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

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

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**REDWOOD VALLEY 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. 15-16-12

### A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY APPROVING THE REDWOOD VALLEY 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 Redwood Valley 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 Redwood Valley County Water District was accepted by the Commission on May 6, 2013.
2. The Commission, as Lead Agency, finds the update to the Redwood Valley 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 Redwood Valley County Water District confirmed during the review of its sphere of influence that its services are currently limited to water 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: "Redwood Valley 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 Redwood Valley 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 Redwood Valley County Water District sphere of influence.

BE IT FURTHER RESOLVED that the Redwood Valley County Water District's sphere of influence is reaffirmed to be coterminous with the District 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 1<sup>st</sup> day of February, 2016, by the following vote:

AYES: 6

NOES: 1

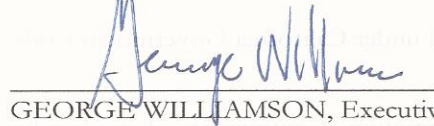
ABSTAIN: 0

ABSENT: 0



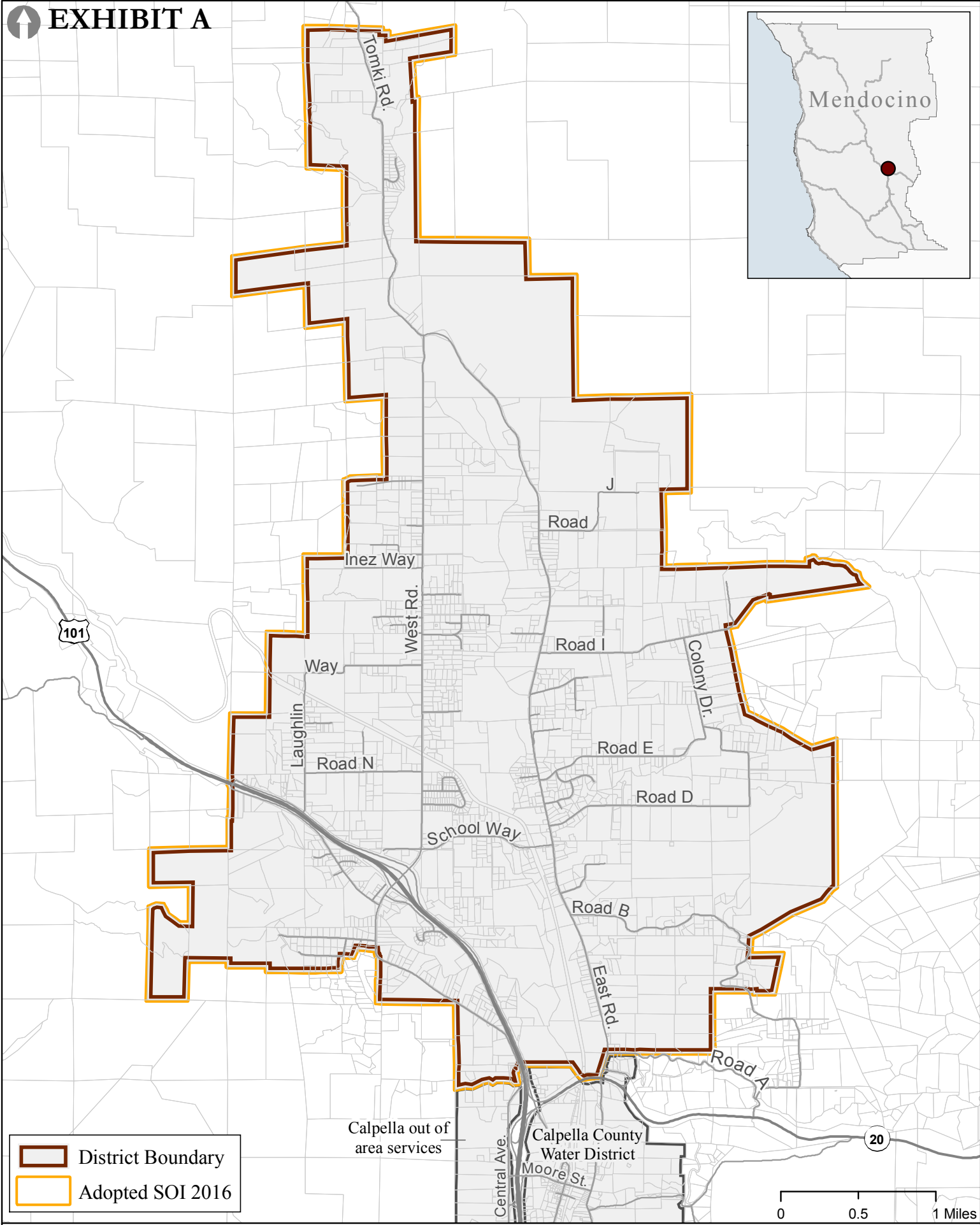
JERRY WARD, Chair



ATTEST:

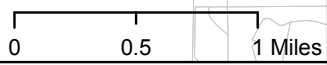


GEORGE WILLIAMSON, Executive Officer

# EXHIBIT A



 District Boundary  
 Adopted SOI 2016



## Redwood Valley County Water District

Prepared for **PLANWEST PARTNERS, INC.**  
Mendocino LAFCo by:   
Date: 1/27/2016

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.  
Path: D:\Planwest\_GIS\projects\current\Mendocino\_LAFCo\Water\_Districts\mapdocs\Redwood\_Valley\_Water\_District.mxd

## Table of Contents

<b>INTRODUCTION .....</b>	<b>3</b>
OVERVIEW .....	3
REVIEW PERIOD .....	3
EVALUATION CONSIDERATIONS .....	3
General Guidelines for Determining Spheres of Influence .....	4
FIGURE 1 .....	5
<b>OVERVIEW .....</b>	<b>6</b>
CURRENT AGENCY OPERATIONS .....	6
BACKGROUND .....	6
MUNICIPAL SERVICE REVIEW .....	6
SPHERE OF INFLUENCE .....	6
DISADVANTAGED UNINCORPORATED COMMUNITIES .....	6
POPULATION AND LAND USE .....	7
Population .....	7
CAPACITY AND SERVICE .....	7
Relevant Local Agencies and Communities of Interest .....	8
RELEVANT PLANNING AND SERVICE FACTORS .....	8
County of Mendocino General Plan- Development Element (DE) .....	8
County of Mendocino General Plan- Community Specific Policies (CP) – Redwood Valley Community Planning Area .....	9
SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) .....	9
<b>DISCUSSION .....</b>	<b>10</b>
Sphere of Influence .....	10
Water Supply .....	10
Consolidation .....	10
<b>ANALYSIS .....</b>	<b>11</b>
1.) Present and Planned Land Use .....	11
2.) Present and Probable Need for Public Facilities and Services .....	11
3.) Present Capacity of Facilities and Adequacy of Public Services .....	11
4.) Social and Economic Communities of Interest .....	11
5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs) .....	11
<b>CONCLUSIONS .....</b>	<b>11</b>
<b>REFERENCES .....</b>	<b>12</b>



## **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 “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 an appropriate Redwood Valley County Water District (Redwood Valley CWD or District) Sphere of Influence (SOI). The objective is to update Redwood Valley CWD’s SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Redwood Valley CWD’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**

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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 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 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:

- 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.

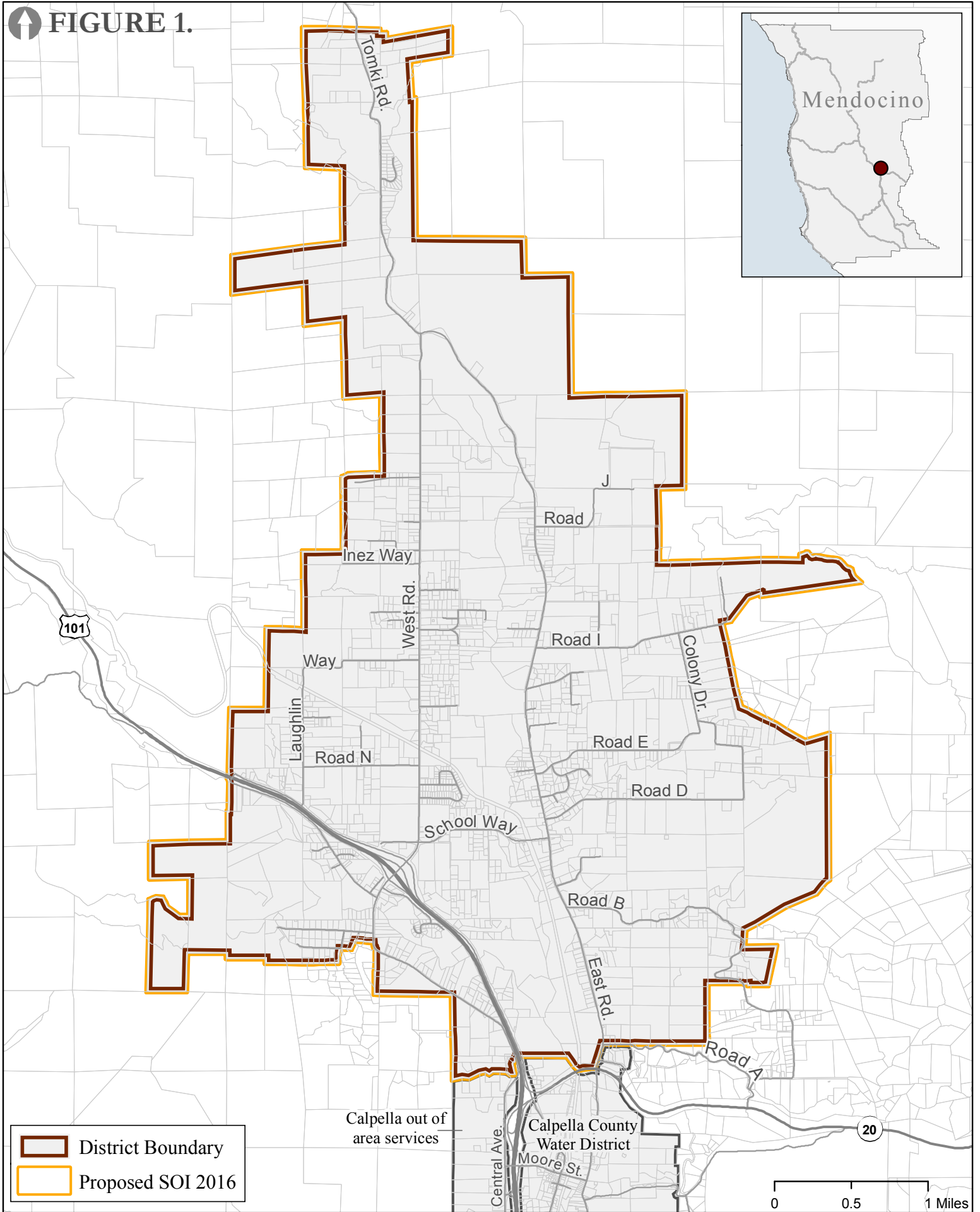
##### *Annexations are not Mandatory*

Before territory can be annexed to a city or district, it must be within the agency's sphere of influence (G.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*

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.**



# Redwood Valley County Water District

Prepared for **PLANWEST PARTNERS, INC.**  
Mendocino  
LAFCo by: Date: 12/10/2015

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

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## **OVERVIEW**

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### **CURRENT AGENCY OPERATIONS**

The Redwood Valley County Water District (Redwood Valley CWD or District) provides domestic and agricultural water services to the community of Redwood Valley, including a total of 1,345 equivalent dwelling units and 200 agricultural customers. The District is currently under a court-ordered moratorium for domestic connections and a board-initiated moratorium for irrigation connections (MSR 2013). In November of 2015, the District entered into contracts with Willow CWD for staffing and future office management services (District Manager, December 2015).

### **BACKGROUND**

The Redwood Valley CWD was formed on January 16, 1964 pursuant to County Water District Law (California Water Code, Division 12, Section 30000-33901). The District's service area is roughly 15 square miles in area. The Redwood Valley CWD began operating a dual distribution system for irrigation water service in April 1979 and for domestic water service in November 1979 (MSR 2013).

### **MUNICIPAL SERVICE REVIEW**

In 2013, 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. Redwood Valley CWD was included as a part of this Review. 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.

The MSR included recommendations for possibly consolidating the Redwood Valley CWD and the Russian River Flood Control and Water Conservation Improvement District (RRFC). It is important to note that the MSR also included recommendations for consolidating the Calpella CWD, Willow CWD, and Hopland Public Utility District (PUD) due to shared staffing and management between these agencies. Since this recommendation, similar services from Willow CWD have been extended to Millview CWD and the Redwood Valley CWD.

### **SPHERE OF INFLUENCE**

The Redwood Valley CWD's current SOI is coterminous with District's boundaries. Furthermore, there are no reported out of district service connections. Services provided are limited by water availability, infrastructure, and elevational changes in the surrounding valley. The present boundary (with minor exceptions) represents the service elevational limits of the current system (District Manager, November 2015).

### **DISADVANTAGED UNINCORPORATED COMMUNITIES**

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of an 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. The Redwood Valley CWD provides water services, and is therefore only responsible for assuring that this service is adequately provided to communities.

The MSR reports that there are no disadvantaged unincorporated communities in the vicinity of the Redwood Valley CWD boundaries. The community of Calpella lies just outside the district boundaries to the south and is served water and wastewater services by the Calpella County Water District and fire protection services by the Redwood Valley-Calpella Fire District. The median income for Calpella exceeds the 80 percent threshold and is not considered a disadvantaged unincorporated community (MSR 2013).

## **POPULATION AND LAND USE**

### **Population**

The 2013 MSR estimated the population of Redwood Valley to be somewhere between 3,349 and 3,969 residents. In October of 2014, the population was adjusted to 5,200 residents by the Division of Drinking Water (District Manager, December 2015).

## **CAPACITY AND SERVICE**

The Redwood Valley CWD's water supply comes from Lake Mendocino. A pump station located at the lake pumps water to a holding reservoir 4.5 miles away. The holding reservoir has a capacity of 68 acre feet (AF). During typical demand, water is pumped to the reservoir from the lake at night to take advantage of lower electricity rates. From there, domestic water is delivered by gravity flow to the water treatment plant. The plant can treat up to 1.7 million gallons per day (mgd). Treated potable water is then pumped to six covered steel tanks with a total volume of 1.85 million gallons. Water flows by gravity from these tanks to customers. Irrigation water flows from the reservoir by gravity to the irrigation distribution system. During periods of high demand, gravity flows are augmented by pressure flows from the lake pumps (MSR 2013).

The Redwood Valley CWD currently delivers approximately 750 AFY for residential and commercial uses, and 1,450 AFY for agricultural purposes—a combined annual demand of 2,200 AFY. The District's water supply consists of a permit to divert up to 4,900 AFY directly from Lake Mendocino between November 1 and April 30 of each year. Water diversions made according to the Redwood Valley CWD's Lake Mendocino water permit can only occur in instances when stream flows in the Russian River main stem (as measured near the confluence of the East and West forks) exceeds 150 cubic feet per second (cfs) and Lake Mendocino storage exceeds the Army Corps of Engineers' Operating Target Storage Curve. This curve volume varies between 64,000 AF and 86,400 AF seasonally. (District Manager, December 2015). These limitations represent a relatively narrow window of opportunity for diversions that can be as much as 70 days in wet years or as little as one or two days in dry years.

During dry years when the Redwood Valley CWD water permit is unusable, and during spring and summer, water supplies are diverted from the Mendocino County Russian River Flood Control and Water Conservation Improvement District (RRFC). By definition, the water being sold to Redwood Valley by the RRFC is surplus to the ongoing needs of RRFC district customers. Although a negotiated agreement between the RRFC and the Redwood Valley CWD could provide a more stable source of water for the District it would also preclude the RRFC surplus water supply from being used, at least in part, to meet future water demands of RRFC customers in the Ukiah Valley.

## REDWOOD COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCO

An emergency intertie constructed in 2014 allows for the transfer of up to approximately 400 AFY from Millview CWD into Redwood Valley. This intertie has been in operation since January 2015 (District Manager, December 2015).

Because of the uncertain supply, the Redwood Valley CWD is currently under a court-ordered moratorium for domestic connections and a board initiated moratorium for irrigation connections. The Redwood Valley CWD adopted a conservation ordinance in 2007 to deal with droughts such as those that occurred in 2007–2009 and 2013-2015. The ordinance is based on six tiers, of which the most severe restrictions are declared for Tier 6. Tier 4 was implemented in 2009 when Lake Mendocino water levels receded to record lows and mandatory rationing was instituted by the Mendocino County Board of Supervisors, resulting in a 50 percent reduction in water use (MSR 2013).

The District operates with a budget of approximately \$1.2 million. The primary source of revenues is water sales, for domestic and irrigation purposes. It also receives a limited amount of property tax. Water sales account for approximately 96 percent of all revenues; property taxes and interest income about 2 percent each. Of the total water sales, 75 percent is for domestic water and 25 percent is for irrigation water. The average volumetric split is 1/3 domestic and 2/3 irrigation. The actual ratio of domestic to irrigation water is highly weather-dependent (MSR 2013).

Each year, the RVCWD addresses capital improvement needs in its budget. Projects include upgrades to the water treatment plant, meter upgrades, filter upgrades, SCADA upgrades, and security (MSR 2013).

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

The Redwood Valley CWD works cooperatively with federal, state, and local agencies. The District is very active with agencies that are involved with the Russian River and Eel River Watersheds related to the Potter Valley Project that supplies water to Lake Mendocino. The Redwood Valley CWD works with other agencies such as the Mendocino County Inland Water and Power Commission (MCIWPC), which is a joint powers agency that includes Mendocino County, the City of Ukiah, Russian River Flood Control, and Potter Valley Irrigation District (MSR 2013).

The Redwood Valley CWD is a participating member of the Joint Powers Insurance Authority (JPIA). This JPIA, known as the Association of California Water Agencies is an association of a large number of independent water agencies that have pooled funds to be self-insured for liabilities up to \$1,000,000 per occurrence. The JPIA also purchases excess insurance to cover each member for liabilities to \$50 million per occurrence (MSR 2013).

### **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.

REDWOOD COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE  
MENDOCINO LAFCO

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.

**County of Mendocino General Plan- Community Specific Policies (CP) – Redwood Valley Community Planning Area**

*Redwood Valley Community Area Policies* (only relevant policies to this update are included below)

Policy CP-RV-8: The County encourages the Redwood Valley County Water District to evaluate the merits of a water conservation program for all customers and to pursue the provision or management of sewage treatment facilities. The County shall facilitate this process and support funding applications consistent with technical studies and General Plan objectives.

**SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA)**

The Sustainable Groundwater Management Act, signed by Governor Brown in September 2014, applies to groundwater basins designated as medium or high-priority by the California Department of Water Resources. Mendocino County has one medium-priority basin (Ukiah Valley) and no high-priority basins. The Groundwater Act requires formation of a Groundwater Sustainability Agency (GSA) for the Ukiah Valley Basin by June 30, 2017, and preparation of a Groundwater Sustainability Plan by 2022. The Mendocino County Water Agency, a dependent special district governed by the Mendocino County Board of Supervisors, is coordinating efforts among stakeholders to identify

options for establishing a GSA for the Ukiah Valley Basin. Ultimately, the decision on which public agency (or agencies) will serve as the GSA for the Ukiah Valley Basin will be made by the Mendocino County Board of Supervisors with input from the Water Agency and in consultation with other local agencies (cities, tribes, special districts) situated within the groundwater basin boundary.

## ***DISCUSSION***

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### **Sphere of Influence**

The Redwood Valley CWD does not provide services external to current boundaries, nor do they anticipate any expansion of services in the near future. A coterminous SOI fits the present and anticipated near-future needs of the District.

### **Shared Services**

Recently, the Redwood Valley CWD entered into a staffing contract with the Willow County CWD. The Willow CWD now provides office space, administrative staff, and field staff for Redwood Valley CWD, Calpella CWD, Millview CWD, and Hopland PUD. The shared staffing and management contracts are viewed as a step towards a functional consolidation between these agencies. Given to the coordination of services between these districts, there may be opportunity to consider a structural consolidation in the future.

### **Water Supply**

Water availability has long been an issue in the Ukiah Valley and is a likely to constrain future development in the area. (UVAP 2010, 6-3). Though Redwood Valley stands geographically separately from the Ukiah Valley, it is a part of the regional community, utilizes the same water supply and faces the same service challenges. The Redwood Valley CWD is one of four water service providers in the area to have state imposed water connection moratoriums (MSR 2013).

Challenges cited in the Ukiah Valley Area plan include decreased water diversion from the Eel River, as well as difficulties and lengthy time inherent in developing new supplies in the face of increasing demand. Various unknowns complicating growth planning include the water rights of water purveyors, the definition of Russian River underflow versus groundwater, continued refinement of water agreements, and changes in imports from the Eel River through the Potter Valley Project.”(UVAP 2011, 6-3).

As discussed above, the District has worked to streamline service provision via contracted staffing services. However, this functional consolidation will not resolve the any of the limited supply issues for the agencies served by the Ukiah Valley-Russian River watershed. Opportunities to help alleviate the Ukiah Valley water supply issues may be considered further at the regional level by LAFCo.

### **Consolidation**

The 2013 MSR provided the following recommendation: “Both Redwood Valley CWD and RRFC have expressed interest in consolidation. A consolidation would offer Redwood Valley CWD a more reliable source of water and the RRFC an opportunity to acquire more water rights. In fact, there is a pending application with the State Water Resources Control Board for an additional 6,000 AFY of water rights. The RRFC is in the process of meeting with the authors of protest letters to help resolve protests. The consolidation hinges on an agreement with SCWA, which controls much of



the water in Lake Mendocino. Should the water rights application be approved and both districts adopt substantially similar resolutions to consolidate, LAFCO cannot turn them down.”

Subsequent to the 2013 MSR, Redwood Valley CWD and RRFC initiated a pre-application for consolidation process with LAFCo. In November of 2015, Mendocino LAFCo received a letter from Redwood Valley CWD indicating that the consolidation was put on hold.

The 2013 MSR observes that the Redwood Valley CWD has two outstanding, long-term debt obligations. It has been noted that these debts may be a barrier to consolidation. Should the District pursue consolidation, the application to LAFCo would need to address outstanding debts.

## ***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**

Service outside District boundaries is limited by infrastructure and elevational changes in the surrounding valley. The current SOI, which is coterminous with the District’s boundary, suits the District’s current service needs.

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

There are no reported out of district service connections. The District has indicated that the present coterminous SOI fits their service needs.

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

The District does not have a supply capacity for additional connections, however, service to present customers appears to be adequate and a coterminous sphere suits the District’s current service needs.

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

The larger Ukiah Valley is a community of interest for purposes of coordinating common water supply and management needs. Multiple agencies provide water services 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)**

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

## ***CONCLUSIONS***

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The current SOI for the District is coterminous. Given that no services are provided outside of District boundaries, and the District indicates no future plans for service beyond district boundaries,

REDWOOD COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE  
MENDOCINO LAFCo

an updated SOI that remains coterminous with Redwood Valley CWD's current service boundary is sufficient (See Proposed Sphere 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***

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

Ukiah Valley Municipal Service Review, 2013. LAFCo of Mendocino County. May 6, 2013. E Mulberg & Associates

(UVAP 2011) Mendocino County. Ukiah Valley Area Plan, August 2011.  
<http://www.co.mendocino.ca.us/planning/UVAP.htm>