems, and broader regulatory compliance. Additionally, a greater public perception and awareness, particularly with regard to water quality and quantity and other land conservation practices, have also contributed to greater service demand (MSR 2014).

## **CAPACITY AND SERVICE**

### **Relevant Services**

MCRCD is a non-regulatory agency with the mission to provide local leadership in voluntary stewardship through conservation programs and partnerships on wild and working lands. The organization works in close partnership with state and federal resource agencies, local government and non-profit conservation organizations, and tribal governments in Mendocino County (District

Executive Director, February 2016). The District has established a series of long range goals related to watersheds, stream bank protection and restoration, road sediment reduction, dam removal, erosion prevention, land management, coordinated permitting, education and information, river and creek cleanups, invasive species control, habitat preservation, and biological surveys (MSR 2014).

MCRCO regularly collaborates with other agencies on programs to maximize its outreach and education efforts. The District collaborates with Anderson Valley Unified School District to provide the “Connecting to Creeks” educational program to middle and high school students. MCRCO engages in several other collaborative efforts with agencies and organizations including the California Department of Water Resources, the California Department of Fish and Wildlife, the Mendocino County Department of Transportation, the Navarro Watershed Working Group, and the Navarro River Resource Center (MSR 2014).

Many of the conservation agencies work closely together to promote communication, coordination, and greater leveraging of resources. Like many other RCDs, MCRCO operates under Memorandums of Understanding (MOUs) with the U.S. Department of Agriculture and the State of California. The latter agreement recognizes a commitment from the State in aiding administration, coordination, financing and delivery of the conservation programs through local conservation districts. Through another cooperative work agreement, MCRCO, NRCS, the California Association of RCDs, and the California Department of Conservation agree to share information and resources, when available, to measure program effectiveness and to reduce duplication of efforts and contradictory mandates (MSR 2014).

#### **Relevant Local Agencies and Communities of Interest**

The District is a member of the North Coast Resource Partnership, the North Coast Resource Conservation and Development Council, and the California Special Districts Association. MCRCO also participates in regional planning activities. The North Coast Resource Partnership was formed with the intent of integrating county plans from each of the North Coast counties into regional plans. Presently, the District is collaborating with Mendocino County on the Integrated Regional Water Management Plan (IRWMP). The purpose of the study is to integrate the County’s plans with the North Coast Resource Partnership’s plans (MSR 2014).

Services provided by the District occur county-wide and involve various local governments and organizations, state and federal agencies and nonprofit organizations. Such an array of services provided over the area means that the entire County may be considered a community of interest.

## ***DISCUSSION***

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This update focuses on the MCRCO current boundaries and where the District is providing services to make the required SOI Update determinations. This analysis considers expanding the SOI boundary to be coterminous with the Mendocino County boundary.

The MCRCO has requested its SOI be expanded to include all lands within the County. In addition the District has expressed interest in annexation of this same territory. MCRCO recognizes the need to address resource issues at the county scale and partners with public agencies and private land owners who manage lands, some of which are presently only partially within District bounds.

In the Northern California region it is not uncommon to find RCDs that cover entire counties. Nearby, Del Norte, Humboldt, Trinity, and Glenn counties all have a single RCD serving their

territories. Counties to the south with larger urban populations tend to have multiple active RCDs that collectively cover the entire county. Mendocino County is largely agricultural and rural; expanding the SOI to encompass the entire county conforms to similar nearby RCD boundaries.

RCDs generally are limited or constrained by available funding sources. MCRCD does not receive a constant and reliable funding source (such as a portion of the one percent property tax), and as such is forced to rely almost entirely on grant funds. The District has expressed interest in establishing a special tax or assessment to support its services but lacks available funds needed to conduct an election process. Similarly, the District lacks available (unrestricted) funds needed to support a LAFCo annexation process at this time.

One possible avenue for District annexation is via sponsorship by land owners or a municipality interested in receiving services from the District. Interested landowners or registered voters may also petition for annexation and help share the costs of annexation.

## ***ANALYSIS***

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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**

Presently the services provided by the District include activity on both low-density rural lands such as rural residential, industrial, manufacturing, agricultural, timber, and grazing; as well activity in more traditionally urban areas such as residential neighborhoods (local schools) and within city boundaries.

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

While MCRCD anticipates minimal population growth within the District, the MCRCD anticipates that demand for services will most likely continue to increase due to various regulations and conservation programs.

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

The District reported that it has sufficient capacity to handle present demand for services. The MCRCD is providing adequate services given financial constraints, based on the professional management practices, including long-term landowner conservation planning and annual reports, as well as a successful grant writing program. MCRCD does not own facilities or infrastructure; consequently, there are no needs associated with District-owned infrastructure.

### **4.) Social and Economic Communities of Interest**

The whole of Mendocino County may be considered a Community of Interest. Expanding the SOI to encompass the entire County allows the District to more comprehensively conduct service provision in areas where the MCRCD boundary is unclear and will also address properties that are partially within the District.

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

MCRCD does not provide water, sewer or structural fire protection services. The District is not responsible for assuring that these services are adequately provided to the disadvantaged urban communities within the District boundaries.

***CONCLUSIONS***

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This update serves to expand the District's SOI boundary to include all territory within Mendocino County, based on the following considerations:

- 1.) MCRCD is providing service to property owners and public entities whose territory is wholly or partially outside the District's boundary;
- 2.) MCRCD has established service relationships with residents and local governments, as well as public agencies whose territory was originally not included in the District;
- 3.) There is sufficient evidence to support MCRCD as the agency best able to provide resource conservation services based on spatial proximity, service ability and capacity, and historical service precedent.

The MCRCD's SOI should be expanded to be coterminous with the Mendocino County line. See Proposed SOI in Figure 1.

***REFERENCES***

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(District Executive Director, February 2016) Hickey, Patricia. February 17, 2016. "Re: MCRCD Boundaries and Municipal Service Review" Responsive Letter to LAFCo Staff.

(Mendocino LAFCo Minutes, 2014) Mendocino Local Agency Formation Commission Regular meeting minutes for August 4<sup>th</sup>, 2014.


(Ukiah News, 1956) Ukiah News newspaper (July 26, 1956). Page 4. <https://www.newspapers.com/newspage/5001378/>

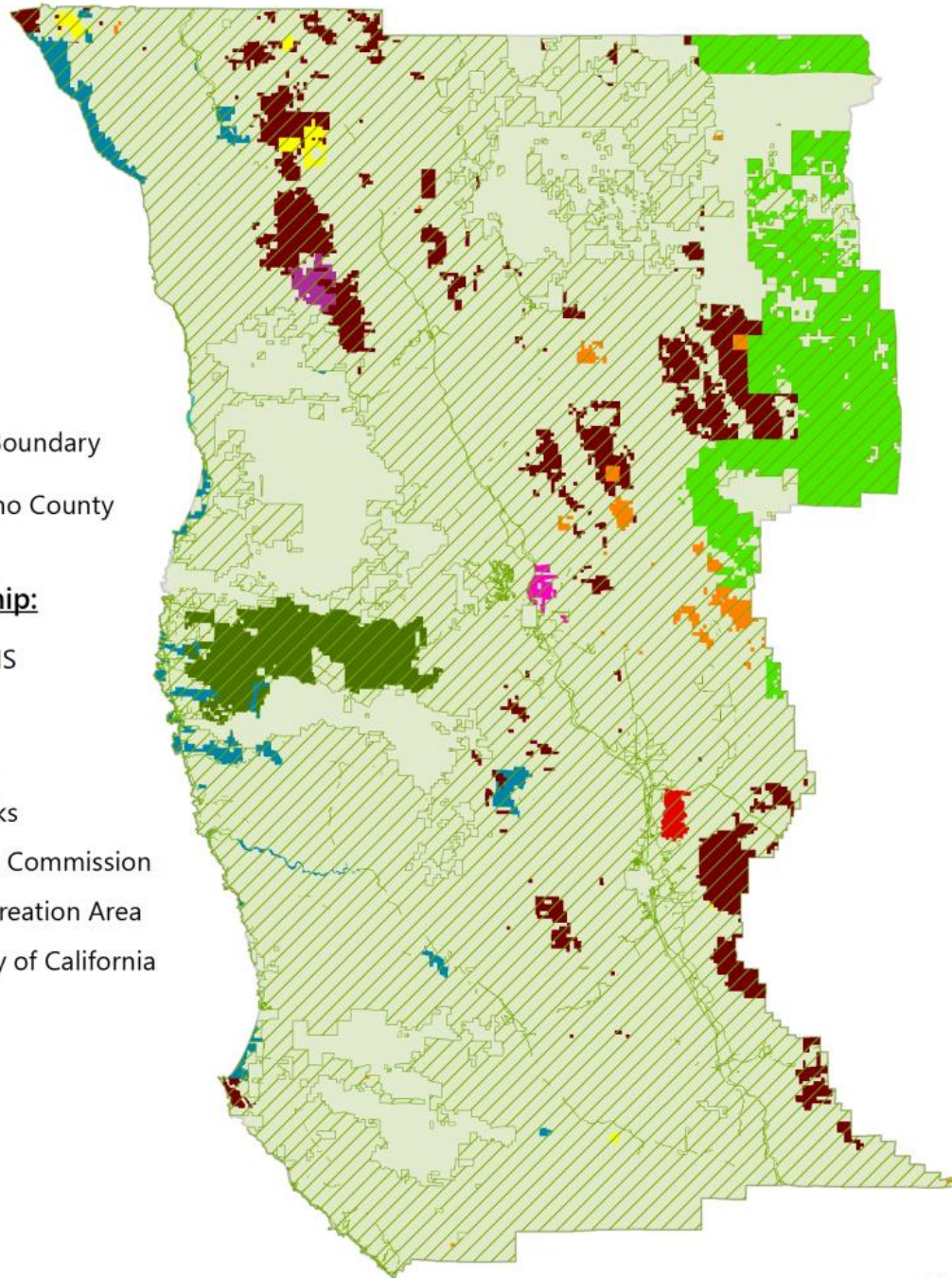
# STATE AND FEDERAL LANDHOLDINGS IN MENDOCINO COUNTY

## Legend

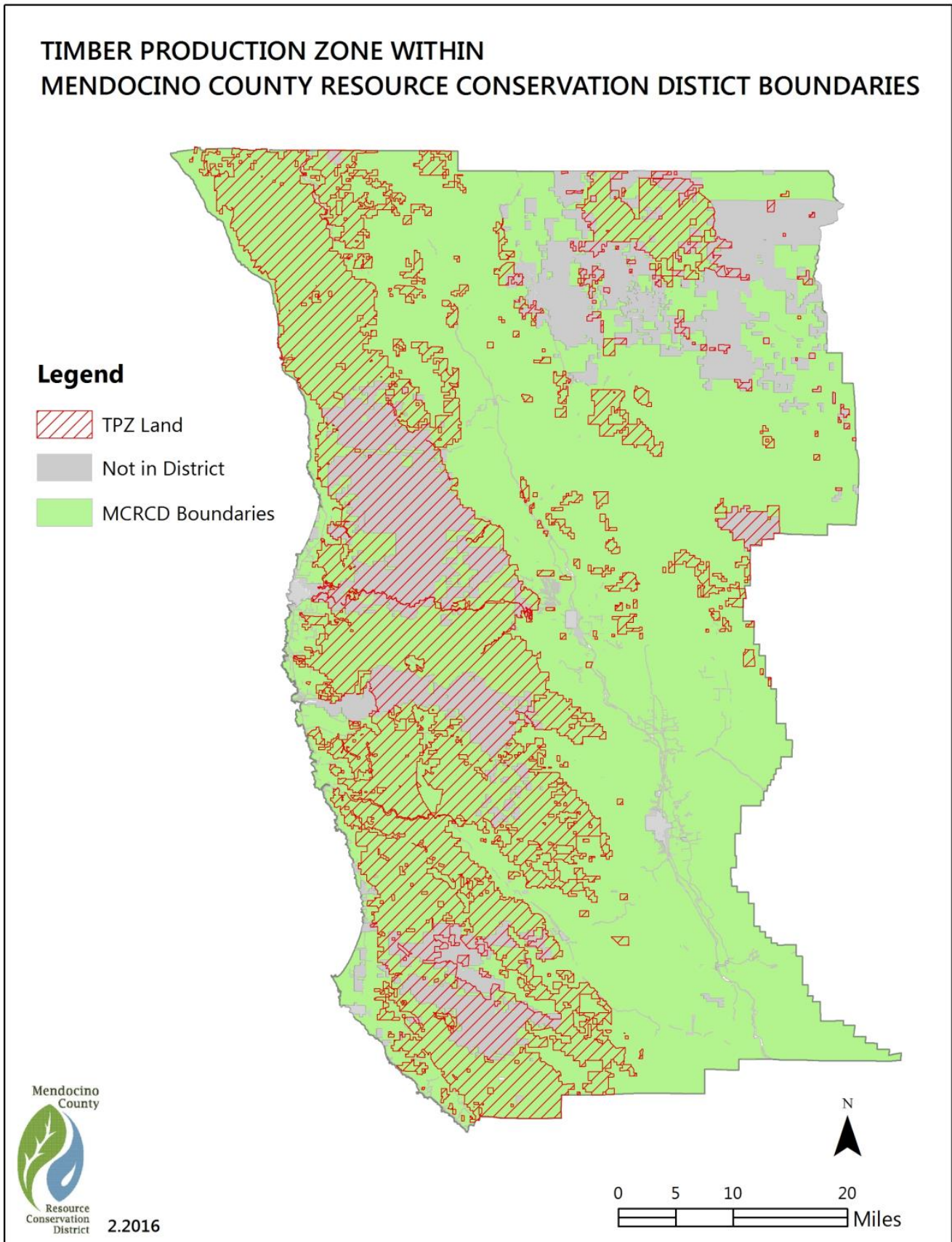
-  MCRCD Boundary
-  Mendocino County

## Public Ownership:

-  CALTRANS
-  CDF&W
-  CAL FIRE
-  State Parks
-  CA Lands Commission
-  State Recreation Area
-  University of California
-  USACE
-  USBLM
-  USFS

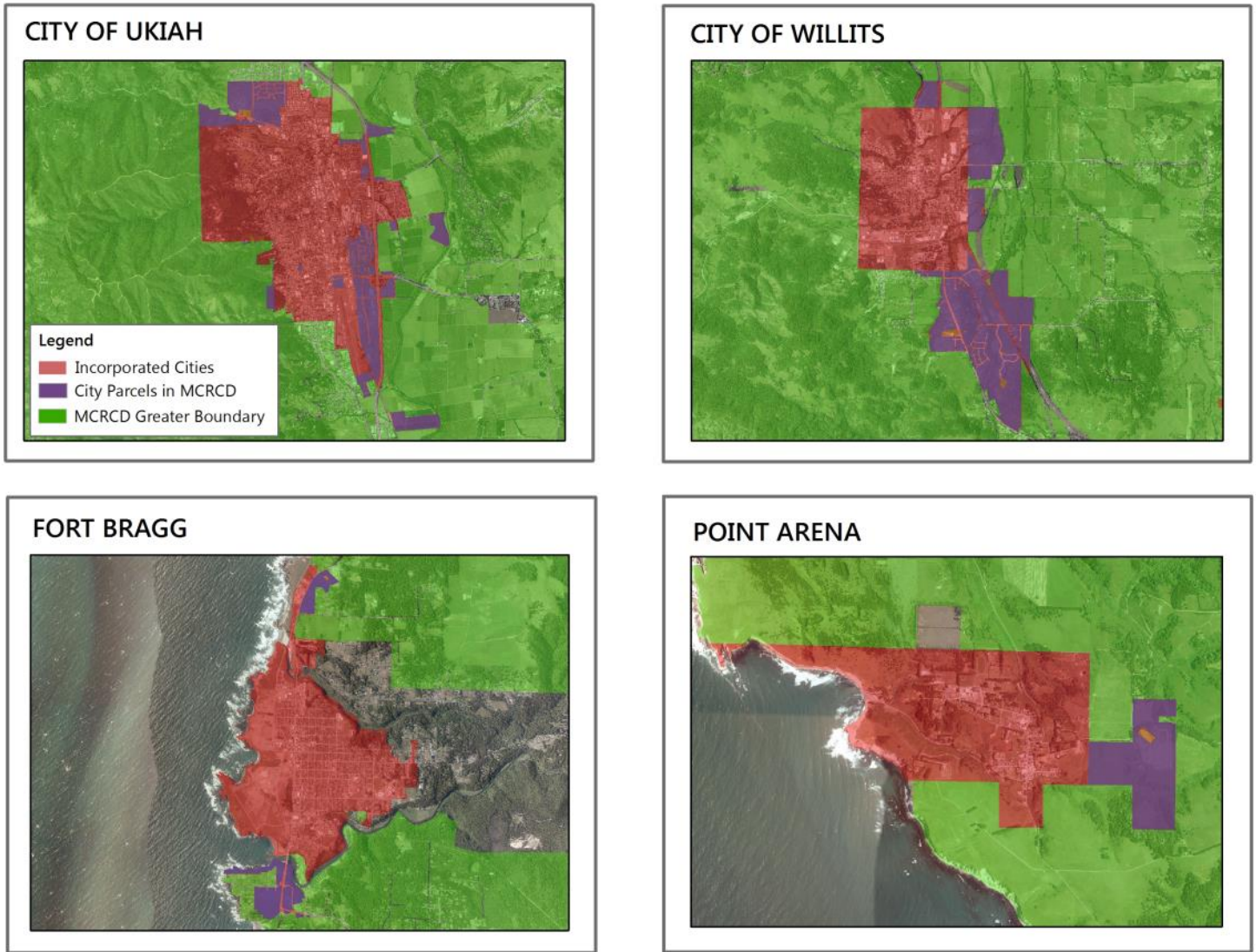


**APPENDIX A. FIGURE 3:** TPZ Lands within MCRCD Boundaries





**APPENDIX A. FIGURE 4:** Incorporated City Parcels within MCRCD Boundaries



Figures and Table provided by MCRCD February, 2015

**Table 1. MCRCD City Overlap**

Incorporated Area	Number of Parcels within MCRCD Boundary	Acreage
Fort Bragg	64	154.29
Point Arena	5	153.71
Ukiah	712	614.34
Willits	423	671.05