MENDOCINO Local Agency Formation Commission

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

CALPELLA COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE

Prepared in accordance with Government Code §56425

Update Dates

Commission Review

Draft Workshop- January 4, 2016 Draft Hearing- February 1, 2016

Adopted February 1, 2016

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

LAFCo Resolution No. 15-16-11

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY APPROVING THE CALPELLA COUNTY WATER 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 Calpella 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 February 1, 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 Ukiah Valley special districts, for which the section on the Calpella County Water District was accepted by the Commission on May 6, 2013.
- 2. The Commission, as Lead Agency, finds the update to the Calpella 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 Calpella County Water District confirmed during the review of its sphere of influence that its services are currently limited to water and wastewater 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: "Calpella County Water 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 Calpella 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 Calpella County Water District sphere of influence.
BE IT FURTHER RESOLVED that the Calpella County Water District's sphere of influence is amended (reduced) to include only those areas within the Out of District Service Area and District boundary,

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 1st day of February, 2016, by the following vote:

AYES:	7	
NOES:		
ABSTA	IN: ()	
ABSEN	T:	-A. W. hm

JERRY WARD, Chair

ATTEST:

as depicted in Exhibit "A".

GEORGE WILLIAMSON, Executive Officer

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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 an appropriate sphere of influence (SOI) for the Calpella County Water District (Calpella CWD or District). The objective is to update Calpella CWD's SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to change or maintain the designation. The update draws on information from the Calpella CWD 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
- 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 applies:

- o the land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- o 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.

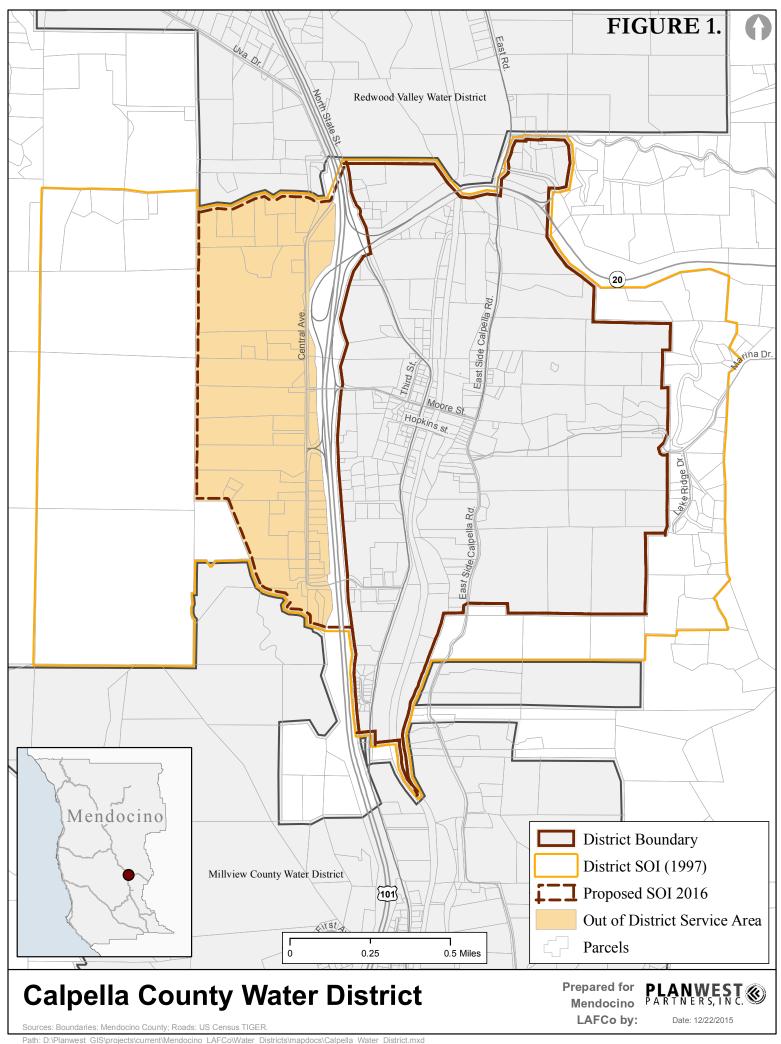
Agriculture and Open Space Lands

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.G. §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



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CURRENT AGENCY OPERATIONS

The Calpella County Water District provides water and wastewater services to the community of Calpella. The District operates a wastewater treatment plant which serves 103 wastewater connections. It contracts with Willow County Water District (CWD) for staffing and office services. A five-member board governs the District (MSR 2013). The District is currently under a moratorium (District General Manager, August, 2015).

BACKGROUND

Calpella CWD was formed in 1955 under the County Water District Law. It provides water and wastewater service to an area east of Highway 101 and directly south of California State Route 20. Additionally, it provides out of district water services to an area off the Central Avenue corridor west of Highway 101. In total, the Calpella CWD serves an area of approximately 1,297 acres (MSR 2013).

MUNICIPAL SERVICE REVIEW

In 2012/13, LAFCo prepared the *Ukiah Valley Special Districts Municipal Service Review* (MSR) to consider services provided by Ukiah Valley special districts and identify opportunities for more effective and efficient provision of services. MSRs are a prerequisite for establishing, amending, or updating spheres of influence. As such, much of the information contained herein comes directly from the Ukiah Valley Special Districts MSR, accepted by the Commission on May 8, 2013. The MSR includes recommendations for consolidating the Calpella CWD, Willow CWD, and Hopland Public Utility District (PUD) due to shared staffing and management between these agencies. It is important to note that management agreements have also since been extended to Millview CWD and the Redwood Valley CWD.

SPHERE OF INFLUENCE

The Calpella CWD's current boundary and SOI are shown in Figure 1. The current SOI is larger than the District's boundary and was last amended by LAFCo in 1997 as part of the Southwest Annexation (Resolution No. 97-07). The Out of District Service Area discussed below is included within the District's adopted sphere. The District's existing SOI, out of district services, and boundary will be considered as a part of this SOI update.

Out of Area Service

Through a 2000 Out of Area Service Agreement the District provides water for non-agricultural uses to an area external to its boundaries. This area is known herein as the Out of District Service Area. (Out of District Service Area). It consists of 46 parcels and approximately 233 acres, and there are 30 residential water connections in the area. The District indicated in their MSR questionnaire that they would like to pursue annexation of this area into their district.

DISADVANTAGED UNINCORPORATED COMMUNITIES

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of a SOI review, including "....the present and probable need for those public facilities and services of any DUCs within the existing sphere of influence" (GC §56425). 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. Calpella CWD provides water and wastewater services, and is therefore only responsible for assuring that these services are adequately provided to communities.

The 2013 MSR estimates Calpella's median household income to be \$53,725, which is 93% of the California Median Household Income of \$57,708 (MSR 2013. pp. 3-5). Therefore, Calpella is not considered to be a DUC. The communities of Redwood Valley to the north and Hopland to the south neighbor the District. Of these, only Hopland meets the definition of a disadvantaged unincorporated community. The Hopland community receives municipal services from the Hopland Public Utility District, which provides water and wastewater services, and from the Hopland Fire Protection District which provides fire suppression (MSR 2013 pp. 3-5).

POPULATION AND LAND USE

Population and Growth

The Calpella community is a census designated place. According to the 2010 census, the population within the Calpella CWD is 679. There are an estimated 272 total housing units, 253 of which are occupied. Using the conservative annual growth rate referenced in the Ukiah Valley's Municipal Service Review (2013) of 1 percent, the expected population in 2020 would be approximately 730 people (MSR 2013).

Land Use and Development

The primary land uses within the District are Agricultural and Rural Residential, with a majority Rural Residential. The District also contains a fair amount of Industrial and Suburban Residential designated land, the latter being mostly unimproved. See Land Use Map in Appendix A.

The Rural Residential classification is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use. The Rural Residential classification is not intended to be a growth area and residences should be located as to create minimal impact on agricultural viability. The Agricultural Lands classification is intended to be applied to lands which are suited for and are appropriately retained for production of crops. As such, little population growth can be expected within either of these designations, which make up the majority of the land within the district.

The Suburban Residential land appears to be largely undeveloped, and could represent an area of significant population growth within the district. This growth is limited by the need for public services and the current moratorium on new water service hookups.

The western portion of Calpella CWD's SOI (external to District boundaries) contains resource lands and Rural Residential lands. The Out of District Service Area is within this region, and the primary land use designation of properties served is Agricultural, with some Rural Residential. The Rural Residential properties all appear to be improved, so little additional demand may be expected for water services. The eastern portion of the SOI (external to District boundaries) is entirely designated as rural residential. The western portion of the SOI is primarily designated as range or agricultural lands.

ADOPTED FEBRUARY 1, 2016

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

CAPACITY AND SERVICE

Calpella CWD has contracted office space and staff services with the Willow CWD since 1993. The Calpella CWD contracts the general manager, office personnel, and maintenance staff of Willow CWD.

Water

The District owns and operates a public water system with more than two miles of pipeline and infrastructure, booster stations and multiple storage tanks. The District's water supply comes from a combination of groundwater and surface water. Surface water is purchased from the Russian River Flood Control and Water Conservation Improvement District (RRFC), which is then transported via the Millview CWD (MSR 2013). Surface water treatment and transport services are provided on a continuing basis by Millview CWD.

The 2013 MSR reports a demand increase from approximately 100 acre feet (AFY) in 2000 to 120 AF in 2006. Well production is reported as fairly consistent at 30 to 40 AFY and the District has a contract for 101 AFY from RRFC. The maximum the Calpella CWD can supply is 140 AFY. The well water extracted accounts for approximately 30 percent of demand, and imported water provides the remaining water needed (MSR 2013). See the table below for the District's 2013 flow data.

Table 1. Calpella CWD Flow Rates

Calpella CWD Updated Flow Data Based on Calendar Year 2013				
	ac/ft.			
Maximum daily water demand	0.51			
Maximum daily production	0.55			
Contract water from RRFC	101			
Well	33.3			
Total annual water supply	134.3			
Annual water demand	99.27			

Information in the table was submitted by the District General Manager, December 2015.

The District maintains two storage tanks. One has a capacity of 250,000 gallons, built in 2001, while the other has the capacity of 50,000 gallons. The 250,000-gallon facility was at 83-percent capacity, while the 50,000-gallon facility was at 17 percent capacity in 2006. The storage facilities provide a three-day supply for average daily demand and a two-day supply based on maximum daily demand (MSR 2013).

Calpella CWD has sufficient infrastructure capacity. According to the MSR (2013), the District will have an insufficient water supply to meet future demands with current pump capacity and current purchase contracts from RRFC. Multiple agencies in the Ukiah Valley are under a moratorium for extending new water services (2013 MSR, 1-1). It is important to note the District reports that it has a reliable water supply for its current customers, including the Out of District Service Area (General Manager, August 2015).

Wastewater

The Calpella CWD provides wastewater services to a total of 103 units all of which are in District boundaries. Calpella CWD operates a wastewater treatment plant. The wastewater system was upgraded in 2004 and has additional treatment capacity that can accommodate up to 1,000 residents, about 300 more than the current population.

Relevant Local Agencies and Communities of Interest

The Calpella CWD works closely with other special districts and lies within proximity to multiple other agencies. It is located within the Redwood Valley/Calpella Fire District, which provides fire protection services.

Willow CWD provides staffing for Calpella CWD through a management contract. The contract provides for what can be considered a functional consolidation of the district with Willow CWD. Willow CWD also contracts staffing and office facilities for Hopland PUD, Millview CWD, Redwood Valley CWD and the River Estates Mutual Water Company. (District General Manager, November 2015).

RELEVANT PLANNING AND SERVICE FACTORS

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

County of Mendocino General Plan- Development Element (DE)

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

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

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

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

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

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

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

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

UKIAH VALLEY AREA PLAN

Excerpts from the Ukiah Valley Area Plan are below. Only items relevant to this document are included.

WATER MANAGEMENT

Water Distribution and Infrastructure

<u>Community Water Services:</u> There are five major providers of community water services in the Ukiah Valley. The City of Ukiah serves customers within the City, while Rogina Water Company and Millview, Calpella, and Willow County Water Districts serve the unincorporated areas. All suppliers are regulated by the California Department of Health Services, and Rogina Water Company is additionally regulated by the California Public Utilities Commission. These water providers hold varying claims to water rights for current and future use.

The primary water source for water providers in the Valley is the Russian River and diversion of Eel River water with storage in Lake Mendocino. Property owners without access to the City or community systems obtain water from individual wells, springs or direct diversions of Russian River water. Some water needs are also supplied by wells that tap groundwater aquifers that are not connected to the underflow of the Russian River.

Policy WM1.1: Maintain and increase water supplies and systems for existing and future water system needs.

WM1.1a Identify Water Sources

Cooperate and coordinate with the City of Ukiah, LAFCO, the Water Agency, and local water districts in the provision of infrastructure and services within the Ukiah Valley.

WM1.2a Groundwater Stewardship Program

Assemble baseline information describing existing conditions of the Valley's groundwater system (quality, quantity, demand and re-supply), and develop a comprehensive groundwater protection program with specific protection and mitigation measures.

Policy WM2.1: Strive for efficient delivery of public water services.

WM2.1a Service Evaluation

Involve water agencies, City and agricultural water users in collaboration with LAFCO to perform mandated municipal service reviews.

WM 2.1b Water Rights and Distribution

Coordinate with water purveyors to actively participate in hearings and actions involving water rights and distribution of area water in order to ensure efficient and equitable use of available water rights and supplies.

DISCUSSION

Annexation

The 2013 MSR provided the following recommendation: "Calpella CWD provides water services to the area of the Central Avenue corridor west of US 101. The District has been providing services since 2001. According to LAFCo policies, Calpella CWD should consider annexation. One concern with annexation is that the District is under a moratorium for new water service connections. Since the Calpella CWD already provides services, there would be no additional hookups that would violate the moratorium. Annexation may allow the District to collect some additional property tax revenue. Since the average of revenues and expenditures has shown a deficit in the last couple of years, the added property tax may help resolve the deficit. Should the District pursue annexation, it may have to establish two zones of services. One zone would provide water and sewer. The other zone would provide water only" (MSR 2013).

Consolidation

The 2013 MSR provided the following recommendation: "Willow CWD has management agreements with both Calpella CWD and Hopland PUD whereby Willow CWD provides office space, administrative staff, and field staff for the two districts. Both Calpella and Hopland have no employees, so the management agreements represent a functional consolidation of the three districts. Other than maintaining separate boards of directors, Calpella CWD and HPUD are essentially one with Willow CWD. Given this arrangement, the Districts should consider consolidation so that policies and service delivery are consistent. The three districts have not yet consolidated because they desire to maintain community identity. Although having separate districts is one way to maintain identity, other ways include community advisory councils that would be made up of concerned residents of Calpella and Hopland. Community advisory councils would be able to focus on their respective communities and have standing with the board of directors. Other options include establishing districts so that representation on the board would be sure to include residents of Calpella and Hopland. Nevertheless, the three districts should evaluate the options" (MSR 2013).

As of November 2015, WCWD now also has management agreements with Millview CWD and Redwood Valley CWD, further functionally consolidating the region's water service providers.

Water Supply

Water availability has long been an issue in the Ukiah Valley and is a likely constraint to future development in the Valley, further complicated by legal, environmental, political and socioeconomic issues (UVAP 2011). In the MSR process the District identified water supply demand stemming from growth in the Ukiah Valley as a key issue for ensuring adequate future service to Valley customers. Three of the five county water districts in the area (including Calpella CWD) have state imposed water connection moratoriums (MSR 2013).

As discussed above, for the past 15 years the District has been involved in an agency water works agreement. The agreement allows this small district to participate in cost sharing with the other agencies to provide a higher level of service than would otherwise be possible. However, this functional consolidation will not resolve any of the limited water supply issues for the agencies served by the Ukiah-Valley-Russian River watershed (General Manager, 2012 MSR Questionnaire). Opportunities to help alleviate the Ukiah Valley water supply issues may be considered further at the regional level by LAFCo.

Sphere of Influence

The District has long provided service to the Out of District Service Area. This Area is within the District's current SOI, and present services provided warrant the continued inclusion of it in the District's updated SOI. The current SOI includes other areas beyond the Out of District Service Area. Given the District's water moratorium on new service hookups and that no services are provided to these other areas, an updated sphere of influence should exclude these areas.

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

The primary land use designations of the Out of District Service Area properties served are Agricultural and Rural Residential. The District provides water to these properties for non-agricultural uses.

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

Calpella CWD has provided services to the Out of District Service Area since 2000. This precedent indicates a continued need for services within the Area and warrants inclusion within the updated SOI.

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

The District does not have supply capacity for additional connections, however, the Out of District service Area already receives service, and the District has demonstrated a capability to serve the area.

4.) Social and Economic Communities of Interest

The larger community of the Ukiah Valley is of interest. Multiple agencies provide similar water service in a community which shares geography and in most cases, the same water source. The District has a common interest with the other local water purveyors to manage the water supply systems and watersheds of the Ukiah Valley.

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

Calpella CWD is not considered a DUC, nor are there any DUCs within the vicinity of Calpella CWD which have been identified that should be considered for service by the District.

CONCLUSION

Given that the Out of District Service Area receives water services from Calpella CWD and is within the current SOI, this area should be included in the updated SOI. The updated SOI will *only* include the Out of District Service Area and lands that are already within LAFCo approved District boundaries. Territory external to the areas served within the existing SOI are to be removed. See Proposed SOI in Figure 1.

Further consideration may be given to the water supply issues in the Ukiah Valley and the potential for consolidation of multiple agencies providing water services within this area.

REFERENCES

- Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.
- (UVAP 2011) Mendocino County. Ukiah Valley Area Plan, August 2011. http://www.co.mendocino.ca.us/planning/UVAP.htm
- Ukiah Valley Municipal Service Review, 2013. LAFCO of Mendocino County. May 6, 2013. E Mulberg & Associates

