

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

June 12, 2019  
Agenda Item 8

June 12, 2019 (Agenda)

LAFCO 19-01                      McCauley Property –Sphere of Influence (SOI) Amendment – East Contra Costa Irrigation District (ECCID)

APPLICANTS                      ECCID – Resolution 2019-04 – February 12, 2019 and Sean McCauley, Landowner

ACREAGE & LOCATION                      The applicant proposes to expand ECCID's SOI by 40± acres. The subject area comprises two parcels (APNs 057-060-014 and -015) and is located at 7901 and 7921 Deer Valley Road in the City of Antioch. The subject area is within the City of Antioch's Urban Growth Boundary and within the Contra Costa County Urban Limit Line (ULL) – see attached map (Exhibit A). The applicant has also submitted a corresponding proposal to annex the same property to ECCID.

PURPOSE                      The purpose of the proposal is to allow for the extension of irrigation water to support the agriculture operations of future olive orchards and potentially two single family residential dwelling units and an agricultural structure.

BACKGROUND                      In 2006, the subject properties were annexed to the City of Antioch and Delta Diablo as part of the 2006 Roddy Ranch boundary reorganization. The "Roddy Ranch Focus Area" designation was instituted by Measure K, which was a voter initiative that approved the Roddy Ranch development in 2005. Since then, much of the project was abandoned and the East Bay Regional Parks District acquired most of the property within the project site – excluding these two parcels, which are privately owned. City of Antioch staff indicates that the language in the initiative prevents the City from amending the General Plan designation until 2020, at which time the City will likely designate the area *Open Space* and *Agricultural Estate*. The current landowner intends to farm these two parcels and construct up to two residential units. The City of Antioch is unable to extend water to the subject parcels due to lack of nearby water infrastructure. City staff is supportive of LAFCO approving extension of non-treated water to these parcels for the stated uses.

DISCUSSION                      The Cortese-Knox-Hertzberg Act (CKH Act) empowers LAFCO with the responsibility for developing and determining the SOI of each local agency within the County, and for enacting policies designed to promote the logical and orderly development of areas within the spheres.

An SOI is defined as *a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO*. The intent of an SOI is to identify the most appropriate area for an agency's extension of services in the foreseeable future (e.g., 10-20-year horizon). Accordingly, territory included in an agency's SOI is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

Pursuant to Government Code section 56425, when amending an SOI for a local agency, LAFCO is required to consider and prepare a written statement of determinations with respect to the following:

1. ***The present and planned uses in the area, including agricultural and open space lands*** – The subject property is currently vacant and is surrounded by agricultural land. The City of Antioch General Plan designation for the properties is "Roddy Ranch Focus Area" and the zoning designation is "S – Study Area." The proposed SOI amendment and pending annexation are consistent with the land use designations and will have no impact on agricultural and open space lands.

2. ***The present and probable need for public facilities and services in the area*** – The landowner proposes to plant an olive orchard and construct up to two single family dwellings and one agricultural building on the property. The proposed uses will require irrigation water through ECCID. The landowner indicates that there will be a well (ground water) on the property to serve the dwelling units and agricultural structure.

Although the subject area is not contiguous to the ECCID boundary, the area can be added to the District's SOI and service boundary pursuant to the District's principal act (Water Code section 56875). Further, ECCID serves an area just west of the subject properties.

3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – While the subject parcels are in the City of Antioch, and the City provides treated water, the City of Antioch indicates there is no water infrastructure located near the subject parcels. Consequently, water will be provided by ECCID and the City of Brentwood, as needed; and the City of Brentwood will convey the water as explained below.

ECCID will use ground water to serve the subject property. ECCID currently serves properties to the west. The ECCID General Manager indicates that the District has long term water capacity to serve the subject area.

The underground facility that conveys ECCID non-potable water to the subject area (former Roddy Ranch Golf Course) was constructed by the City of Brentwood in 1999 following annexation of the Roddy Ranch Golf Course into the District; and the City of Brentwood owns the conveyance infrastructure. The City of Brentwood staff has confirmed that pursuant to an agreement between the cities of Antioch and Brentwood and the property owner, that Brentwood will convey the ECCID water and can supply irrigation (recycled) water as needed to be used only for crops (olive trees). In sum, both ECCID and the City of Brentwood indicate they have the capacity to provide water to the subject area.

4. ***The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*** – The 40-acre subject area is in the City of Antioch and is currently vacant. There are no social or economic communities of interest in the subject area.
5. ***Nature, location, extent, functions & classes of services to be provided*** – ECCID encompasses 40± square miles covering the City of Brentwood, portions of cities of Oakley and Antioch, and the Knightsen community. ECCID supplies irrigation water for agricultural and golf course uses, raw water for treatment and delivery to urban uses, and agricultural land drainage (Brentwood, Knightsen, Oakley, Antioch).

**Environmental Impact of the Proposal** – ECCID, as Lead Agency for the extension of water service to the subject property found the project to be exempt pursuant to CEQA Guidelines section 15061(b)(3).

#### ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider taking one of the following actions:

- Option 1**      Adopt the resolution (Attachment 1) approving the proposed expansion to ECCID's SOI adding 40± acres to the District's SOI as depicted on the attached map (Exhibit A).

- A. Determine that the ECCID, as Lead Agency, found the project exempt pursuant to CEQA Guidelines section 15061(b)(3).
- B. Adopt this report and amend ECCID's SOI as described and shown on the attached map.

**Option 2** Adopt this report and DENY the proposal.

**Option 3** If the Commission needs more information, CONTINUE this matter to a future meeting.

**RECOMMENDATION** **Option 1 – approve the SOI amendment as proposed.**

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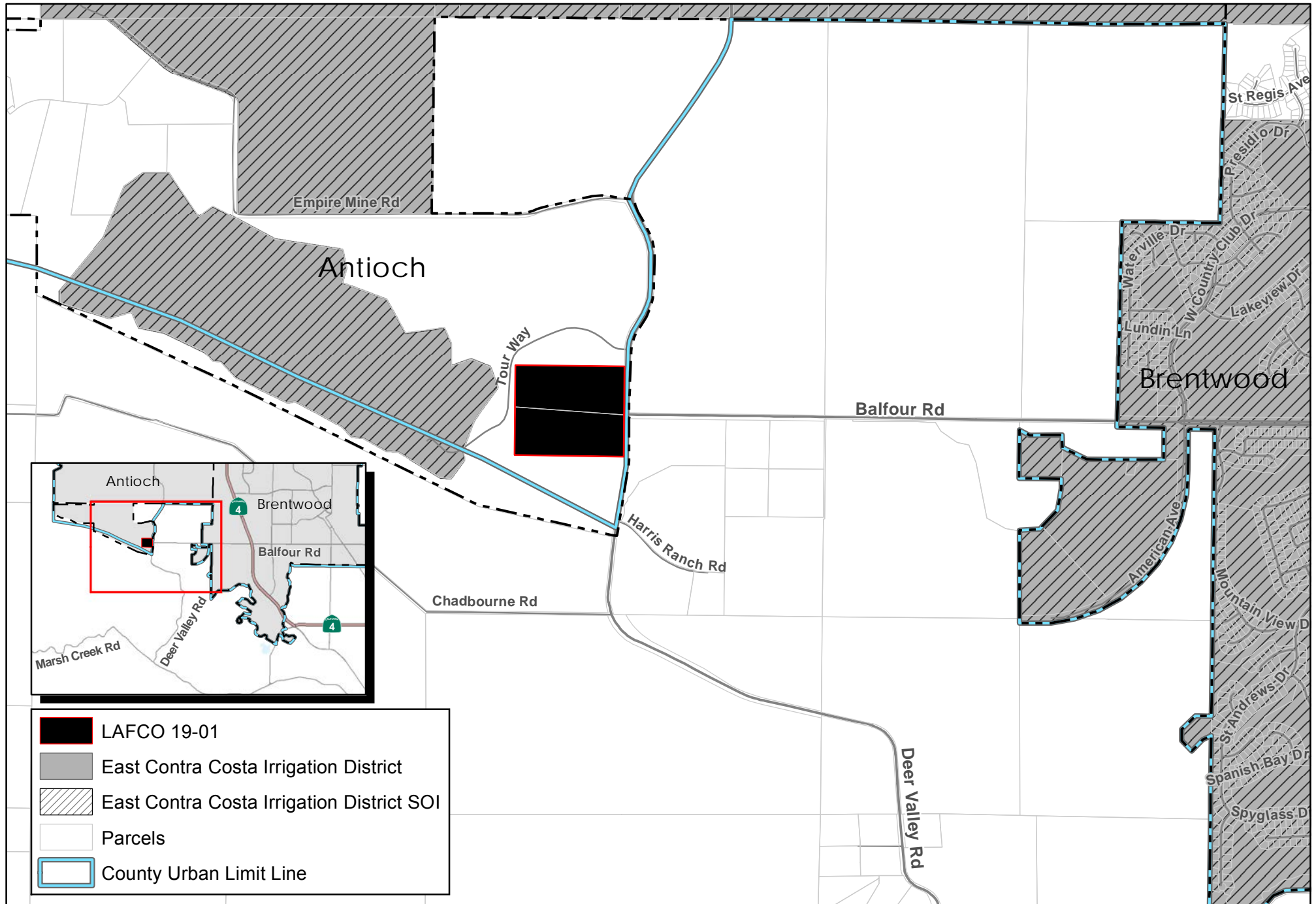
LOU ANN TEXEIRA, EXECUTIVE OFFICER  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Exhibit A - Map – Proposed ECCID SOI Amendment

Attachment 1 - Draft LAFCO Resolution – ECCID SOI Amendment

c: Aaron Trott, General Manager, ECCID  
Jagtar (Jack) Dhaliwal, Assistant Director of Public Works/Engineering, City of Brentwood  
Forrest Ebbs, Community Development Director, City of Antioch  
Sean McCauley, Landowner

# LAFCO 19-01 – East Contra Costa Irrigation District SOI Amendments (McCauley)



SPHERE OF INFLUENCE RESOLUTION NO. 19-01

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
 MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE  
 OF EAST CONTRA COSTA IRRIGATION (McCAULEY)

WHEREAS, a proposal to expand the sphere of influence (SOI) of East Contra Costa Irrigation District (ECCID) was filed with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, SOIs and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference;

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed expansion of ECCID's SOI to include 40± acres, including Assessor Parcel Numbers 057-060-014 and -015, located at 7901 and 7921 Deer Valley Road in the City of Antioch.
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA); and in accordance with CEQA, finds the project is exempt pursuant to CEQA Guidelines, Section 15061(b)(3), consistent with the determination of ECCID acting as Lead Agency.
3. The SOI of ECCID is hereby expanded to include the area as shown on the attached map (Exhibit A).
4. ECCID services are limited to serving the subject property.
5. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

***The present and planned uses in the area, including agricultural and open space lands*** – The subject property is currently vacant and is surrounded by agricultural land. The proposed land use includes an olive orchard and construction of two single family dwelling units and an agricultural structure. The City of Antioch General Plan designation for the properties is "Roddy Ranch Focus Area" and the zoning designation is "S – Study Area." The proposed SOI amendment and pending annexation are consistent with the land use designations and will have no impact on agricultural and open space lands.

***The present and probable need for public facilities and services in the area*** – The landowner proposes to plant an olive orchard and construct up to two single family dwellings and one agricultural building on the property. The proposed uses will require irrigation water through ECCID.

***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – While the subject parcels are in the City of Antioch, and the City provides treated water, the City of Antioch indicates there is no water infrastructure located near the subject parcels. The City of Brentwood owns infrastructure in the area and will convey the ECCID water and may supply irrigation (recycled) water as needed to be used only for crops (i.e., olive trees). The ECCID serves property to the west and indicates it can serve the subject parcels.

***The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*** – The 40-acre subject area is in the City of Antioch and is currently vacant. There are no social or economic communities of interest in the subject area.

***Nature, location, extent, functions & classes of services to be provided*** – ECCID encompasses 40± square miles covering the City of Brentwood, portions of cities of Oakley and Antioch, and the Knightsen community. ECCID supplies irrigation water for agricultural and golf course uses, raw water for treatment and delivery to urban uses, and agricultural land drainage (Brentwood, Knightsen, Oakley, Antioch).

\* \* \* \* \*

PASSED AND ADOPTED THIS 12<sup>th</sup> day of June 2019, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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TOM BUTT, 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: June 12, 2019

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Lou Ann Texeira, Executive Officer