CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
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March 12, 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 SOIs 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/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.

On February 13, the Final Draft MSR report was presented to the Commission. This report is available on the LAFCO website at www.contracostalafco.org.

The Central County Water/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 the Public Hearing in February, the Commission reviewed the MSR report and SOI updates, and directed the consultants to prepare additional analysis and SOI recommendations specific to CCWD and CCCSD.

The attached table provides a summary of the SOI recommendations; analysis on each agency is presented in the MSR report and Addendum (attached) 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 regarding 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 also has 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 contained 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 and Addendum.

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 and Addendum identify two SOI options for CCWD. Based on the MSR report and Addendum, ***the following SOI action is recommended***:

- **Remove Veale Tract from CCWD's SOI -** The Veale Tract is designated as Delta Recreation. This area will not need water service from CCWD. This action is consistent with the Commission's prior action. In December 2007, the Commission removed Veale Tract from both the Diablo Water District and Ironhouse Sanitary District spheres as no service is anticipated.

As directed, additional review and analysis of CCWD's SOI was conducted. This information is detailed in the Addendum.

Briefly, the consultants further researched the SOI option of removing Browns and Winter Islands from CCWD's SOI. Given that Browns Island is located within the voter approved ULL and within the City of Pittsburg's city limits, it is recommended that Browns Island remain in CCWD's SOI.

The consultants researched service to Winter Island, which is located outside the voter approved ULL. It was discovered that there is a large parcel located on Winter Island that is currently receiving water service through the City of Pittsburg. Given the relationship between CCWD and the City of Pittsburg with respect to water supply, it is recommended that Winter Island remain in CCWD's SOI.

The consultants also researched the option of expanding CCWD's SOI to be consistent with the voter approved ULLs. The consultants concluded that such an expansion would not be based on analysis of the following: 1) potential future water demands within those areas; 2) the availability of long-term, reliable water supplies from CCWD to serve the areas; and 3) impacts to existing customers; therefore, this option is not recommended.

Another factor, unique to CCWD's water supply, is the contract with the USBR. CCWD's primary source of water supply is the USBR Central Valley Project, and water deliveries are limited per the terms and conditions of CCWD's contract with USBR. Furthermore, the terms of CCWD's contract involve additional requirements and review by various state and federal agencies.

Given these factors, expansion of CCWD's SOI is not recommended. Further, CCWD staff has expressed a preference for retaining the existing SOI.

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.

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. In sum, this option is not recommended as such an expansion would not be based on analysis of the following: 1) potential future wastewater demands within those areas; and 2) impacts to existing customers.

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, will not need service and, therefore, should be removed from the District's SOI.

Based on further research, the one modification to this recommendation is to retain within the CCCSD's SOI two parcels which were previously recommended for removal. It was discovered during subsequent research that the Mt. Diablo State Park parcels located south of Clayton have an existing structure. According to District staff, CCCSD provides sewer service to at least one Mt. Diablo park facility at the southern base of the mountain. Regarding the area south of Clayton, there is a trailhead with restrooms, an office, and several residences on Mitchell Canyon Road, just inside the park. These facilities are currently on a septic system; however, there may be a need for municipal service to the site in the future. Therefore, it is recommended that these two parcels remain within CCCSD'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 is 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 connected to a wastewater collection 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.***

FINANCING

The MSR includes various SOI options. Depending upon the option(s) selected, a budget adjustment may be needed. Should the Commission choose Option II. II or IV, costs associated with preparing an Initial Study will result. The Commission will either have to appropriate funds from the contingency reserve, or seek funding from an interested agency or party.

RECOMMENDATIONS

Option I – Based on the staff recommendations described above:

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.

Option II – Based on the staff recommendations relating to CCCSD, SD No. 6 and Mt. View, and on the option to possibly expand CCWD's SOI to include areas within the voter approved ULLs:

1. As Lead Agency, determine that the SOI updates for CCCSD, SD No. 6 and MVSD are exempt pursuant to §15061(b)(3) of the CEQA Guidelines, and

2. Adopt the attached resolutions updating the SOIs for each of these districts as required by the CKH Act.

3. With regard to Contra Costa Water District (CCWD), direct LAFCO staff to either:

    a. Prepare an Initial Study pursuant to CEQA relating to possible expansion of CCWD's SOI to include areas within the voter approved ULLs, **OR**
    b. Prepare and circulate a Request for Proposals pursuant to CEQA relating to possible expansion of CCWD's SOI to include areas within the voter approved ULLs.

Option III - Based on the staff recommendations relating to CCWD, SD No. 6 and Mt. View, and on the option to possibly expand CCCSD's SOI to include areas within the voter approved ULLs:

1. As Lead Agency, determine that the SOI updates for CCWD, SD No. 6 and MVSD are exempt pursuant to §15061(b)(3) of the CEQA Guidelines, and

2. Adopt the attached resolutions updating the SOIs for each of these districts as required by the CKH Act.

3. With regard to CCCSD, direct LAFCO staff to either:

    a. Prepare an Initial Study pursuant to CEQA relating to possible expansion of CCCSD's SOI to include areas within the voter approved ULLs, **OR**
    b. Prepare and circulate a Request for Proposals pursuant to CEQA relating to possible expansion of CCCSD's SOI to include areas within the voter approved ULLs.

Option IV - Based on the staff recommendations relating to SD No. 6 and Mt. View, and on the options to possibly expand CCWD and CCCSD SOIs to include areas within the voter approved ULLs:

1. As Lead Agency, determine that the SOI updates for SD No. 6 and MVSD are exempt pursuant to §15061(b)(3) of the CEQA Guidelines, and

2. Adopt the attached resolutions updating the SOIs for each of these districts as required by the CKH Act.

3. With regard to CCWD and CCCSD, direct LAFCO staff to either:

   c. Prepare an Initial Study pursuant to CEQA relating to possible expansions of CCWD and CCCSD SOIs to include areas within the voter approved ULLs, **OR**
   d. Prepare and circulate a Request for Proposals pursuant to CEQA relating to possible expansions of CCWD and CCCSD SOIs to include areas within the voter approved ULLs.

Option V - If the Commission needs more information, it should CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Approve Option 1.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments

1. Addendum (see Attachment 1, Agenda Item #7)
2. SOI Options Table
3. Draft Resolutions with SOI Updates

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

Agency	SOI Options	Recommendations
Contra Costa Water District (CCWD)	• Retain existing SOI • Remove Veale Tract • Expand the SOI to be consistent with local agency adopted Urban Limit Lines (ULLs) within central Contra Costa County	• Remove Veale Tract
Central Contra Costa Sanitary District (CCCSD)	• Retain existing SOI • Adjust the SOI to be consistent with local agency adopted Urban Limit Lines (ULLs) within central Contra Costa County • 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	• Remove from CCCSD's SOI undeveloped areas outside the local agency adopted ULL's <u>Policy Options</u>: 1. Consider annexing areas currently receiving service into the District's boundaries; and in particular, islands and those areas with health and safety concerns. 2. Consider potential future annexation of SD No. 6.
County Sanitation District No. 6 (SD No. 6	• Retain existing SOI • Adopt a zero SOI	• Adopt a zero SOI <u>Policy Option</u>: Consider potential future annexation to or consolidation with CCCSD
Mt. View Sanitary District (MVSD)	• Retain the existing SOI	• Retain the existing SOI

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 March 12, 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, which is outside the County Urban Limit Line approved by the voters in 2006; 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; and

WHEREAS, this area will not need water service from CCWD, and it is therefore recommended it 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 public hearings held on February 13, 2008 and March 12, 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. CCWD's contractual allotment of Central Valley Project water, the District's primary source of water supply, does not change due to changes in the District's boundaries or SOI; water deliveries are based on hydrologic conditions. CCWD bears the responsibility for ensuring adequate, reliable water supplies for the areas it has agreed to serve. Furthermore, the terms of CCWD's contract involve additional requirements and review by various state and federal agencies. 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.

* *

PASSED AND ADOPTED THIS 12TH day of March 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

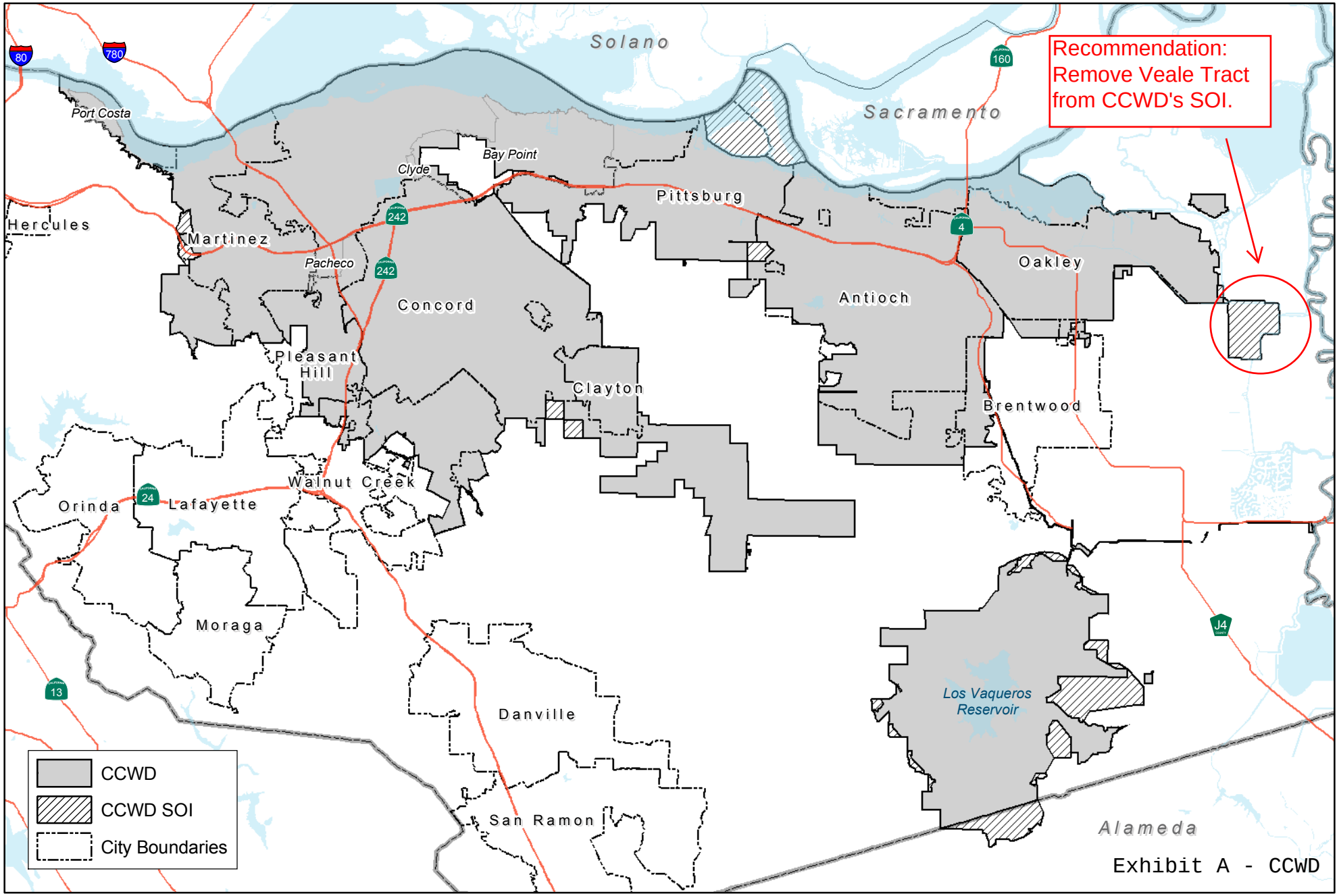
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: March 12, 2008

_____

Lou Ann Texeira, Executive Officer

Contra Costa Water 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

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

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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 March 12, 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 public hearings held on February 13, 2008 and March 12, 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 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.

* *

PASSED AND ADOPTED THIS 12TH day of March 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

_____

ROB SCHRODER, CHAIR, CONTRA COSTA LAFCO

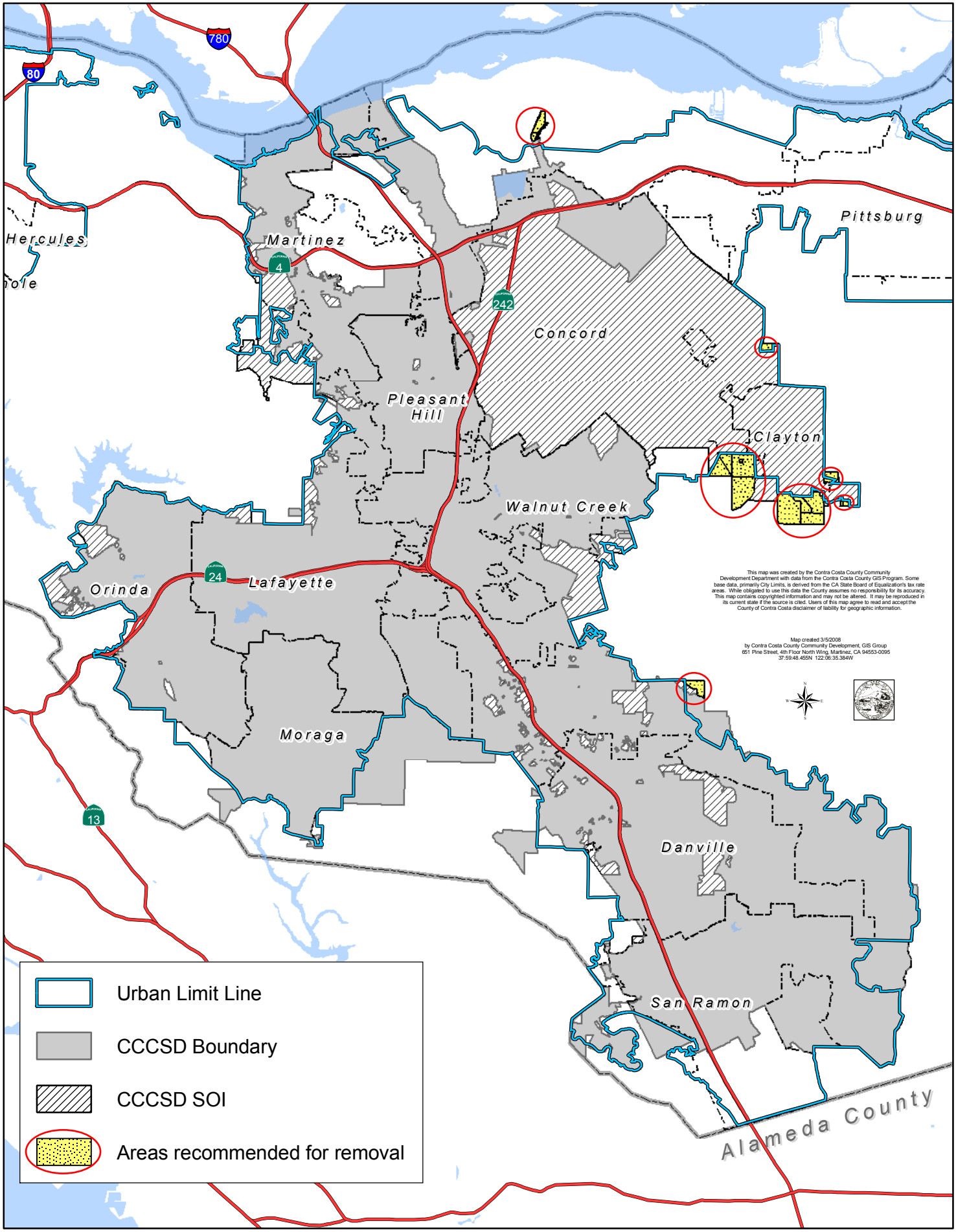
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: March 12, 2008

_____

Lou Ann Texeira, Executive Officer

Central Contra Costa Sanitary District and 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 March 12, 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 public hearings held on February 13, 2008 and March 12, 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 12TH day of March 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: March 13, 2008

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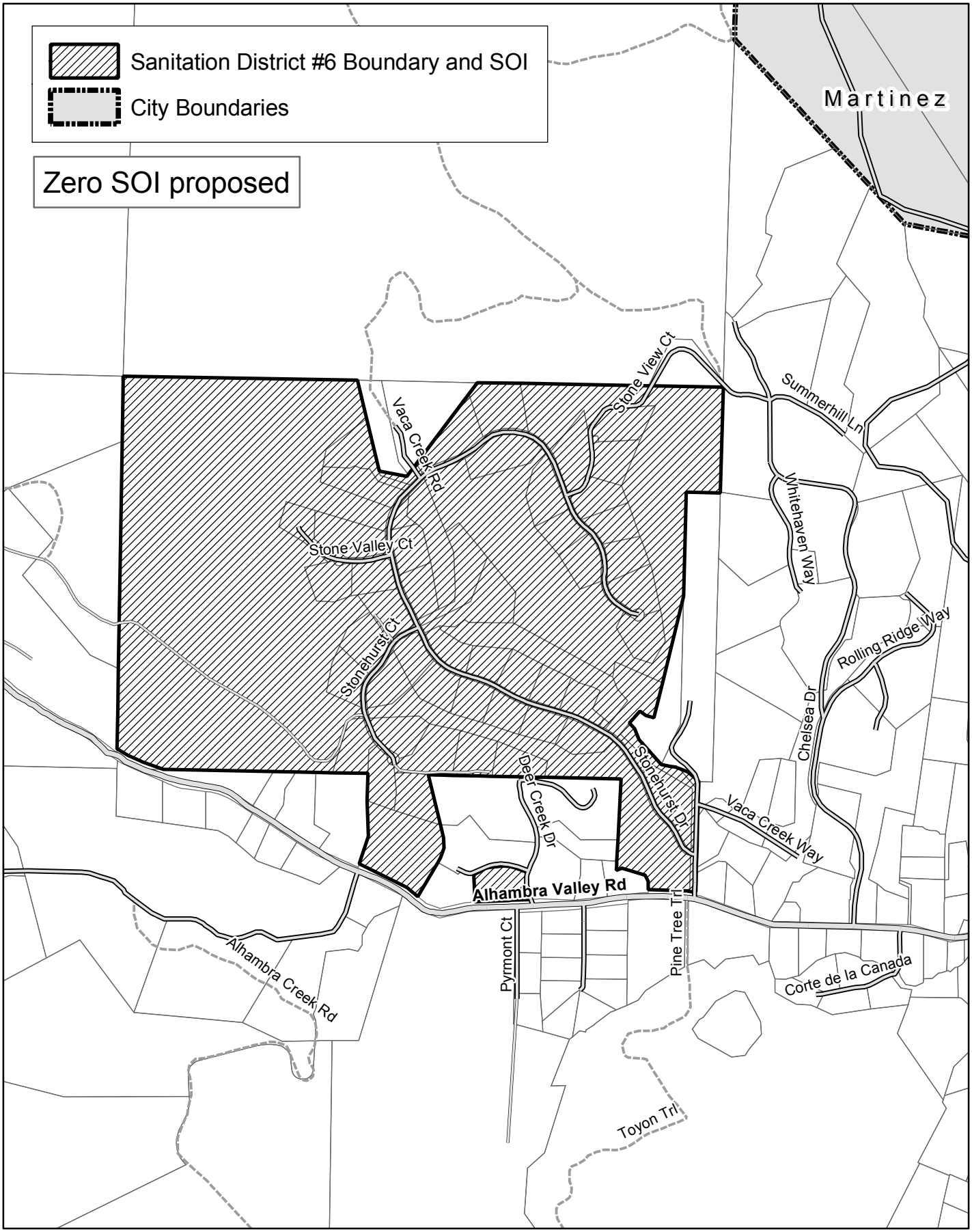
Lou Ann Texeira, Executive Officer

County Sanitation District 6 (Alhambra Valley)



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

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

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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 March 12, 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 public hearings held on February 13, 2008 and March 12, 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 12TH day of March 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: March 13, 2008

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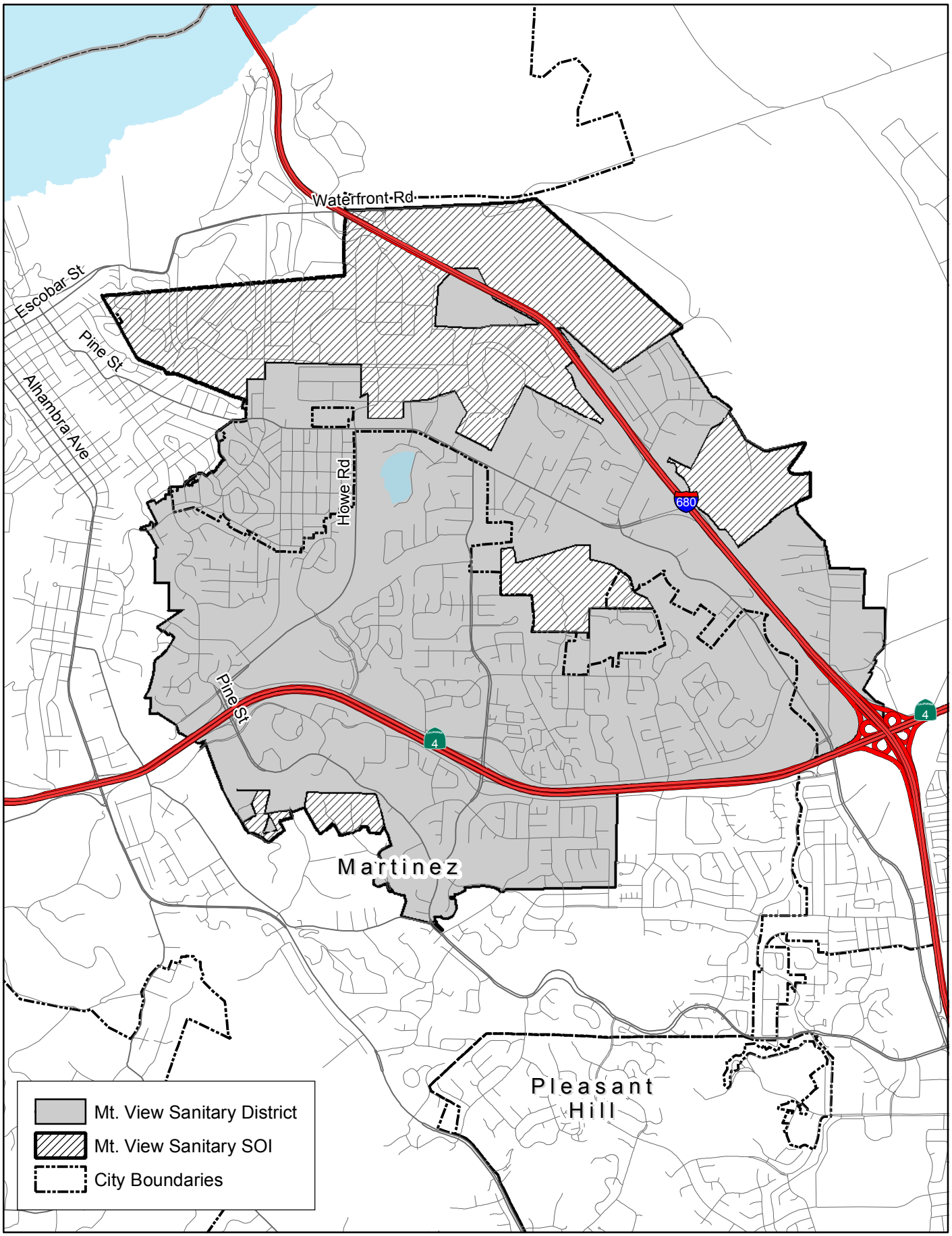
Lou Ann Texeira, Executive Officer

Mt. View Sanitary District and Sphere of Influence



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