

**FINAL WATER AND WASTEWATER
MUNICIPAL SERVICE REVIEW REPORT
MARIPOSA COUNTY**

Prepared for the



May 20, 2008

1. Executive Summary

Local Agency Formation Commissions (LAFCo) were created in 1963 to assist the State of California in encouraging the orderly development and formation of local agencies services. There is a LAFCo in each California County. LAFCo has the power to conduct studies, approve or disapprove proposals, modify boundaries of cities and special districts, and impose reasonable terms and conditions on approval of proposals.

The Cortese-Knox-Hertzberg Local Reorganization Act of 2000 (CKH Act) establishes procedures for local government changes of organization. The CKH Act also requires LAFCo to review and as necessary update the Spheres of Influence (SOI) of all local agencies within the county by January 1, 2008. A local agency is defined as any city, county, or district or special district. A Sphere of Influence is defined as a plan for the probable physical boundary and service area of a local agency or municipality. A Municipal Service Review (MSR) must be conducted for each local agency to update the SOIs.

This Municipal Service Review Report analyzes and as necessary proposes updates to the SOI for local agencies within Mariposa County that provide water and/or wastewater collection and treatment services. These agencies are:

- The Mariposa Public Utility District (MPUD)
- County Service Area 1-M, Coulterville Water and Sewer (CSA1MCWS)
- County Service Area 1-M, Lake Don Pedro Sewer (CSA1MLDPS)
- County Service Area 1-M, Mariposa Pines (CSA1MMP)
- Yosemite Alpine Community Services District (YACSD)
- Yosemite West Maintenance District

MPUD

It is recommended that the SOI be modified for MPUD. It is recommended that MPUD initiate proceeding to modify the MPUD SOI to be coterminous with the existing Mariposa Town Planning Area (TPA) boundaries. This will ensure, in the long-term, that the urban services provided in the Mariposa Town Planning Area are by MPUD, rather than other small districts where efficiencies and the level of service will not be as effective, or through private systems. Further, it will consolidate and make the services provided by MPUD more cost effective if it is the sole provider of water and waste water services for the TPA.

CSA1MCSW

It is recommended that the SOI for County Service Area 1-M/Sewer Zone No.1 be modified as part of the update to the SOI for the Lake Don Pedro Community Services District (LDPCSD). The LDPCSD is evaluating updates to the District's SOI, and a separate MSR will be prepared for the District as part of the SOI update.

CSA1MCWS

The County Service Area 1-M/Coulterville Water and Sewer needs to have a SOI adopted. It is recommended that the SOI encompass the area covered by both the existing Service Area Boundary and the Coulterville Town Planning Area boundary.

CSA1MMP

County Service Area 1-M/Mariposa Pines need to have a SOI established for each Service Area. The SOI for the Mariposa Pines Service Areas should be made coterminous with the existing Service Area boundary. The Mariposa County Board of Supervisors should initiate proceedings to modify the SOI for each Service Area

YACSD

It is recommended that the SOI for the Yosemite Alpine Community Services District remain as it has been currently defined. The current SOI is consistent with the County's future land use designations.

YWMD

Additional research is needed to determine if the Yosemite West Maintenance District is under the jurisdiction of the LAFCo, and therefore whether a MSR needs to be prepared for the adoption of a SOI. Suggested direction be given to further investigate and return the matter to the LAFCo for further consideration.

2. Introduction

2. A. Local Agency Formation Commission

Local Agency Formation Commissions (LAFCOs) are quasi-legislative local agencies created in 1963 to assist the State in encouraging the orderly development and formation of local agencies. There is a LAFCO in each California County. LAFCOs are independent agencies that are not part of county government.

LAFCO in Mariposa County is comprised of five Commissioners. Three of the Commissioners are elected officials from the Board of Supervisor's (with one alternate); and two are public members (with one alternate) appointed by a majority of the LAFCO Commissioners.

The fundamental mission of a LAFCO is to implement the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). LAFCO has the power to conduct studies, approve or disapprove proposals, modify boundaries of cities and special districts, and impose reasonable terms and conditions on approval of proposals.

2. B. Local Government Reorganization Act

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) establishes procedures for local government changes of organization. The CKH Act consolidated three previous laws that governed changes in the boundaries and organization of cities and special districts.

The CKH Act contains the following major policies:

- To encourage orderly growth and development which are essential to the social, fiscal, and economic well being of the State;
- To promote orderly development by encouraging the local formation and determination of boundaries and working to provide housing for families of all incomes;
- To discourage urban sprawl;
- To preserve open space and prime agricultural lands by guiding development in a manner that minimizes resource loss;
- To exercise its authority to ensure that affected populations receive efficient governmental services, to promote logical formation and boundary modifications that direct the burdens and benefits of additional growth to those local agencies that are best suited to provide the necessary services and housing;
- To make studies and obtain and furnish information which will contribute to the logical and reasonable development of local agencies and to shape their development so as to advantageously provide for the present and future needs of each county and its communities;
- To establish priorities by assessing and balancing total community services needs with financial resources available to secure and provide community services and to

encourage government structures that reflect local circumstances, conditions, and financial resources;

- To determine whether new or existing agencies can feasibly provide needed services in a more efficient or accountable manner and, where deemed necessary, consider reorganization with other single purpose agencies that provide related services;
- To review and as necessary update the Spheres of Influence (SOIs) of all local agencies within the county by January 1, 2008; and Conduct a review of all municipal services by county, region, sub-region or other geographic area prior to, or in conjunction with, SOI updates or the creation of new SOIs.

A Sphere of Influence (SOI) is defined as a plan for the probable physical boundary and service area of a local agency or municipality as determined by LAFCO. The SOI is an important tool for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities.

2. C. Service Review Guidelines

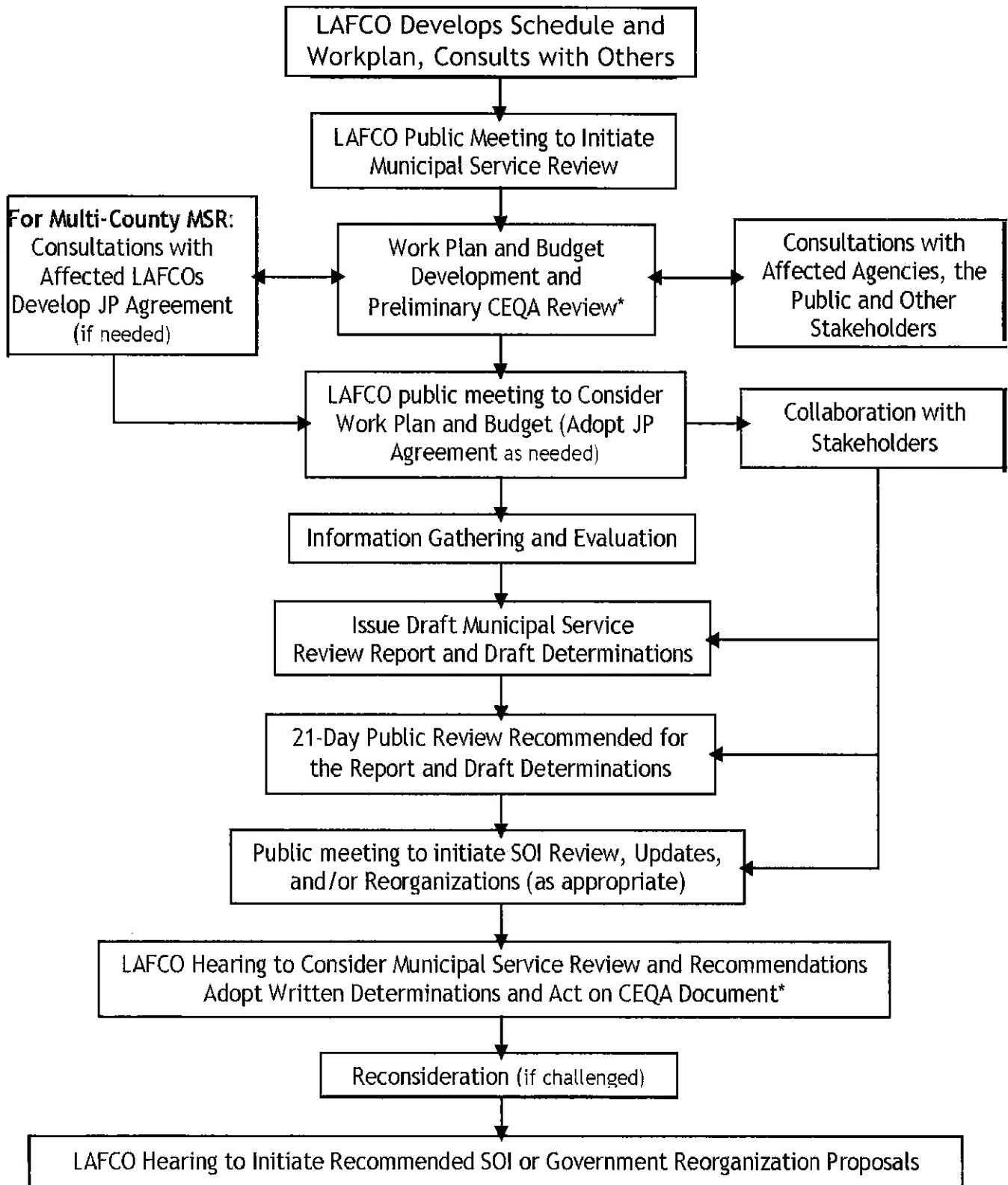
The Governors Office of Planning and Research (OPR) has prepared guidelines for LAFCo to conduct reviews of California municipal services. OPR published in August of 2003 the Final Guidelines.

The CKH Act, together with OPR's guidelines, requires LAFCo to conduct a comprehensive review of all agencies that provide services within the county. The service reviews must prepare a written statement of LAFCo's determination with respect to each of the following items, as amended by Assembly Bill 1744 in September, 2007:

- Growth and population projections;
- Present and Planned Capacity of Facilities and Adequacy of Services, Including infrastructure Needs and Deficiencies
- Financing Ability of Agencies to Provide Services
- Status of and Opportunities for Shared Facilities;
- Accountability for Community Services Needs, Including Government Structure and Operational Efficiencies
- Any Other Matter Related to Effective and Efficient Service Delivery, as Required by Commission Policy

The guidelines include an example of a recommended MSR review process that can help clarify the role and the steps that might be taken in the preparation of a MSR and subsequent actions on a SOI.

EXAMPLE OF OPR RECOMMENDED MUNICIPAL SERVICE REVIEW PROCESS



2. D. Local Agency Formation Commission Jurisdiction, Administrative Requirements and Responsibilities

2. D. 1 Municipal Service Review

The Municipal Service Review (MSR) is a tool that can be used by LAFCo to collect information and evaluate service provisions and service providers from a broader perspective. As mentioned elsewhere in this document, an approved MSR is required before LAFCo can adopt or update a SOI. It should be noted that the MSR process and approval will not always result in adopting or updating a SOI. While State law does provide that a MSR can be conducted in conjunction with an action to establish or update a SOI, the two processes and actions are distinct and separate functions under the LAFCo authorities.

According to the MSR Guidelines, prepared by the State Office of Planning and Research, a MSR can be used to:

- Promote orderly growth and development in appropriate areas with consideration for service feasibility, costs, the preservation of open space, agricultural lands, and finite natural resources;
- Encourage infill development and direct growth to areas that are planned for growth in General Plans;
- Learn about service issues and needs;
- Plan for provisions of quality infrastructure needed to support growth;
- Develop a structure for dialog among agencies that provide services;
- Develop strategies to avoid unnecessary costs, eliminate waste, and improve public service provisions;
- Provide ideas on opportunities to streamline service provisions through the use of shared facilities, joint service agreements, or integrated planning and service delivery; and
- Promote shared resource acquisition and joint funding requests or strategies.

The information, recommendations and determinations contained in a MSR are intended to guide and inform SOI decisions for both the local agency and LAFCo. Therefore, for the MSR to be relevant to SOI decisions, it needs to discuss the SOI for any local agency being reviewed. However, the statutory determinations (Section 2.C above) mandated on LAFCo for the MSR process do not include any specific determination on the SOI of a local agency.

2. D. 2 Sphere of Influence

The CHK Act, and the Mariposa County LAFCo Policies, Procedures and Standards defines Sphere of Influence (SOI) as:

A plan for the probable physical boundaries and service area of a local agency, and determined by the commission [LAFCo].

This is a rather brief explanation for what can be a complex set of decisions made by the LAFCo to establish a SOI for a local agency. The actual words within the definition provide a better means of helping to define the intent behind a SOI. The word “sphere” would mean a defined geographical boundary over which a local agency has some “influence” over effects, actions or the course of events. It is a planning area over which the local agency can exert influence over services, and to help shape the logical and orderly development and coordination of these services. The SOI provides the local agency with a means to advantageously provide for the present and future needs of the community that the local agency serves. Finally the SOI provides the local agency with the ability to enact policies and regulations designed to promote the logical and orderly development within the sphere.

In determining the SOI for a local agency, LAFCo needs to consider:

- Present and planned land uses in the area
- The present and probable need for public services and facilities in the area
- The present capacity of facilities, and the adequacy of services which the local agency provides or is authorized to provide
- The existence of any social or economic communities of interest in the area

In Mariposa County, with no incorporated cities, the local agencies that need a SOI are utility districts, county service areas and community service districts. Statutory requirements are that the LAFCo review and, as necessary, update the SOI not less than once every five (5) years. Note that the requirement is that LAFCo review the SOI every five years. Updating the SOI only occurs if it is necessary. With respect to the MSR process, LAFCo only needs to adopt a MSR if it is adopting or updating the SOI. A simple review of the SOI, with no change, does not require that an MSR be prepared. Further, adopting or updating a SOI is a separate LAFCo process and action from the adoption of the MSR.

2. D. 2 Responsibilities and Jurisdiction

2.D.2.a Sphere of Influence

While LAFCo has the final authority over the approval of a SOI, the actual initiation of a new or an update to an existing SOI can come from several sources. The LAFCo itself can initiate the process. In addition, any person or local agency can file a written request with the executive office requesting amendments to the SOI. The request must state the nature of the proposed amendment, state reasons for the request, include a map of the proposed amendment, and provide any additional data and information as may be required by the LAFCo executive officer. For the districts discussed in this MSR in Mariposa County, the local agencies would be the Mariposa County Board of

Supervisors, the Mariposa Public Utility District, the Lake Don Pedro Community Services District, or the Yosemite Alpine Community Services District.

After complying with the California Environmental Quality Act, the executive officer would establish a public hearing date, and provide notification to local agencies affected and any other interested parties. Notification must also be provided in a newspaper of general circulation in the area affected by the SOI change. State law provides that LAFCo may require the person or agency making the request to pay a fee to cover the commission's costs. Costs can be waived if the request can be considered part of the periodic review or the SOI required by law, or if the LAFCo finds that payment would be detrimental to the public interest.

2.D.2.a Municipal Service Review

Section 65430 of the Government Code provides the statutory requirements for the preparation of a MSR by the LAFCo as mentioned above in Section 2.C of this report. The LAFCo has sole responsibility and jurisdiction in the preparation, review and approval of the MSR. The MSR adoption of an MSR is a separate and distinct process from such actions as adopting or updating a SOI, annexations, or modifying agency boundaries by the LAFCo.

The Mariposa County LAFCo has prepared this MSR in compliance with the guidelines and requirements of the CKH Act. The Mariposa County LAFCo has followed the process depicted in Exhibit A

3. Districts Evaluated

3. A. Introduction

Mariposa County is located on the eastern side of the Central Valley east of Merced, California. It is part of the historic Mother Lode region of the Sierra Nevada Mountains. The County encompasses 931,200 acres of land and had a population of 17,991 in 2005 according to the California State Department of Finance. There are no incorporated cities in the County. The major population and commercial centers are in the towns of Mariposa and Coulterville. There are several other communities with smaller populations and commercial activities, including Catheys Valley, Mt. Bullion, Bootjack, Greeley Hill, Bear Valley, Fish Camp, and Wawona. Subdivisions in Lushmeadows, Ponderosa Basin and Lake Don Pedro also account for large concentrations of residences.

There are 5 special districts or public agencies within Mariposa County that provide water and/or wastewater services as displayed on the accompanying map. They provide services to the some of the populated areas of the County. The majority of the homes in Mariposa County use private wells and on-site septic systems for water and wastewater service.

3. B. Districts Evaluated

This MSR specifically evaluates the following Districts:

- The Mariposa Public Utility District (MPUD)
- County Service Area 1-M, Coulterville Water and Sewer (CSA1-M/CWS)
- County Service Area 1-M, Sewer Zone No. 1 (CSA1-M/SZ1)
- County Service Area 1-M, Mariposa Pines (CSA1-M/MP)
- Yosemite Alpine Community Services District (YACSD)
- Yosemite West Maintenance District

Of the districts discussed in this MSR, the largest connection service provider is the Mariposa Public Utility District. The remaining districts provide services to specific communities within the County. The CSA 1-M, Coulterville Sewer and Water provides water and wastewater services within portions of the Coulterville Town Planning Area. CSA 1-M, Sewer Zone No. 1 serves a small portion of the Lake Don Pedro Subdivision in Mariposa County. CSA-1-M, Mariposa Pines provides Unit 1A of the Mariposa Pines Subdivision with water services. The Yosemite Alpine Community Services District provides water services to the Yosemite Alpine Subdivision in the Fish Camp Planning Area. The Yosemite West Maintenance District provides water and wastewater services to the Yosemite West subdivision and condominium properties in the Yosemite West Planning Area.

3. C. Lake Don Pedro Community Services District

The largest water/waste water agency or district in Mariposa County, acreage wise, is the Lake Don Pedro Community Services District (LPDCSD). The LPDCSD has been evaluating updates and changes to the District's SOI for the last few years. The possible updates to the SOI involve large acreages, with various potential development plans. As a result, the MSR for the LPDCSD is more complex, and in 2005 the District requested that LAFCo contract for the preparation of a MSR for the District.

A consultant was hired, and some preliminary data was collected. Subsequently, the LPDCSD received additional requests from land owners for possible annexation to the District that resulted in delays to the preparation of the MSR. The LAFCo is no longer contracted with the consultant initially hired to prepare the MSR. Discussion with the LAFCo and the Districts' staff is currently underway to identify the final properties that might be included in an update to the SOI and evaluated by the MSR. This information will be brought back to the LAFCo Commissioners for discussion and possible action to hire a new consultant. Therefore the MSR for the LPDCSD will be prepared as a separate document for LAFCo review, and will not be discussed or evaluated in this particular MSR. The LPDCSD is discussed in this document only as it relates to the Lake Don Pedro County Service Area 1M evaluated in Section 5 of this MSR.

4. Mariposa Public Utility District

4. A. Background

4. A. 1 Formation and History

The Mariposa Public Utility District (MPUD) was formed in 1947 under the Public Utilities Act of 1921. The District is governed by a five (5) member Board of Directors elected at large within the District. They have six (6) full time employees. While the documents that created the District do not identify specific functions or purposes for the establishment of the District, the record indicates that the primary concern was the need for public water and wastewater systems in the community, along with fire protection. Under the State law, a Public Utility District has the ability to acquire and operate works for supplying light, water, power, heat, transportation, telephone or other communications, garbage disposal and sewage. It can also purchase and distribute services to operate a fire department, ambulance service, street improvements, and various recreation related services.

At the present time, the District provides water and wastewater services within its boundaries. It also provides fire protection services, and has mutual aid agreements with the Mariposa County Fire Department and the State of California (Cal Fire) for fire protection services. The Mariposa County Board of Supervisors has also taken recent action to approve an application to the LAFCo for the formation of County Service Area 3 for County fire protection. This application is in process and will be reviewed by the LAFCo at a future meeting. This Service Area would provide for consolidated fire protection services for the entire County, with the exception of the MPUD.

4. A. 2 District Boundaries and Service Areas

The MPUD boundaries are delineated on the map shown as Exhibit A. The current boundaries encompass 870 acres, and include the majority of the land within the Mariposa Town Planning Area Town Plan boundaries.

The District currently has an annexation application for the Mariposa County Sports Complex and the Mariposa First Baptist Church, which was submitted to LAFCo in August, 2004. Mariposa County has constructed water and wastewater collection mains to the property considered for annexation. In addition, the District is also considering providing the general area of the Mariposa County Fair Grounds at the southeast end of the Town Planning Area, and more specifically the Mariposa County Public Works Department, with water service based upon public health needs. Ground water in this area has been contaminated, and the County has made application to the California Department of Public Health for funding to provide public water to the area.

4. A. 3 Existing Sphere of Influence

The existing Sphere of Influence (SOI) includes a majority of the Mariposa Town Planning Area Town Plan. The existing SOI was adopted by LAFCo in 1979, and has not been updated since that time. The SOI is shown on Exhibit B.

4. A. 4 Customers

Any land owner within the District is considered a customer. All property owners within the District benefit from the fire protection services provided by the District. Most developed parcels within the District receive water and/or wastewater services from the District. Water is provided by metered services, and wastewater and fire protection are on a flat fee basis. There are currently 634 single family dwellings, 168 commercially rated connections, 345 motel units, and 16 public buildings/facilities being served. The District has a service population of approximately 2,000.

4. A. 5 Collection, Treatment, Storage, Distribution and Disposal Systems

Water

Water is supplied by four (4) wells, a 440 acre-foot reservoir on the Stockton Creek, and a pump station in the Merced River near the Stockton Creek. The water treatment facility provides filtration, disinfection and corrosion control processes. All surface water sources are treated at the facility with a current capacity of 0.619 million gallons per day. Water is distributed to customers through 4 pressure zones.

Wastewater

The existing water treatment facility was constructed in 1984 with a design capacity of 0.61 million gallons per day. The facility operates at approximately 40% capacity during dry weather. The collection system is mostly made up of 6" and 8" vitrified clay pipe (VCP). There is approximately 73,000 feet of wastewater collection mains. Inflow/infiltration into the old VCP pipe has become a problem during wet weather conditions, and the District has replaced portions of the VCP with PVC pipe. The District is actively monitoring and investigating the inflow/infiltration problem.

4. A. 5 Capital Improvement Plans

MPUD does not have any adopted Capital Improvement plans. The District has qualified for loan funds that may be used to construct a new facility to increase water capacity. The District is actively pursuing funding through the California Proposition 50 and State Revolving fund programs for enhancements to the water supply system. If approved, the funding could increase estimated water treatment capacity to 0.836 million gallons per day. In the future, the District may need to look at capital improvements for replacement of its existing wastewater treatment facilities.

Exhibit B

Insert MPUD Map

In the future the District will need to make capital improvements to the existing wastewater treatment facilities. The most recent National Pollution Discharge Elimination System (NPDES) permit adopted by the Calif. Regional Water Quality Control Board on Dec. 6, 2007 requires the District to provide tertiary treatment to the existing secondary treatment facility. Tertiary treatment is typically achieved by providing filtration before treated wastewater is discharged off site.

4. A. 6 Financial Overview

The District charges for water based upon metered usage. Wastewater and fire protection services are based upon flat fee charges. The District also has appropriate charges for water and wastewater connection. Based upon the last two annual budgets, the District's fees and charges cover operating expenses and provide a sufficient cash reserve to provide for unanticipated expenses and contingencies.

4. B. Sphere of Influence

4. B. 1 Proposed SOI Change

The MPUD boundaries currently include the vast majority of the land within the Mariposa Town Plan Planning Area. The Mariposa Town Plan land use and zoning standards recognize the water and waste water services provided by the MPUD. Parcel sizes for residential development within the Town Plan were based upon these services. The Town Plan specifically includes standards that require public water and wastewater for certain development.

The District boundaries, the current SOI, and the Mariposa Town Planning Area boundaries are shown on Exhibit A. The boundary of the MPUD SOI and the TPA are not presently coterminous. From a long term planning and land use standpoint, it would be more effective and efficient if the MPUD's SOI and the TPA boundary were coterminous, and to provide all properties within the Mariposa Town Planning Area with the opportunity to obtain services from the District. The recommendation to be coterminous would be for both the current TPA Boundary, and any future modifications to the boundaries and subsequent updating of the SOI.

During public review of the Preliminary Draft MSR, concern was raised that there may be properties that are presently outside of the TPA boundary that should be included within the boundary. It would be appropriate for Mariposa County to evaluate such properties and as necessary amend the Mariposa TPA boundary to include them. This MSR is not the mechanism by which the TPA boundary can be amended. Amending the TPA boundaries requires separate and specific processes and procedures governed by the State Government code for the amendment of a General Plan. If the TPA boundaries are amended by Mariposa County, the SOI boundary should also be updated to be coterminous with the new TPA boundary.

4.B.2 Consistency with General Plan Policies

The Mariposa Town Planning Area Plan provides for specific land uses, development standards, and policies for how the town planning area will grow and develop. In the County General Plan, the Mariposa Town Planning Area Town Plan is considered an Area Plan for purposes of the General Plan. The Mariposa Town Planning Area Town Plan identifies and implements policies and goals to meet the localized needs of the Mariposa community. The text of the General Plan reads as follows:

Mariposa's diverse communities create unique planning areas, each with their own distinct character. Therefore the County incorporates these area plans into the General Plan. Each area plan acts as a mini-General Plan and falls into one of three categories: town plans, community plans, or special plans.

The proposed SOI change would be consistent with the County General Plan. It would assist in the implementation of the County General Plan by facilitating the policies and development standards of the Mariposa Town Planning Area Plan. In addition, it will be important to evaluate the area shown as the planning service area in the General Plan for potential municipal services.

4.B.3 Future Capacity

A "Feasibility Study and Concept Plan" for water and wastewater services was prepared for MPUD in May, 2007. The Plan studied the potential addition of more than 1,200 residential units, commercial and industrial lands in the Mariposa Town Planning Area boundary.

Water

The Feasibility Study concluded that MPUD has sufficient water supplies to meet the future demands for water service to the entire Town Planning Area boundary, and what would be the proposed SOI Boundary. The Feasibility Study noted that the water treatment plant is running near capacity during the summer months, but there is sufficient capacity for the existing District boundary. The water treatment plant needs to be expanded incrementally as growth occurs. The MPUD will also need to examine certain upgrades to water mains, booster stations to increase flow and pressure, and water storage. Annexations to the District will need to evaluate the capacity of the water treatment plant and additional infrastructure needs. Such annexations are subject to the approval of LAFCo.

Wastewater

The current wastewater treatment plant is operating at approximately 40% of its designed capacity during dry weather conditions. During wet weather, inflow/infiltration into the collection system brings the treatment plant to near capacity. Most of the inflow/infiltration is the result of aging vitrified clay pipe used in 1958 when the wastewater system was first installed. These older collection system pipes are replaced

when possible. The Feasibility Study noted that the treatment plant has room for expansion during dry weather, but it will need to reduce the inflow/infiltration during wet weather conditions. Some portions of the older VCP pipe are near or at capacity. The District is conducting monitoring to determine the areas of the collection system that contribute to the inflow/infiltration. Annexations to the District will need to evaluate the capacity of the wastewater treatment plant and additional infrastructure needs. Such annexations are subject to the approval of LAFCo

4.C. Determinations

LAFCo must prepare a written statement of its determination based upon six items required by the CHK Act, subsequent amendments, and the Office of Planning and Research Guidelines. The CHK Act was amended by Assembly Bill 1744, and signed into law by the Governor in September, 2007. This section will address each of the six items as they relate to MPUD.

4.C.1 Growth and Population Projections

LAFCo needs to determine whether service/utility districts are working towards the implementation of adopted land use plans, or whether they are inducing growth in areas not intended to be urbanized.

The County General Plan specifically identifies “Planning Area” as a specific land use classification in Section 5.3.01 of the General Plan. Planning Areas are identified as “towns” “communities” and “special planning areas, that are implemented by area plans adopted by the Board of Supervisors. The Mariposa Town Planning Area Town Plan is intended to identify and implement policies and goals to meet the localized needs of the Mariposa community. Adopting this MSR and modifying the SOI for MPUD would facilitate the development identified and intended in the Mariposa Town Planning Area Town Plan.

The Mariposa Town Plan was developed with consideration for the water and wastewater services provided by MPUD. Land use standards and zoning within the town area are largely based upon the availability of services provided by MPUD. Minimum parcel sizes are based upon whether water and/or wastewater services are available. Commercial and industrial land uses and zoning are generally identified in areas of the Town Plan that MPUD provides services. Further, the proposed change to make the SOI boundary coterminous with the Town Planning Area Boundary would facilitate development within the defined “urban” boundary of the Town of Mariposa.

Population projections specific to the Town of Mariposa are difficult to determine. The Mariposa County General Plan has estimated that overall annual growth is less than 1%.

4.C.2 Present and Planned Capacity

LAFCo needs to determine whether the present and planned capacity of facilities and the

adequacy of services, including infrastructure needs and deficiencies are being provided for by the service/utility district.

The MPUD presently has sufficient source water and wastewater treatment capacity to provide services to properties within the current District boundaries. The services being provided within the current boundary are adequate for the existing development and the potential development within its current boundaries. There are no current infrastructure needs for the existing boundary.

With respect to the entire town of Mariposa, and the proposed SOI boundary, MPUD has sufficient water supplies for development within the town planning area. Water treatment capacity may be limited. Future annexations to the District's boundary will be subject to review and analysis to determine what infrastructure needs, such as new water mains or water treatment facilities enhancements/expansion would be required for the annexation. Any proposed annexation will come before LAFCo for approval.

The MPUD does not have sufficient wastewater capacity to expand services to the entire SOI boundary due to inflow/infiltration during wet weather. If the District can significantly reduce the inflow/infiltration issue, there may be additional capacity available in the treatment facility. It may be possible to provide wastewater services should the District receive an application for annexation to the District boundaries. Such annexations will need to be evaluated, at that time, to determine capacity and possible upgrades to the infrastructure. The District may need to look at alternatives for the future expansion or upgrade of the treatment plant before it would be able to expand to cover the entire proposed SOI boundary.

4. C. 3 Financial Ability to Provide Services

The service/utility districts ability to finance and provide services needs to be determined by LAFCo. This determination should include a review of financing constraints and opportunities.

The MPUD has sufficient financial resources to meet current and future service needs. The District is operating is a positive cash flow, and has established budgeting processes and procedures to ensure the continued operation, management, and maintenance of the water and wastewater systems. The District is very active in obtaining grants and other funds for upgrades to both the water and wastewater systems. The current water and wastewater fees are sufficient to meet annual costs, and to provide an adequate reserve for unanticipated expenses.

4. C. 4 Status and Opportunities for Shared facilities

Sharing facilities between service providers may result in reduced service costs. LAFCo needs to determine whether sharing facilities between providers, and utilizing excess capacity is possible, and if it can avoid service duplication, reduces costs, and minimizes unnecessary resource consumption.

There are no other service/utility districts in the Mariposa Town Planning Area that would be able to share facilities with MPUD. Therefore, opportunities for sharing facilities do not exist for the water and wastewater systems.

MPUD does have mutual aid agreements with Mariposa County and Cal Fire for fire protection services. The facilities and equipment provided for fire protection is of sufficient capacity and quantity, and a reduction in either would not provide sufficient protection, given the hazards, to warrant such action

4. C. 5 Accountability of Community Service Needs

The accountability of the service/utility district to the community and its service needs must be determined by LAFCo.

MPUD has an elected Board that is answerable to the Mariposa town planning area community. Since its creation, MPUD has provided sufficient capacity, appropriate capacity planning, and cost effective administration. The District is actively working to obtain grants, loans and other funding for expansions, upgrades, and enhancements to the treatment facilities, and the underlying water and wastewater collection mains.

4. C. 6 Other Matters Related to Effective and Efficient Service Delivery

This is a catch-all determination that LAFCo needs to make if there are matters related to the specific effectiveness and efficiency of the service/utility district that are not covered by the preceding five determinations. This determination provides LAFCo with the opportunity to evaluate the service/utility district based upon any special needs or circumstances related to the district.

There are no other matters that would relate to the effective and efficient delivery of services for the Mariposa Public Utility District.

5. County Services Area 1M – Sewer Zone No. 1 (Lake Don Pedro Wastewater Services Area)

5. A. Background

5. A. 1 Formation and History

The Lake Don Pedro County Service Area was formed pursuant to the “County Service Area Law” described in Government code Section 25211.01 through 25211.33 on July 1, 1969 by Resolution No. 69-68 of the Mariposa County Board of Supervisors. The District initially included the area covered by the Don Pedro Subdivision Map 1-M, and was referred to as “County Service Area 1-M” (CSA-1M).

In January, 1973, the Mariposa County Board of Supervisors established County Service Area 1-M/Sewer Zone No. 1 (CSA1-M/SZ1), which is covered by this MSR. County Service Area 1-M was subsequently modified to include County Service Area 1-M/Coulterville Water and Wastewater (discussed in Section 6 of this Report), and County Service Area 1-M/Mariposa Pines (discussed in Section 7 of this Report). A report on Local Government Organizations in Mariposa County was prepared for LAFCo in December of 1985, and this report noted that it appeared to be the intent of LAFCo to treat CSA 1-M as a County Wide Service Area with “Benefit Zones.” However, the December 1985 report concludes that the record does not reflect that this intention was ever formalized by LAFCo. The Mariposa County Board of Supervisors serves as the Board of Directors of County Service Area 1-M and CSA1-M/SZ1.

The following information is provided as a point of reference for the Lake Don Pedro Community Services District (LDPCSD). It was formed in August, 1980. In August, 1987 LAFCo adopted Resolution 87-3 approving the SOI for the LDPCSD. The SOI includes that property currently within the CSA1-M/SZ1. Other than wastewater services managed by CAS1-M/SZ1 by Mariposa County, the LDPCSD presently provides only water services within the existing LDPCSD boundaries shown on Exhibit C. A separate MSR will be prepared for the LDPCSD with respect to the water services that they provide.

A new wastewater treatment plant has recently been constructed for CSA1-M/SZ1. The Mariposa County Board of Supervisors and the LDPCSD currently has an agreement that the wastewater services provided by CAS1-M/SZ1 will be turned over to the LDPCSD for operation and management.

Insert SZ1 Map Exhibit D

5. A. 2 District Boundaries and Service Areas

The boundaries for CSA-1M/SZ1 are shown on Exhibit D. The area encompasses approximately 135 acres of land in the Lake Don Pedro area providing wastewater services to residential development, and the Lake Don Pedro Golf course and resort development.

As noted above, the wastewater treatment system is currently administered by Mariposa County. Based upon past agreements, the wastewater system will eventually be managed and operated by the LDPCSD. The County Public Works Department is working with the LDPCSD to provide for a transitions of the treatment facilities operations.

5. A. 3 Existing Sphere of Influence

A SOI has been adopted for the LDPCSD, of which the CSA1-M/Lake Don Pedro Wastewater Service Area is a part thereof. The existing SOI boundary is shown on Exhibit B.

5. A. 4 Customers

The customers of CSA1-M/SZ1 are located within a portion of the original Lake Don Pedro Subdivision Map 1-M, and are provided wastewater services only. Any property within the Service Area boundary, developed or vacant, is a customer. The new wastewater treatment plant was designed to accommodate all customers in the Service Area.

5. A. 5 Collection, Treatment, Storage, Distribution and Disposal Systems

The current collection system is composed of approximately 28,300 feet of 4 inch and 6 inch sewer mains, with 71 manholes for access and maintenance. There are seven (7) lift stations in the collection system. A new wastewater treatment plant has been installed to serve the customers in the Service Area. The facilities for treatment include one storage reservoir, an aeration basin, and a clarifier. The system uses a spray field for final disposal of the liquids, and a drying bed for solids.

5. A. 5 Capital Improvement Plans

There are no current capital improvement plans for CSA/SZ1. Mariposa County recently completed the construction of a new sewer treatment plant.

5. A. 6 Financial Overview

The Service Area is funded by fees collected for the wastewater services provided, and a small portion of the general sales tax revenue of Mariposa County. The fees and taxes collected cover the general expenses and maintenance costs of the Service Area. No Mariposa County general funds are used to finance the Service Area. There is a small reserve to cover unanticipated costs. The Service Area is financial stable, based upon the two most recent budget and annual reports prepared by the Mariposa County Auditor.

5. B. Sphere of Influence

5. B. 1 Proposed SOI Change

As noted above, the CSA -1M/SZ1 is within the SOI of the LDPCSD. The wastewater treatment plant providing services to the CSA1-M/SZ1 will be taken over by the LDPCSD for operations and management, The wastewater treatment plant and facilities is located outside of the CSA-1M/SZ1 service area boundaries. It is outside the LDPCSD SOI shown on Exhibit C.

As noted in Section 3.C of this report, the LDPCSD is presently preparing information on additional properties to be included in an update to the SOI for the District. The wastewater treatment plant and facilities mentioned in the previous paragraph are currently one of the properties that would be included in the update to the SOI boundary. A separate MSR will be prepared for the LDPCSD as mentioned in Section 3.C. Subsequent to or concurrently with the approval of the MSR, LAFCo will be considering the District's request to update the SOI.

5. B. 2 Consistency with General Plan Policies

The properties within CSA1-M/SZ1 are identified in the Mariposa County General Plan as a Planning Study Area. The properties are zoned for Rural Residential, 2.5 acre minimum, and as a Planned Development Zone in the area of the Lake Don Pedro golf course. All of the residential parcels are below current County minimums for parcel size. The Lake Don Pedro area is a large area of small lot residential development that has already been subdivided by actions prior to the adoption of the current Mariposa County General Plan. Many of the residential properties are legal non-conforming parcels due to parcel size. The wastewater treatment provided by the Service area is for a small portion of the overall Lake Don Pedro Planning Study Area. Further subdivision of the residential parcels in the Service Area boundaries is not possible. The new wastewater treatment plant has been designed to provide capacity for the existing development and the undeveloped or vacant lots within the Service Area based upon the current General Plan Land Uses and Zoning.

5. B. 3 Future Capacity

The new wastewater treatment plant was designed based upon the existing parcels and development in the Service Area boundary. The design capacity includes both existing development, and the potential development of vacant parcels. The treatment plant, therefore, has sufficient capacity to accommodate all of the current properties, based upon existing land use and zoning, within the Service Area.

5. C. Determinations

LAFCo must prepare a written statement of its determination based upon six items required by the CHK Act, subsequent amendments, and the Office of Planning and Research Guidelines. The CHK Act was amended by Assembly Bill 1744, and signed into law by the Governor in September, 2007. This section will address each of the six items as they relate to CSA 1-M, Lake Don Pedro Sewer.

5. C. 1 Growth and Population Projections

LAFCo needs to determine whether service/utility districts are working towards the implementation of adopted land use plans, or whether they are inducing growth in areas not intended to be urbanized.

The property in the Service Area is currently in a Planning Study Area. The residential properties cannot be further subdivided based upon the existing land use and zoning for the area. Further, the wastewater treatment plant has been designed to only provide enough capacity for the existing developed and vacant lots, based upon the existing land use and zoning. The wastewater services provided by the Service Area will not induce growth in the areas not intended to be urbanized.

5. C. 2 Present and Planned Capacity

LAFCo needs to determine whether the present and planned capacity of facilities and the adequacy of services, including infrastructure needs and deficiencies are being provided for by the service/utility district.

The existing (new) wastewater treatment plant was designed to meet the present needs, and to provide sufficient capacity for the development of existing properties based upon the current land use and zoning within the Service Area. Therefore, the Service Area has both enough capacity for the present, and can provide sufficient capacity for the planned development in the area.

5. C. 3 Financial Ability to Provide Services

The service/utility districts ability to finance and provide services needs to be determined by LAFCo. This determination should include a review of financing constraints and opportunities.

The Service Area is meeting its financial ability to provide services. The current fees, assessments, and a very small portion of the County property tax cover the current operating and maintenance expenses of the Service Area. The County produces an annual report of all Service Areas within the County. The County Auditor's Office and the Public Works Department are constantly monitoring expenses in relationship to fees and taxes collected to ensure that the Service Area is operating within existing revenues. The Service Area is able to provide services within its existing financial ability. No general fund revenues are required to operate the Service Area.

The Service Area is always facing the potential for increases in costs as a result of inflation or unexpected needs as a result of equipment failures. The current fees, assessments and taxes provide a sufficient revenue base to cover these costs. As needed, the Service Area can increase fees to cover costs in the future.

5. C. 4 Status and Opportunities for Shared facilities

Sharing facilities between service providers may result in reduced service costs. LAFCo needs to determine whether sharing facilities between providers, and utilizing excess capacity is possible, and if it can avoid service duplication, reduces costs, and minimizes unnecessary resource consumption.

The CSA1-M/SZ1 is located within the boundaries and SOI of the LDPCSD. The LDPCSD does not have wastewater facilities in the area that could be shared with CSA1-M/SZ1. The current agreement between Mariposa County and LDPCSD is that the wastewater facilities presently owned and operated in CSA1-M/SZ1 will be transferred over to the LDPCSD for future management and operation. This will consolidate the water and wastewater services within the LDPCSD into one operational and administrative public agency.

5. C. 5 Accountability of Community Service Needs

The accountability of the service/utility district to the community and its service needs must be determined by LAFCo.

At the present time the CSA1-M/SZ1 is represented by the Mariposa County Board of Supervisors. The Board of Supervisors hold meetings regularly, and members of the public, which would include property owners with the CSA1-M/SZ1, can be heard by the Board of Supervisors as either a scheduled matter, or as a matter not on the agenda. Further, the Board of Supervisors is elected by district, and each District Board member is available for contact by the constituents in their District.

Mariposa County has recently made a capital investment in the upgrade of the CSA1-M/SZ1 wastewater treatment plant. The upgrade will provide increased service to the area served. It will also provide for a long term service needs of the community.

5. C. 6 Other Matters Related to Effective and Efficient Service Delivery

LAFCo needs to make a determination regarding other matters that would be related to the specific effectiveness and efficiency of the service/utility district that are not covered by the preceding five determinations. This determination provides LAFCo with the opportunity to evaluate the service/utility district based upon any special needs or circumstances related to the district.

There are no other matters that would relate to the effective and efficient delivery of services for the CSA1-M/SZ1.