

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

March 9, 2022 (Agenda)

March 9, 2022  
Agenda Item 7

LAFCO 21-06 Town of Discovery Bay Community Services District (DBCSD) Sphere of Influence (SOI) Amendment – Pantages Project

APPLICANT DBCSD - Resolution 2021-13, August 18, 2021 - Applications to LAFCO for a SOI Expansion and Annexation of the Pantages Project and District Owned Parcels

ACREAGE & LOCATION The applicant proposes to expand the DBCSD SOI by 133.36± acres (several parcels). The Pantages subdivision area (132.44± acres) is located at the eastern terminus of Point of Timber Road (east of Bixler Road), and the Newport Well site (0.926± acres) is located at the intersection of Newport Drive and Bolinas Place – both sites are located in the unincorporated community of Discovery Bay.

PURPOSE The purpose of the proposal is to allow DBCSD to extend municipal water, wastewater and other municipal services to the Pantages subdivision. The project consists of 277 single family homes and associated parks and open space. Contra Costa County approved the development project and entitlements in 2021.

DISCUSSION The Cortese-Knox-Hertzberg Act (CKH Act) empowers LAFCO with 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 SOIs.

An SOI is defined as *a plan for the probable physical boundary 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 there is a probable need for municipal services, and that the subject agency is the most logical service provider as determined by LAFCO.

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 project site is currently vacant. The County General Plan designations in the subject areas include Single Family Residential – High (SH), Parks and Recreation (PR), Water (WA) and Open Space (OS); and the Newport water well site is designated Public/Semi-Public (PS). The Zoning designations include Planned Unit District (P-1) and Urban Farm Animal Exclusion Overlay (UE); and the well site is zoned Agricultural (A-3). The subject area is located within the voter approved Urban Limit Line. The planned land uses in the subject area include development of 277 single family homes and associated parks and open space.
2. ***The present and probable need for public facilities and services in the area*** – The proposed residential development will require public services and facilities including municipal water, wastewater, and other municipal services to enable development of the property. Municipal services through DBCSD are needed to support development of the subject area.
3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – DBCSD provides water supply; wastewater collection, treatment and disposal; levee maintenance; parks and recreation; lighting, landscaping, and maintenance. The District encompasses approximately nine square miles (5,760 acres) and serves an estimated 15,000 residents.

DBCSD water infrastructure includes two water treatment plants (WTPs) that feed into one distribution system, four water storage tanks, booster pumps, and 50 miles of mainland pipe. Storage capacity at the

Willow Lake WTP is 1.5 MG and storage capacity at the Newport WTP is 1.0 MG. The primary source of water is through six groundwater supply wells, with mobile generators for backup power as needed. Discovery Bay groundwater is in the newly designated East Contra Costa Sub-basin (formerly called the Tracy Sub-basin). Water from these wells is sent through a treatment, filtration, and storage process.

In June 2020, DBCSD issued its 2020 Urban Water Management Plan, and in July 2021, the District issued its annual water quality report. Based on the proposed development of 277 single-family homes and associated parks and open space, the estimated demand for service is 400,781 gallons per day (GPD).

Water infrastructure needed to serve the development includes connecting the 8-inch diameter waterlines within the subdivision to the existing DBCSD water system which has been stubbed out to the project area in anticipation of the Pantages subdivision water needs. DBCSD is currently in the beginning stages of designing a new water well which they expect to have in service by Fall 2023. The new well will enhance water system dependability and will be in service in time to meet the full build out demand of the Pantages project.

Regarding **wastewater**, the District's wastewater collection system consists of 50 miles of sewer mains, 15 lift stations, and two wastewater treatment plants; both plants are operational with one plant as a back-up. Maximum flow of both plants combined is 2.35 million gallons per day (mgd). Current demand is 1.4 mgd. The primary disposal method is secondary treatment, UV disinfection and discharge into Old River.

The sewer connections are gravity flow to a single pump station. The proposed development will include a new sewer lift station that will collect all wastewater from the subdivision and pump it to the existing sewer system and eventually to the District's wastewater treatment plant.

Based on the proposed development of 277 single-family homes the estimated demand for sewer service is approximately 63,710 GPD. DBCSD has infrastructure in the area and serves surrounding properties. DBCSD also provides wastewater services and operates two wastewater treatment plants. Both plants recently underwent major capital improvements. DBCSD indicates that the two existing wastewater treatment facilities can adequately serve the proposed development.

In addition to water and wastewater services, DBCSD will provide landscape maintenance as well as park and recreation services including various classes, activities, and special events to the subject area.

DBCSD staff indicates they have the capacity to provide water, wastewater, landscape maintenance, parks and recreation and other services to the project. Costs associated with wastewater and water infrastructure, including capital improvements, operation, and ongoing maintenance will be funded by the developer, homeowner's association, and DBCSD.

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 subject area is located in unincorporated Discovery Bay in eastern Contra Costa County. Access to the project area is from Point of Timber Road. The project site is bordered on the north by East Contra Costa Irrigation District channel; to the east and south by Kellogg Creek; and to the west by residential subdivisions. The development plan includes 277 single-family homes and associated parks and open space. The subject area will benefit from services provided by DBCSD.
5. ***Nature, location, extent, functions & classes of services to be provided*** – DBCSD provides water, wastewater, parks and recreation, lighting, landscaping, and maintenance services to the Discovery Bay community of approximately 15,000 residents.

**Environmental Impact of the Proposal** – In conjunction with the Pantages development project, Contra Costa County, as Lead Agency, prepared and certified an Environmental Impact Report (EIR) and addendums in conjunction with the Pantages Bays Residential Development Project. In addition, DBCSD prepared a Notice of Exemption in conjunction with annexation of areas containing the existing Newport Water Treatment Plant and Wastewater Plant No. 2.

**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 DBCSD SOI expansion by 133.36± acres.
- A. Consider the information contained in Contra Costa County’s CEQA documents including an EIR (2013) and Addendums (2015 and 2021) prepared and adopted Contra Costa County, and in the Notice of Exemption pursuant to Class 19 [section 15319(a)] and section 15601(b)(3) (parcels B and C) prepared and adopted by DBCSD (2020).
  - B. Adopt this report and expand the SOI DBCSD as described herein 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 expansion as proposed.**

---

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

**Exhibit**

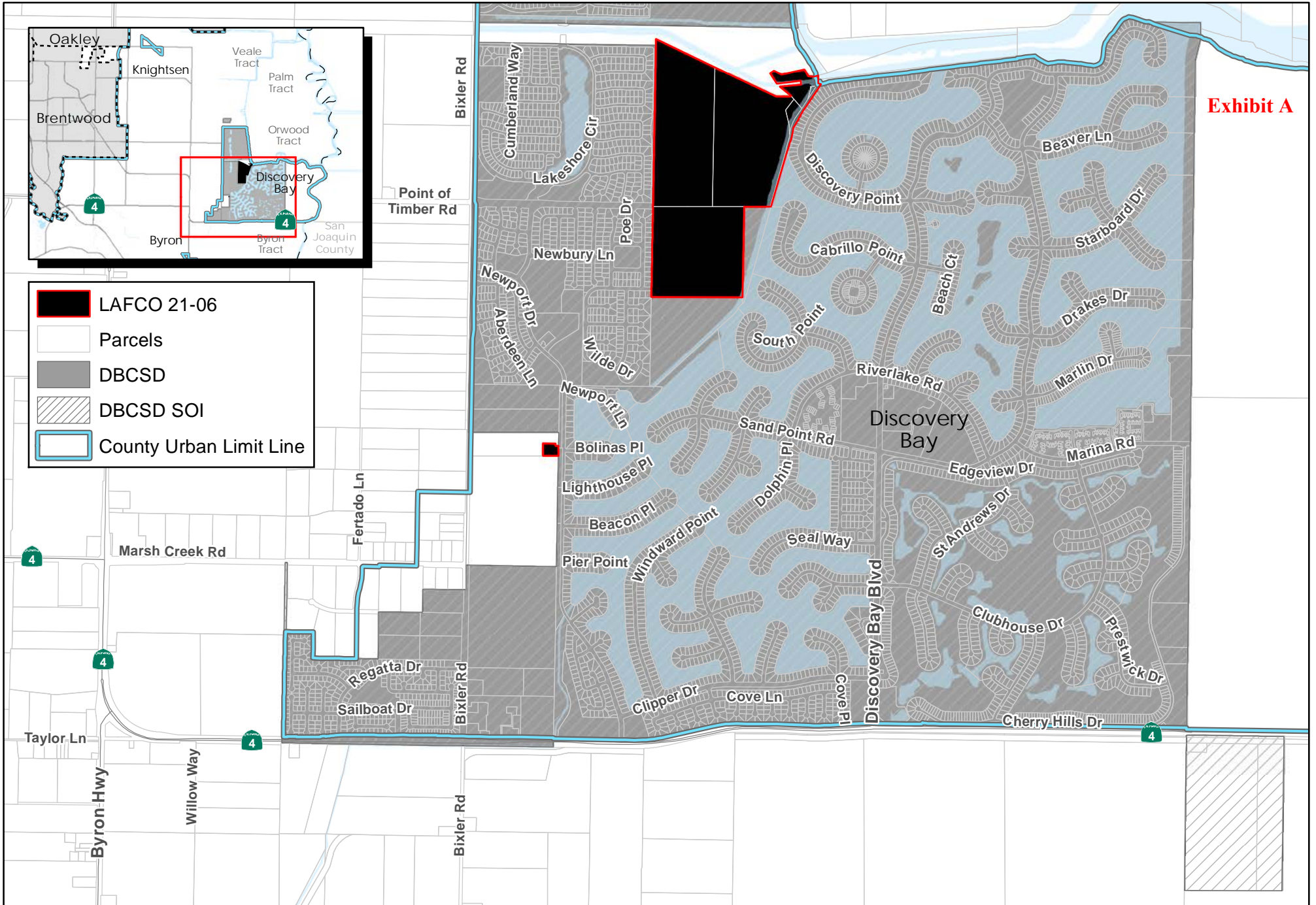
Exhibit A - Map – Proposed DBCSD SOI Expansion

**Attachment**

Attachment 1 - Draft LAFCO Resolution – DBCSD SOI Expansion

- c: Dina Breitstein, DBCSD General Manager  
Mike Yeraka, DBCSD Consultant  
Trevor Smith, Pantages

# LAFCO 21-06 Discovery Bay Community Services District (DBCSD) Sphere of Influence Amendment(Pantages)



**Exhibit A**



**SPHERE OF INFLUENCE RESOLUTION NO. 21-06**

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE  
OF TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT (PANTAGES PROJECT)**

WHEREAS, a proposal to expand the sphere of influence (SOI) of the Town of Discovery Bay Community Services District (DBCSD) and corresponding annexation proposal were 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, the LAFCO Executive Officer gave notice of the Commission's consideration of the proposed SOI expansion at the time and in the manner required by law; 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 DBCSD's SOI by 133.36± acres (several parcels), including the development project area located at the eastern terminus of Point of Timber Road (east of Bixler Road), and the Newport well site located at the intersection of Newport Drive and Bolinas Place.
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered information contained in Contra Costa County's CEQA documents including an Environmental Impact Report (2013) and Addendums (2015 and 2021), and in the Notice of Exemption pursuant to Class 19 [section 15319(a)] and section 15601(b)(3) (parcels B and C) as prepared and adopted by DBCSD (2020).
3. The SOI of DBCSD is hereby expanded to include the area as shown on the attached map (Exhibit A).
4. In conjunction with the SOI expansion, 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 project site is currently vacant. The County General Plan designations in the subject areas include Single Family Residential – High (SH), Parks and Recreation (PR), Water (WA) and Open Space (OS); and the Newport water well site is designated Public/Semi-Public (PS). The Zoning designations include Planned Unit District (P-1) and Urban Farm Animal Exclusion Overlay (UE); and the well site is zoned Agricultural (A-3). The subject area is located within the voter approved Urban Limit Line. The planned land uses in the subject area include development of 277 single family homes and associated parks and open space.

***The present and probable need for public facilities and services in the area*** – The proposed residential development will require public services and facilities including municipal water, wastewater, and other municipal services to enable development of the property. Municipal services through DBCSD are needed to support the development project.

***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** – DBCSD provides water supply; wastewater collection, treatment and disposal; levee maintenance; parks and recreation; lighting, landscaping, and maintenance.

Based on the proposed development of 277 single-family residential units and the estimated demand for municipal services, including wastewater, water, landscape maintenance, parks and recreation and associated services, DBCSD indicates it has the capacity to provide these services to the project area.

***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 subject area is located in unincorporated Discovery Bay in eastern Contra Costa County. Access to the project area is from Point of Timber Road. The project site is bordered on the north by East Contra Costa Irrigation District channel; to the east and south by Kellogg Creek; and to the west by residential subdivisions. The development plan includes 277 single-family homes and associated parks and open space. The subject area will benefit from services provided by DBCSD.

***Nature, location, extent, functions & classes of services to be provided*** – DBCSD encompasses approximately nine square miles in eastern unincorporated Contra Costa County. DBCSD provides water; wastewater collection, treatment, and disposal; levee maintenance; parks and recreation, lighting, landscaping, and maintenance services to the Discovery Bay community of approximately 15,000 residents.

\* \* \* \* \*

PASSED AND ADOPTED THIS 9<sup>th</sup> day of March 2022, 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 9, 2022

---

Lou Ann Teixeira, Executive Officer