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*Executive Officer*

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*County Member*

**Don Tatzin**  
*City Member*

February 13, 2008 (Agenda)

Local Agency Formation Commission  
651 Pine Street, Sixth Floor  
Martinez, CA 94553

**Central County Water and Wastewater Services – Sphere of Influence Updates**

Dear Members of the Commission:

**SUMMARY**

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), LAFCO must adopt a sphere of influence (SOI) for each city and special district. The SOI serves as the ultimate planning boundary for the local agency. Effective SOIs may discourage urban sprawl by preventing service duplications, overlapping service areas and premature conversion of agricultural land to urban uses.

Pursuant to State law, LAFCO must review and update the spheres at least every five years. In order to prepare and update the SOIs, LAFCO must conduct a municipal service review (MSR).

In August 2006, Contra Costa LAFCO initiated a number of countywide MSRs, including a review of water and wastewater services and SOIs. The Commission retained the independent consulting firm of Dudek to assist with the MSR/SOI project.

On December 19, 2007, the Commission held a workshop to review the Preliminary Draft Central County Water and Wastewater Services MSR report and SOI options. The Commission provided input and accepted public comment regarding the preliminary report. The MSR report was then circulated for a 21-day public review period. The Final Draft report will be presented to the Commission on February 13 for final consideration and approval. This report is available on the LAFCO website at [www.contracostalafco.org](http://www.contracostalafco.org).

The Central County Water and Wastewater report presents recommended MSR determinations for the following agencies: cities of Concord and Martinez, Contra Costa Water District (CCWD), Central Contra Costa Sanitary District (CCCSD), County Sanitation District No. 6 (SD No. 6), and Mt. View Sanitary District (MVSD). In addition, the report presents SOI options and recommendations for the single-purpose agencies (i.e., districts), including CCWD, CCCSD, SD No. 6 and MVSD. The SOI options and recommendations for the multi-purpose agencies (i.e., cities) will be included in the general service sub-regional reviews, scheduled for completion later this year.

At this time, the Commission is asked to consider the SOI updates for each of the special districts included in the Central County Water and Wastewater Services MSR. The SOI options and recommendations were presented in the various draft reports, and made available to the affected agencies and the public for review.

The attached tables present a summary of the SOI recommendations; analysis on each agency is presented in the MSR report and is summarized below.

## DISCUSSION

Provisions for updating SOIs are contained in the CKH Act. In adopting or updating an SOI, the Commission must make determinations concerning the following:

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
- When adopting, amending or updating an SOI for a district, LAFCO must establish the nature, location and extent of any functions or classes of service.

The Commission may approve changes of organization and reorganizations using SOIs as a basis. LAFCO has also adopted policies and procedures for SOI updates. Among the more important factors is the need to consider whether services need to be provided in the next 5-20 years, or whether there is any other compelling reason for including an area within an SOI; for example, to enable funding of open space maintenance or planning, or to provide a logical boundary. Also, LAFCO should consider whether territory included in the SOI of one agency is already included in, or should be included in, the SOI of another agency more capable of providing services. These factors and policies were considered in developing the recommendations.

Based on the analysis completed in the MSR, options for each district's SOI were evaluated. These include, but are not limited to, retaining the existing SOI, adopting a zero SOI if LAFCO believes the district should be dissolved, or reducing or expanding the SOI. The MSR report also identifies a number of potential consolidations, mergers and dissolutions, which would require additional study to determine specific costs and benefits.

The following includes a summary of the SOI recommendations. Further details and analyses are presented in the MSR report.

**Contra Costa Water District (CCWD)** – CCWD was formed in 1936 to purchase and distribute water provided by the US Bureau of Reclamation (USBR) from the federal government's Central Valley Project (CVP). The District boundaries encompass 214± square miles in central and eastern Contra Costa County.

CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD serves approximately 510,000 people within both service areas combined. CCWD's primary source of water supply is the USBR Central Valley Project.

The CCWD's SOI and service boundary are not coterminous. The District's SOI extends beyond the District's service area and includes several areas which extend beyond areas designated for urban development. The MSR identifies two SOI options for CCWD. Based on the MSR report, *the following SOI action is recommended:*

- **Remove Veale Tract, Browns Island and Winter Island from CCWD's SOI** - The Veale Tract and Winter Island are outside the voter approved County Urban Limit Line. The Veale Tract is designated as Delta Recreation, and Winter Island is designated as agricultural lands. Browns Island includes a regional preserve and is designated for open space and recreation. These areas will not need water service from CCWD.

**Central Contra Costa Sanitary District (CCCSD)** - CCCSD is an independent district formed in 1946. The District provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within central Contra Costa County. CCCSD also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county. CCCSD serves an estimated population of 314,400 residents in a 142 square mile service area.

The District's SOI encompasses an additional 41.5 square miles and includes areas adjacent to the District's western and eastern boundaries as well as some islands surrounded by the District. Because the District provides wastewater treatment and disposal services by agreement for Concord and Clayton, the area served by Concord's wastewater collection system is included CCCSD's SOI.

The MSR identifies three SOI options for CCCSD. Based on the MSR report, *it is recommended that LAFCO remove from CCCSD's SOI undeveloped areas located outside the local agency voter approved ULLs* as discussed below.

Due to the potential for public health and environmental impacts associated with deficient and failing septic systems, CCCSD should include areas that may need sanitary sewer service within its long-term facilities and capital planning.

One of the options identified in the MSR is to adjust the SOI to be consistent with the local agency adopted Urban Limit Lines within Central Contra Costa County, excluding the area served by DSRSD. Details regarding this SOI option are provided in the MSR report.

CCCSD staff has expressed opposition to removing areas from the District's SOI, particularly the Alhambra Valley area, where there is an expressed interest by some property owners in receiving service, where there have been septic system deficiencies/failures, and where the District has existing infrastructure. However, there are areas outside the ULL and currently within the District's SOI that are not developed, such as the area within the Mt. Diablo State park south of Clayton. These areas will not need service and should be removed from the District's SOI.

The MSR also identifies several Government Structure options. CCCSD is providing service to properties which are currently outside the District's boundaries. It is recommended that CCCSD annex areas currently receiving service into the District's boundaries, as appropriate; in particular those areas which are islands and those with public health and safety issues (e.g., failing septic systems).

Also, as discussed below, it is recommended that CCCSD consider the future annexation of the SD No. 6 area upon its dissolution.

**County Sanitation District No. 6 (SD No. 6)** – SD No. 6 is a dependent special district formed in 1992 to provide wastewater service to the Stonehurst subdivision within the unincorporated Alhambra Valley area. The District's boundaries encompass 237± acres with 48 parcels, most of which are developed. The District's SOI is coterminous with its boundaries. Each parcel has an individual septic system; the effluent receives secondary treatment at a community wastewater treatment plant owned by the District and is discharged through a leach field at the top of an adjacent ridge. The system is managed by the County through an outside contractor.

The wastewater treatment system was designed to serve the buildout condition of this subdivision only, as specified in the Waste Discharge Requirements issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The permit further requires that sewage flow from Stonehurst be directed to a sanitary sewer line at the earliest possible time sanitary sewer services become available, and the onsite wastewater treatment and disposal system should be closed.

As discussed in the MSR, SD No. 6 faces several challenges. The District's Waste Discharge Requirements issued by the RWQCB require an ultraviolet disinfection process that requires significant energy and is costly to operate. The County would like to discontinue its use and has been attempting to work with the RWQCB for several years on this issue, as it would reduce costs through less energy usage, simplified maintenance, and a lower permit fee. This change in the Waste Discharge Requirements has not yet been approved by the RWQCB.

SD No. 6 is funded through an annual service charge or assessment on each parcel. The District's fund had a deficit balance for a few years, but the County has increased the service charge and eliminated the deficit. SD No. 6 does not have reserves; thus, should a major capital repair be necessary, the District would have to take on debt and/or assess the parcels accordingly.

There is a need for managed wastewater services in this community. With CCCSD's latest Alhambra Valley annexations, CCCSD's service area is now less than one mile from the Stonehurst subdivision. At some time in the future, it is foreseeable that CCCSD's sewer system would be extended close enough to serve the Stonehurst subdivision.

Therefore, *it is recommended that LAFCO adopt a zero SOI for SD No. 6*. This will not impact services and will allow the District to continue to exist until it is physically and financially feasible to annex to CCCSD.

**Mt. View Sanitary District (MVSD)** – MVSD provides wastewater collection, treatment, and disposal services for the central portion of the City of Martinez and adjacent unincorporated lands to the northeast. The District collaborates with the CCCSD to provide a permanent Household Hazardous Waste Collection facility and disposal services for the central portion of the County. MVSD has a franchise agreement with Allied Waste (parent company to Pleasant Hill Bayshore Disposal) for Allied Waste to provide trash collection, recycling, and disposal services within the unincorporated area of MVSD's boundaries.

MVSD is an independent district formed in 1923, and currently serves a population of 18,253 residents in a service area of approximately 4.7 square miles. The District's SOI encompasses an additional 1.6 square miles; and primarily includes an area of 1.46 square miles to the north and east of the District's boundary, as well as an island within the center of the District of 0.14 square miles that is in agricultural use. CCCSD serves the areas surrounding MVSD.

The MSR identifies two SOI options for MVSD. Based on the MSR report, *it is recommended that LAFCO retain the existing SOI.*

#### RECOMMENDATIONS

1. As Lead Agency, determine that the SOI updates for Contra Costa Water District (CCWD), Central Contra Costa Sanitary District (CCCSD), County Sanitation District No. 6 (SD No. 6), and Mt. View Sanitary District (MVSD) are exempt pursuant to §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, and
2. Adopt the attached resolutions updating the SOIs for each of the districts as required by the CKH Act.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

c: Distribution

#### Attachments

SOI Options Table  
Draft Resolutions with SOI Updates

**CENTRAL CONTRA COSTA COUNTY  
WATER/WASTEWATER DISTRICTS  
SPHERE OF INFLUENCE OPTIONS AND RECOMMENDATIONS**

<b>Agency</b>	<b>SOI Options</b>	<b>Recommendations</b>
Contra Costa Water District (CCWD)	<ul style="list-style-type: none"> <li>• Retain existing SOI</li> <li>• Remove Veale Tract, Browns Island and Winter Island</li> </ul>	<ul style="list-style-type: none"> <li>• Remove Veale Tract, Browns Island and Winter Island</li> </ul>
Central Contra Costa Sanitary District (CCCSD)	<ul style="list-style-type: none"> <li>• Retain existing SOI</li> <li>• Adjust the SOI to be consistent with local agency adopted Urban Limit Lines (ULLs) within central Contra Costa County</li> <li>• Expand the District's SOI to include areas within the ULLs that are not currently within CCCSD's SOI, and remove from the District's SOI undeveloped areas outside the local agency adopted ULLs</li> </ul>	<ul style="list-style-type: none"> <li>• Remove from CCCSD's SOI undeveloped areas outside the local agency adopted ULL's</li> </ul> <p><u>Policy Options:</u></p> <ol style="list-style-type: none"> <li>1. Consider annexing areas currently receiving service into the District's boundaries; and in particular, islands and those areas with health and safety concerns.</li> <li>2. Consider potential future annexation of or consolidation with SD No. 6.</li> </ol>
County Sanitation District No. 6 (SD No. 6)	<ul style="list-style-type: none"> <li>• Retain existing SOI</li> <li>• Adopt a zero SOI</li> </ul>	<ul style="list-style-type: none"> <li>• Adopt a zero SOI</li> </ul> <p><u>Policy Option:</u> Consider potential future annexation to or consolidation with CCCSD</p>
Mt. View Sanitary District (MVSD)	<ul style="list-style-type: none"> <li>• Retain the existing SOI</li> </ul>	<ul style="list-style-type: none"> <li>• Retain the existing SOI</li> </ul>

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE**  
**CONTRA COSTA WATER DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the Contra Costa Water District (CCWD) and adopted written determinations as required by Government Code §56430 on February 13, 2008; and

**WHEREAS**, CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez, and the District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek; and

**WHEREAS**, CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch; and

**WHEREAS**, CCWD's SOI extends beyond the District's service boundary and includes the Veale Tract and Browns Island, which are outside the County Urban Limit Line approved by the voters in 2006, and Winter Island; and

**WHEREAS**, the Veale Tract is designated as Delta Recreation and Resources with land uses such as agriculture, wildlife habitat, and low intensity recreational use; Winter Island is designated as agricultural lands; and Browns Island includes the Browns Island Regional Preserve and has land uses designated for open space and recreation; and

**WHEREAS**, these areas will not need water service from CCWD, and it is therefore recommended they be removed from CCWD's SOI; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at a public hearing held on February 13, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Update and reduce the SOI for the Contra Costa Water District as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority. County and city plans include land uses and population growth that will need increased water service. County and city policies support the provision of adequate water service for businesses and residents. Although there are agricultural and open space lands within the District’s boundaries and SOI, water services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by 29% over the next 23 years to 650,000. There will be an increased need for comprehensive water services. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CCWD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCWD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CCWD was formed in 1936. The District collects service charges from existing users and fees for new development; the District also receives a portion of the 1% property tax. The District has entered into long-term debt obligations to fund various major facilities, including the Los Vaqueros Reservoir. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to CCWD.
  - e. *Nature, location, extent, functions & classes of services to be provided* – CCWD’s untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District’s treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD serves approximately 510,000 people within both service areas combined.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.

4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

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PASSED AND ADOPTED THIS 13<sup>TH</sup> day of February 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: February 13, 2007

\_\_\_\_\_  
Lou Ann Teixeira, Executive Officer



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE**  
**CENTRAL CONTRA COSTA SANITARY DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the Central Contra Costa Sanitary District (CCCSD) and adopted written determinations as required by Government Code §56430 on February 13, 2008; and

**WHEREAS**, CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within Central Contra Costa County; and

**WHEREAS**, CCCSD also provides wastewater treatment and disposal services for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county; and

**WHEREAS**, CCCSD's SOI extends beyond the District's service boundary and includes the cities of Concord and Clayton, areas adjacent to the District's eastern and western boundaries, including areas which are outside voter approved Urban Limit Lines, as well as some islands surrounded by the District; and

**WHEREAS**, CCCSD's SOI includes some areas located outside the voter approved Urban Limit Lines that are not developed or planned for development, and do not or will not have septic systems that could trigger public health and environmental concerns; and

**WHEREAS**, these areas will not need wastewater services from CCCSD, and it is therefore recommended they be removed from CCCSD's SOI; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at a public hearing held on February 13, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Update and adjust the SOI for the Central Contra Costa Sanitary District as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority. County and city plans include land uses and population growth that will need increased wastewater services and recycled water supplies. County and city policies support the provision of adequate wastewater service for businesses and residents, as well as the protection of public health and the environment. Although there are agricultural and open space lands within the District’s boundaries and SOI, wastewater services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by 20% over the next 23 years to 382,583. There will be an increased need for comprehensive wastewater services, including a reliable recycled water supply. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CCCSD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure and increase capacity where necessary. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by CCCSD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CCCSD was formed in 1946. The District collects service charges and receives a portion of the 1% property tax. Capital expansion is funded by new connection charges and capital contributions from Concord. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to CCCSD.
  - e. *Nature, location, extent, functions & classes of services to be provided* – CCCSD provides wastewater collection, treatment, and disposal services for Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within Central Contra Costa County. The District also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county.

Policy option:

- Consider annexing areas currently receiving service into the District's boundaries; in particular islands and those areas with health and safety concerns.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
  4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

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PASSED AND ADOPTED THIS 13<sup>TH</sup> day of February 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

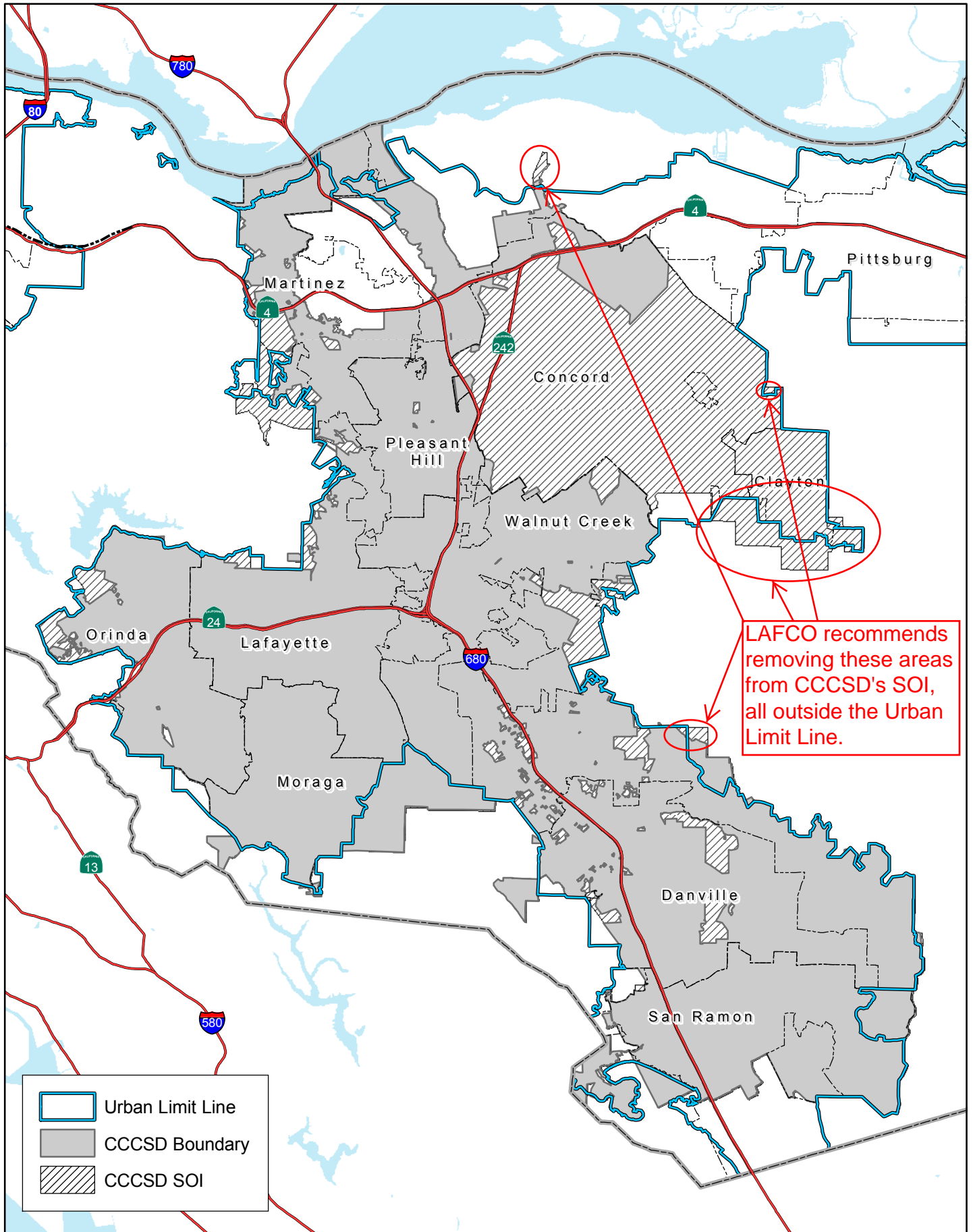
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ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: February 13, 2008

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# Central Contra Costa Sanitary District and Sphere of Influence



Legend:

- Urban Limit Line
- CCCSD Boundary
- CCCSD SOI



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR**  
**COUNTY SANITATION DISTRICT NO. 6**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the County Sanitation District No. 6 (SD No. 6) and adopted written determinations as required by Government Code §56430 on February 13, 2008; and

**WHEREAS**, SD No. 6 provides wastewater service to the Stonehurst subdivision within the unincorporated Alhambra Valley area. The District's boundaries encompass 237± acres with 48 parcels, most of which are developed; and

**WHEREAS**, each parcel within the District has an individual septic system; the effluent receives secondary treatment at a community wastewater treatment plant owned by SD No. 6 and is discharged through a leach field at the top of an adjacent ridge; and

**WHEREAS**, the system is managed by the County through an outside contractor; and

**WHEREAS**, the District's SOI is coterminous with its boundary; and

**WHEREAS**, the State has required that sewage flow from Stonehurst be directed to a sanitary sewer line at the earliest possible time sanitary sewer services become available, and the onsite wastewater treatment and disposal system should be closed; and

**WHEREAS**, the District faces other operations and fiscal challenges; and

**WHEREAS**, there will continue to be the need for managed wastewater services in this community; and

**WHEREAS**, the Central Contra Costa Sanitary District's (CCCSD) latest Alhambra Valley annexations, place CCCSD's service area less than one mile from the Stonehurst subdivision; and

**WHEREAS**, at some time in the future, it is foreseeable that CCCSD's sewer system would be extended close enough to serve the Stonehurst subdivision; and

**WHEREAS**, SD No. 6 is encouraged to work with CCCSD to complete an extension of service as soon as feasible; and

**WHEREAS**, SD No. 6 should be dissolved and annexed to CCCSD as soon as feasible; and

**WHEREAS**, adoption of a zero SOI is recommended for SD No. 6. This will not impact services and will allow the District to continue to exist until it is physically and financially able to annex to CCCSD; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of this SOI action; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at a public hearing held on February 13, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Adopt a zero SOI for County Sanitation District No. 6 as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority. County plans include low-density residential land use that will need wastewater services. County policies support the provision of adequate wastewater services for residents. Wastewater services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts or agricultural lands will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – The District serves 48 parcels, most of which are developed; minimal growth is expected. The RWQCB Waste Discharge Requirements for SD No. 6 mandate connection of the subdivision to an Alhambra valley sanitary sewer, and closure of the development's onsite wastewater treatment and disposal system as soon as feasible. The County plans to continue to provide service until such time as sanitary sewer services and facilities are available from CCCSD to serve the area. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The District is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by SD No. 6.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – SD No. 6 was formed in 1992, and the property owners funded the construction of the treatment and disposal facilities. The property owners pay an annual service charge for the system

to be operated and maintained; and therefore, have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to CCWD.

- e. *Nature, location, extent, functions & classes of services to be provided* – The District provides wastewater service to the Stonehurst subdivision within the unincorporated Alhambra Valley area. The District’s boundaries encompass 237± acres with 48 parcels, most of which are developed. Each parcel within the District has an individual septic system; the effluent receives secondary treatment at a community wastewater treatment plant owned by SD No. 6 and is discharged through a leach field at the top of an adjacent ridge. The system is managed by the County through an outside contractor.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
  4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

\*\*\*\*\*

PASSED AND ADOPTED THIS 13<sup>TH</sup> day of February 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

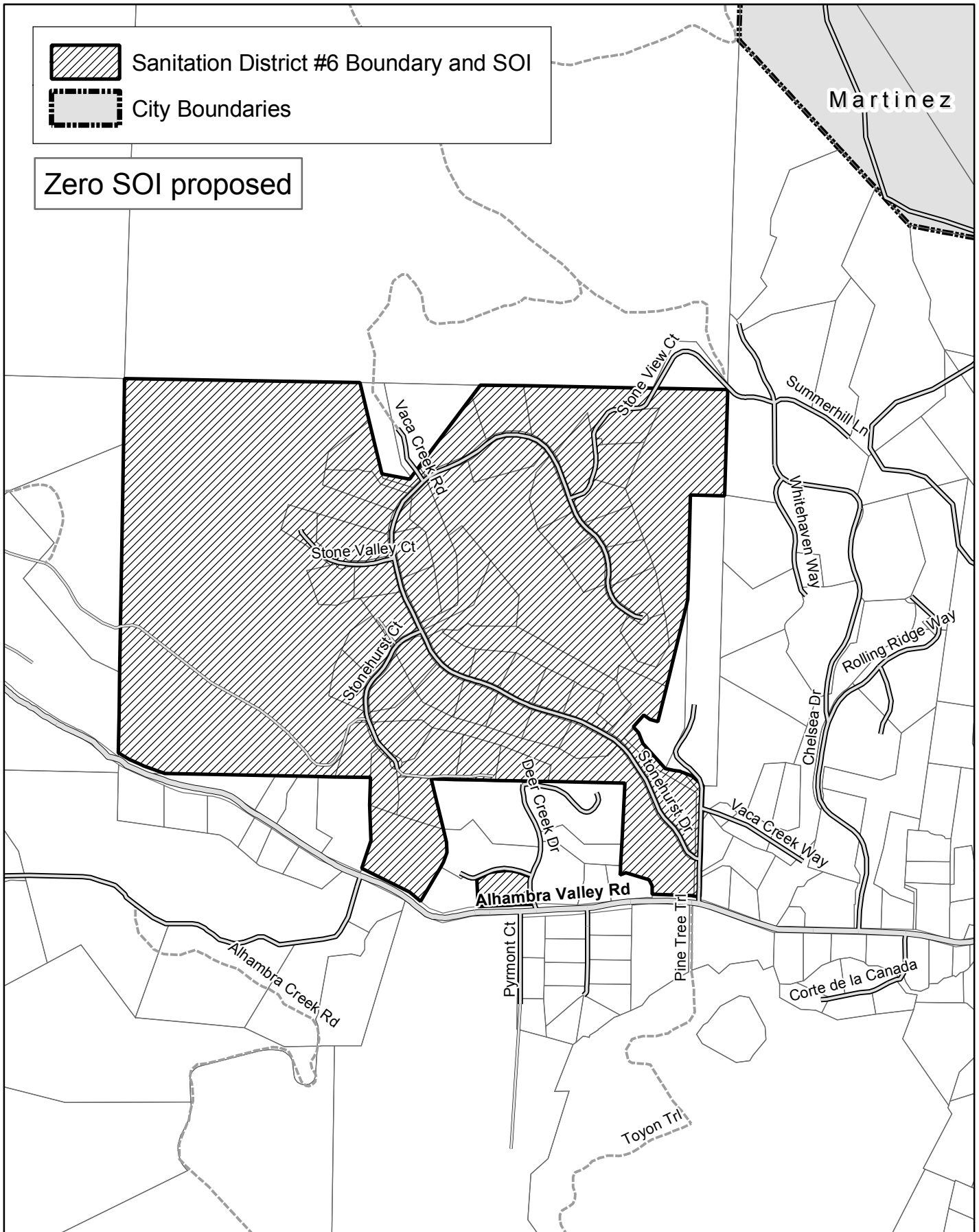
\_\_\_\_\_  
ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: February 13, 2007

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# County Sanitation District 6 (Alhambra Valley)



 Sanitation District #6 Boundary and SOI  
 City Boundaries

Zero SOI proposed



**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE**  
**MT. VIEW SANITARY DISTRICT**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of Central County water and wastewater services, including those provided by the Mt. View Sanitary District (MVSD) and adopted written determinations as required by Government Code §56430 on February 13, 2008; and

**WHEREAS**, MVSD provides wastewater collection, treatment, and disposal services for the central portion of the City of Martinez and adjacent unincorporated lands to the northeast; and

**WHEREAS**, the District collaborates with the CCCSD to provide a permanent Household Hazardous Waste Collection facility and disposal services for the central portion of the County; and

**WHEREAS**, MVSD has a franchise agreement with Allied Waste (parent company to Pleasant Hill Bayshore Disposal) for Allied Waste to provide trash collection, recycling, and disposal services within the unincorporated area of MVSD's boundaries; and

**WHEREAS**, the District's SOI extends beyond its service boundary and encompasses an additional 1.6 square miles, including 1.46 square miles to the north and east of the District's boundary, and an island within the center of the District of 0.14 square miles that is in agricultural use; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the District's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at a public hearing held on February 13, 2008; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Approve and affirm the existing SOI for the Mt. View Sanitary District as generally depicted on Exhibit A attached hereto.

2. Consider the criteria set forth in Government Code §56425(e) and determine as follows:
  - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority. County and city plans include land uses and population growth that will need increased wastewater services. County and city policies support the provision of adequate wastewater service for businesses and residents. Although there are agricultural and open space lands within the District’s boundaries and SOI, wastewater services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.
  - b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by 21% over the next 23 years to 22,087. There will be an increased need for comprehensive wastewater services. No changes in public facilities or services provided by the District will result from this SOI update.
  - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – MVSD is providing adequate services, is financially stable, and has the capacity to continue to provide services within its boundaries. The District has planned for capital needs based on projected growth and is implementing projects to extend the life of existing infrastructure. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by MVSD.
  - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – MVSD was formed in 1923. The District collects service charges and fees for new development; and also receives a portion of the 1% property tax. In 1974, the District opted to dispose of treated wastewater in constructed wetlands rather than pursue a deep water outfall or connect to a regional wastewater treatment facility. Property owners within the area and ratepayers have an economic interest in receiving services from this investment. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to MVSD.
  - e. *Nature, location, extent, functions & classes of services to be provided* – MVSD provides wastewater collection, treatment, and disposal services for the central portion of the City of Martinez and adjacent unincorporated lands to the northeast. The District collaborates with the CCCSD to provide a permanent Household Hazardous Waste Collection facility and disposal services for the central portion of the County. Also, MVSD has a franchise agreement with Allied Waste (parent company to Pleasant Hill Bayshore Disposal) for Allied Waste to provide trash collection, recycling, and disposal services within the unincorporated area of MVSD’s boundaries.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

\*\*\*\*\*

PASSED AND ADOPTED THIS 13<sup>TH</sup> day of February 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

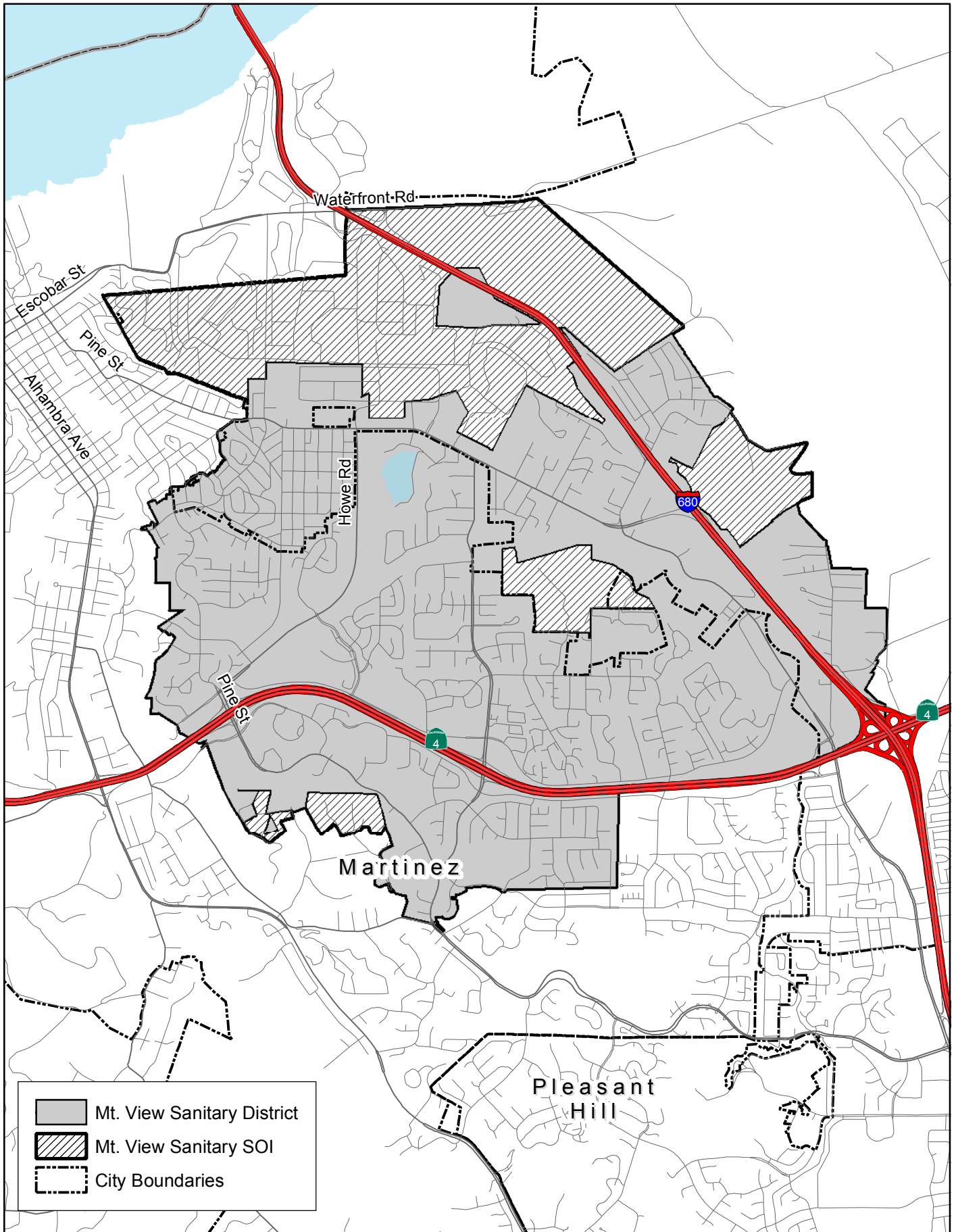
*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: February 13, 2008

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Lou Ann Texeira, Executive Officer

# Mt. View Sanitary District and Sphere of Influence



Map created 11/28/2007  
by Contra Costa County Community Development, GIS Group  
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
37:59:48.455N 122:06:35.384W

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