



AGENDA ITEM 7A

MEETING: November 15, 2023

TO: Humboldt LAFCo Commissioners

FROM: Krystle Heaney, Clerk/Analyst

SUBJECT: **South County Water and Wastewater Municipal Service Review and Sphere of Influence Update**

The Commission will consider adopting Resolution No. 23-06 approving the South County Regional Water and Wastewater Municipal Services Review and Sphere of Influence Update which includes eight different agencies in the south county region as noted above. The Commission will also be considering changes to the Sphere of Influence for several of the agencies including Alderpoint CWD, Briceland CSD, Miranda CSD, Redway CSD, and Weott CSD. The action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061 (b)3.

BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act directs Local Agency Formation Commissions (LAFCOs) to regularly prepare municipal service reviews (MSRs) in conjunction with establishing and updating each local agency's sphere of influence (SOI). The legislative intent of MSRs is to proactively assess the availability, capacity, and efficiency of local governmental services. MSRs may also lead LAFCOs to take other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies in addition to any related sphere changes. As part of the Commission's work plan, staff has been preparing a regional MSR for water and wastewater services for the south county region which can be generally described as all districts south of Rio Dell/Scotia.

DISCUSSION

Southern Humboldt County includes multiple small to medium sized water and wastewater districts. A total of eight agencies are included in the South County Regional Water and Wastewater MSR/SOI Update (Alderpoint CWD, Briceland CSD, Garberville SD, Miranda CSD, Phillippsville CSD, Redway CSD, Resort Improvement District No. 1 (Shelter Cove), and Weott CSD) which allows staff and Commissioners to take a comprehensive look at services in the region.

LAFCo staff previously presented seven of the eight agency profiles at the March 15th, May 17th, and July 19th Regular Commission meetings. Staff have incorporated comments received during these meetings into the draft document that is being presented today. Staff have also completed the introduction section, Miranda CSD agency profile, and determinations for all agencies under review.

Proposed SOI Changes

Several of the agencies under review have proposed SOI changes as summarized below in order to more accurately reflect where services are provided and to align with recent district formations and approved boundary changes.

- Alderpoint County Water District (ACWD): The proposed SOI includes several parcels adjacent to the southeast boundary of the District that are already provided water services by ACWD. The proposed SOI also includes District properties and two parcels that create a more logical boundary without the creation of island areas.
- Briceland Community Services District (BCSD): The proposed SOI includes a single parcel adjacent to the southwest corner of the District that already receives water service from BCSD.
- Miranda Community Services District (MCSD): The proposed all services boundary includes expansion to several parcels that are already served by MCSD. The proposed fire services only SOI includes a reduction in order to accommodate the newly formed Salmon Creek Fire Protection District.
- Redway Community Services District (RCSD): The proposed SOI includes an expansion to encompass all of APN 222-161-002 which is currently provided wastewater services by RCSD and a reduction in the southern portion of the SOI where it overlaps with the Garberville Sanitary District SOI.
- Weott Community Services District (WCSD): Since the District no longer provides fire services it is recommended that the fire services only SOI be eliminated.

RECOMMENDATION

This item has been agendized for consideration as part of a noticed public hearing.

Procedures for Consideration:

The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing and invite testimony (mandatory); and
- 3) Discuss the item and – if appropriate – close the hearing and consider action on recommendation:

"I move to adopt Resolution No. 23-06, thereby approving the South County Regional Water and Wastewater Municipal Service Review and Sphere of Influence Update, including the proposed SOI changes, as described in the staff report."

Alternative Actions:

The Commission may choose to continue the public hearing to the January 17th, 2024 regular meeting in order to make further revisions as deemed necessary.

Attachments

Attachment A: Draft South County Regional Water and Wastewater Municipal Service Review and Sphere of Influence Update

Attachment B: Draft Resolution No. 23-06



RESOLUTION NO. 23-06

**APPROVING THE SOUTH COUNTY REGIONAL WATER AND WASTEWATER
MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE**

WHEREAS, the Humboldt Local Agency Formation Commission, hereinafter referred to as the "Commission", is authorized to conduct municipal service reviews and establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Humboldt County; and

WHEREAS, the Commission conducted a municipal service review pursuant to California Government Code Section 56430 to evaluate the availability and performance of governmental services provided by eight different agencies in Southern Humboldt County including:

- Alderpoint County Water District
- Briceland Community Services District
- Garberville Sanitary District
- Miranda Community Services District
- Phillipsville Community Services District
- Redway Community Services District
- Resort Improvement District No. 1 (Shelter Cove)
- Weott Community Services District

hereinafter referred to as the "Districts"; and

WHEREAS, the Commission conducted a sphere of influence update for the Districts pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner provided by law; and

WHEREAS, the staff report and recommendations on the municipal service review and sphere of influence update were presented to the Commission in the form and manner prescribed by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the municipal service review and sphere of influence update on November 15, 2023; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56430 and 56425.

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission, as Lead Agency, finds the municipal service review is exempt from further review under the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15306. This finding is based on the use of the municipal service review as a data collection and service evaluation study. The information contained within the municipal service review may be used to consider future actions that will be subject to additional environmental review.
2. The Commission, as Lead Agency, finds the sphere of influence update is exempt from further review under the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. This municipal service review and sphere of influence update is assigned the following distinctive short-term designation: "South County Regional Water/Wastewater MSR/SOI Update 2023".
4. Pursuant to Government Code Section 56430(a), the Commission makes the written statement of determinations for each of the agencies under review included in the municipal service review, hereby incorporated by reference.
5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations for each of the agencies under review included in the sphere of influence update, hereby incorporated by reference.
6. The following sphere of influence updates are approved:
 - Alderpoint County Water District (ACWD): The SOI is hereby updated to include several parcels adjacent to the southeast boundary of the District that are already provided water services by ACWD, District properties, and two parcels that create a more logical boundary without the creation of island areas as depicted in Exhibit A.
 - Briceland Community Services District (BCSD): The SOI is hereby updated to include a single parcel adjacent to the southwest corner of the District that already receives water service from BCSD as depicted in Exhibit B.
 - Garberville Sanitary District (GSD): The SOI is hereby reaffirmed with no changes as depicted in Exhibit C.
 - Miranda Community Services District (MCSD): The All Services SOI is hereby updated to include expansion to several parcels that are already served by MCSD and two parcels that create a more logical boundary as depicted in Exhibit D. The Fire Services Only SOI is hereby reduced in order to eliminate service area overlap with newly formed Salmon Creek Fire Protection District as depicted in Exhibit E.
 - Phillipsville Community Services District (PCSD): The SOI is hereby reaffirmed with no changes as depicted in Exhibit F.

- Redway Community Services District (RCSD): The SOI is hereby expanded to encompass all of APN 222-161-002 which is currently provided wastewater services by RCSD and is hereby reduced in the southern portion of the SOI where it overlaps with the Garberville Sanitary District SOI as depicted in Exhibit G.
- Resort Improvement District No. 1 (RID1): The All Services SOI and Fire Services Only SOI are hereby reaffirmed with no changes as depicted in Exhibit H and I, respectively.
- Weott Community Services District (WCSD): The Fire Services Only SOI is hereby dissolved as the volunteer fire department has disbanded and the District no longer supports or is able to support the provision of fire services. The All Services SOI is hereby reaffirmed with no changes as depicted in Exhibit J.

BE IT FURTHER RESOLVED that the South County Regional Water/Wastewater MSR/SOI Update 2023 is hereby approved and incorporated herein by reference and the spheres of influence for the Districts are as depicted in Exhibits "A" through "J", attached hereto.

PASSED AND ADOPTED at a regular meeting of the Humboldt Local Agency Formation Commission on the 15th day of November 2023, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Michelle Bushnell, Chair
Humboldt LAFCo

Attest:

Colette Santsche, Executive Officer
Humboldt LAFCo

Exhibits:

Exhibits

Exhibit A – Alderpoint County Water District Boundary and Sphere of Influence Map

Exhibit B – Briceland Community Services District Boundary and Sphere of Influence Map

Exhibit C – Garberville Sanitary District Boundary and Sphere of Influence Map

Exhibit D – Miranda Community Services District Boundary and All Services Sphere of Influence Map

Exhibit E – Miranda Community Services District Boundary and Fire Services Only Sphere of Influence Map

Exhibit F – Phillippsville Community Services District Boundary and Sphere of Influence Map

Exhibit G – Redway Community Services District Boundary and Sphere of Influence Map

Exhibit H – Resort Improvement District No. 1 (Shelter Cove) Boundary and All Services Sphere of Influence Map

Exhibit I – Resort Improvement District No. 1 (Shelter Cove) Boundary and Fire Services Only Sphere of Influence Map

Exhibit J – Weott Community Services District Boundary and Sphere of Influence Map