

6. County Service Area 1M – Coulterville Water and Sewer Services Area

6. A Background

6. A. 1 Formation and History

The CSA1-M/Coulterville Water and Sewer (CSA1-M/CWS) area is part of the County Service Area (CSA) 1-M, which also includes the CSA1-M/SZ1, discussed in Section 5, and the County Service Area 1-M/Mariposa Pines Wastewater, discussed in Section 7. The CSA was formed pursuant to “County Service Area Law” described in Government Code Sections 25210.1 through 25211.33 in July, 1, 1969, per Mariposa County Resolution 69-68 of the Mariposa County Board of Supervisors.

The Coulterville water and wastewater area was originally formed as a separate service area, based upon the actions of a citizen’s water committee in June of 1969. In January of 1970, the Mariposa County Board of Supervisors authorized the formation of the Coulterville Service Area No. 1 with Resolution 70-4. In December, 1970, a Certificate of Reorganization was filed with the Secretary of State, affirming that the Board of Directors of Coulterville Service Area No. 1 reorganized by annexing to what was then the Lake Don Pedro County Services Area No.1 (CSA-1). Subsequently CSA-1 was reorganized in CSA No. 1-M.

The Mariposa County Board of Supervisors serves as the Board of Directors of County Service Area 1-M.

6. A. 2 District Boundaries and Service Areas

The Coulterville Water and Wastewater area encompasses approximately 338 acres in the Coulterville area. The district boundaries are shown on Exhibit E. The district boundaries and Service Area encompasses the vast majority but not all of the Coulterville Town Planning Area. It also includes land outside of the Town Planning Area boundaries. The Coulterville Town Planning Area boundaries, along with the Service Area boundaries, are depicted on Exhibit F.

6. A. 3 Existing Sphere of Influence

A SOI has not been adopted for the area covered by CSA1-M/CSW.

Insert Map SA Map
Exhibit E

6. A. 4 Customers

The system currently serves 98 customers in the Coulterville Town Planning Area and some surrounding properties, providing both water and wastewater services. There are additional vacant parcels that could potentially be served by the Service Area. The Service Area also serves two properties that are outside of the current Service Area boundary. One of these is a commercial property (identified as “Property A” on Exhibit E) on Highway 49 N, just north of the existing boundary in the northwest portion of the Service Area. Research into the circumstances did not discover any specific action taken by the Board of Supervisors to provide services to this property. Some file documents indicate that the property was having problems with on-site wastewater disposal, and that it was being resolved by connection to the CSA1-M/SZ1.

The other is a residential property (identified as “Property B” on Exhibit E) just north of the Service Area Boundary along Oakridge Road. This residential property is part of a land division that apparently created the well site (identified as Property C” on Exhibit E) for the Service Area. Research into the circumstances did not find any specific action taken by the Board of Supervisors to provide services to this property. The well site for the Service Area is also outside of the boundary.

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

Water

The water system in the Coulterville area is comprised of approximately 13, 200 feet of 6 inch and 8 inch pipe, spread over three (3) pressure zones. There is one (1) well, and one (1) storage reservoir with a volume of 205,000 gallons.

Wastewater

The wastewater system is comprised of approximately 13,375 feet of 6 inch and 8 inch sewer mains. The system has two lift stations, one storage reservoir, and one aeration basin. Final waste disposal is through a spray field. The treatment reservoir has a capacity of 4,300,000 gallons.

6. A. 6 Capital Improvement Plans

There are no current capital improvement plans for the CSA1-M/CSW.

6. A. 7 Financial Overview

The Service Area is intended to be funded by user fees collected for water and wastewater services. The water and wastewater system were funded by a grant and Sewer Revenue Bonds that were approved at the time the systems were developed. The fees are

intended to cover the general expenses, maintenance costs and capital investments of the Service Area.

The expenses and costs to maintain the system currently exceed the user fees collected. Expenses were being covered, until recently, using service fees and the Service Area's Utility Capital Fund, which is now depleted. The County recognized that this shortfall would continue unless rates were increased. Following community input, in January, 2008, the Mariposa County Board of Supervisors adopted a phased rate increase for the Service Area. The rates will increase three times from February 1, 2008 until July 1, 2009. The Board of Supervisors also increased the rates for new water and wastewater connections.

The approved rate increases will provide sufficient income to cover the costs and expenses to run the treatment plant, and provide for a utility capital fund for the Service Area. The estimated annual shortfall will be reduced from \$30,500 this current year, to no shortfall by 2009, with a total shortfall of approximately \$43,000 over the next two years. The Service Area applied for and received a grant from the Mariposa County Water Agency to cover the shortfall.

6. B. Sphere of Influence

6. B. 1 Proposed SOI Change

A SOI needs to be adopted for the CSA1-M/CSW. The district's current boundaries were established in 1970 with the intention of providing water and wastewater services to the properties within the Service Area. The existing Service Area boundary includes the vast majority, but not all of the Coulterville Town Planning Area, as shown on Exhibit G.

The Service Area boundary defines what has been historically been viewed as the area to which services might be provided. The TPA boundary, on the other hand, defines what has historically been seen as the Coulterville community. Together, the existing Service Area and the Town Planning Area boundaries form the logical boundary of the geographic area that the Service Area should have influence over.

Therefore, from a planning perspective for the Coulterville community, it would best if the SOI boundary encompassed the boundaries of both the Service Area and the Town Planning Area. As part of any study conducted for the preparation of the SOI, the existing Service Area boundary should be evaluated regarding the two properties being provided services outside of the existing Service Area..

Exhibit F Coulterville TPA Map

6. B. 2 Consistency with General Plan Policies

The Coulterville Town 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 Coulterville Town Plan is considered an Area Plan for purposes of the General Plan. The Coulterville 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 is consistent with the County General Plan, as it assists in the implementation of the County General Plan by facilitating the policies and development standards of the Coulterville Town 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 in the future.

6. B. 3 Future Capacity

Water

The current water system can provide for approximately 150 connections or customers, based upon the production of the well and storage facilities. The water system currently has 98 connections, so there is the potential future capacity of 52 additional connections.

In March, 1988, the water system had 85 connections. In the 20 years since, there have been an additional 13 connections, for approximately 15% growth in that period. Based upon this growth rate, the current water system can easily accommodate growth, without exceeding capacity, for the next decade or more. Capacity could be increased if additional water sources (wells) are drilled. The Mariposa County Public Works Department has also noted that additional storage capacity would be a desirable enhancement to the water system..

Wastewater

The wastewater treatment plant has 98 connections and is at or near capacity. While initially designed for 150 connections, changes in treatment standards and the operating permit has limited the number of connections. Based upon information from the Mariposa County Public Works Department, the existing wastewater treatment plant will be able to serve existing parcels within the Service Area boundaries. However, the further subdivision of any existing parcel, which will result in creating additional demand, will need to be evaluated at the time of the subdivision.

6. 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, Coulterville Water and Sewer.

6. 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 Coulterville Town Planning Area Town Plan is intended to identify and implement policies and goals to meet the localized needs of the Coulterville community. Adopting this MSR and modifying the SOI for CSA1-M/CWS+ would facilitate the development identified and intended in the Coulterville Town Planning Area Town Plan.

The Coulterville Town Plan was developed with consideration for the water and wastewater services provided by the Service Area. The proposed SOI change to make the SOI boundary coterminous with the existing Service Area Boundary would facilitate development within the defined “urban” boundary of the Coulterville community.

6. 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 water system meets both present and planned capacity for the Service Area. The Public Works Department has identified potential enhancements for the water system that would include a second well, a backup generator at the well site(s) for power outages, and additional storage capacity. There are no plans, at this time, to provide these enhancements.

The wastewater system also meets the present capacity and the potential for development on the existing parcels within the Services Area. Additional development, by way of subdivision or changes to residential densities, will need to be evaluated at the time that such a proposal is made. Such additional development would be required to evaluate existing capacity, potential capacity of the other vacant parcels in the Service Area, and the proposed development’s impact on the capacity of the water and wastewater systems.

Such an evaluation would need to determine whether there are possible upgrades to the existing systems, or whether additional systems would need to be developed to serve the additional capacity demands. The Public Works Department has identified a potential enhancement to the wastewater system that would provide for a SCADA system.

6. 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 has taken steps to meet its financial responsibility to provide services. The increased fees are anticipated cover the current and future operating and maintenance expenses of the Service Area. The grant from the Mariposa County Water Agency will cover unanticipated shortfalls until the rates/fees can match expenses in 2009.

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 revenues to ensure that the Service Area is operating within existing budgets. 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 and other anticipated expenses. As needed, the Service Area can increase fees to cover costs in the future.

6. 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 reorganization of CSA 1-M to incorporate the Coulterville Service Area, the Don Pedro Service area and the Mariposa Pines Service Area in 1970, provided a better method of managing and controlling administrative costs for the three Service Areas. It created a single administrative function, consolidated staff, and reduced staff maintenance and overhead costs without a reduction in services to the communities in their respective areas. This created shared facilities through the establishment of a dependent district that could leverage a larger staff base and expertise in management and maintenance of the systems, and the availability of more equipment with a varied functional base.

There are no other service/utility districts in the Coulterville area that can provide the necessary water and waster water services, so the opportunity for shared facilities with

another service area or district is not possible. The consolidation of the CSA 1-M has provided the best opportunity for the Coulterville Water and Wastewater area to share administrative staff and facilities.

6. 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/CWS is represented by the Mariposa County Board of Supervisors. The Board of Supervisors hold meetings regularly, and members of the public and property owners with the CSA1-M/CWS 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.

The existing water and wastewater systems are meeting the service needs of the Coulterville community at this time. Growth rates in the community have been low, and the future service needs of the existing parcels can be met. Upgrades may be necessary if additional development, beyond the existing parcels, is proposed.

6. 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/Coulterville Water and Wastewater Area.

7. County Services Area 1M – Mariposa Pines Wastewater

7. A Background

7. A. 1 Formation and History

The CSA1-M/Mariposa Pines (CSA1-M/MP) is part of the County Service Area (CSA) 1-M, which also includes the CSA1-M/SZ1, discussed in Section 5, and the County Service Area 1-M/Counterville Service Area. The CSA was formed pursuant to “County Service Area Law” described in Government Code Sections 25210.1 through 25211.33 in July, 1, 1969, per Mariposa County Resolution 69-68 of the Mariposa County Board of Supervisors.

The CSA1-M/MP was created and annexed to County Service Area 1-M in January, 1971. The CSA1-M/MP was created to provide wastewater service to lots within the Mariposa Pine Subdivision in the Jerseydale area of Mariposa County. The Mariposa County Board of Supervisors serves as the Board of Directors of County Service Area 1-M.

7. A. 2 District Boundaries and Service Areas

The existing boundaries for CSA1-M/MP are shown on Exhibit G. The CSA1-M/MP only provides wastewater services to certain small lots within the boundaries. The CSA1-M/MP currently has 23 service connections.

7. A. 3 Existing Sphere of Influence

A SOI has not been adopted for the overall 1-M County Service Area or for the CSA1-M/MP.

7. A. 4 Customers

The District currently serves twenty three (23) residential customers that are part of the original Mariposa Pines Subdivision.

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

The wastewater treatment facilities for the CSA1-M/MP consist of approximately 3,890 feet of 4” and 6” mains, with 7 manholes provided for cleanout. There is one lift station,

**Insert MP Map
Exhibit G**

one aeration basin with a volume of 1700,000 gallons, and a leach field for final disposal. The treatment plant has a capacity of approximately 5,000 gallons per day.

7. A. 6 Capital Improvement Plans

There are no capital improvement plans for CSA1-M/MP.

7. A. 7 Financial Overview

The Service Area is funded by fees collected for services and a very small portion of the property tax revenue of Mariposa County. The fees and taxes collected cover the general expenses and maintenance costs of the Service Area. There is a small reserve to cover unanticipated costs. The Service Area is financially stable, based upon the two most recent budget and annual reports prepared by the Mariposa County Auditor.

7. B. Sphere of Influence

7. B. 1 Proposed SOI Change

A SOI needs to be adopted for the CSA1-M/MP. The Service area boundary for CSA1-M/CSW has been historically established as part of the annexation of the Service area to CSA 1-M. A SOI should be adopted that is coterminous with the historic boundaries as shown on Exhibit E.

7. B. 2 Consistency with General Plan Policies

The Service Area is located within the Residential Land Use of the Mariposa County General Plan. All of the property within the Service Area boundaries is zoned Mountain Home, which has a five acre minimum parcel size. Several of the properties with the CSA1-M/MP are below the minimum parcel size for the Residential Land Use or underlying zoning of the properties. These smaller properties, however, are legal non-conforming parcels as recognized by the Mariposa County general Plan and Title 17, Zoning. The Mariposa Pines area has been subdivided in recent years, and none of the developments were of the "small lot" variety that would require connection to a community wastewater system. Recent and future subdivisions in the area will need to conform to the minimum parcel size and provide adequate water and wastewater systems on site.

7. B. 3 Future Capacity

The current operating permit for the wastewater treatment plant is for twenty-three connections, and the treatment plant currently has twenty-three connections. Therefore, there is no excess capacity for additional connections to the system. Recent subdivisions in the area have been above 5 acres per parcel, and on site septic systems have been required by the Mariposa County Health Department. Future subdivisions in the area will

also be required to meet the minimum 5 acres parcel size, and to provide appropriate soils tests and the installation of on-site septic systems that meet the requirements of the Mariposa County health Department. Upgrades to the system to increase capacity might be possible.

7. 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, Mariposa Pines.

7. 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 CSA1-M/MP was developed to serve a portion of a small lot subdivision prior to the adoption of the current Mariposa County General Plan. In accordance with the General Plan, these are legal non-conforming parcels with respect to minimum parcel size. There are small lots in the immediate area that could potentially benefit if the capacity of the existing treatment system was increased. However, these are existing parcels. Further development of small lots, such as those provided by the Mariposa Pines Subdivision, would not be permitted under the Current General Plan or underlying zoning. Continued operations, management, or enhancements of the Service Area will not induce growth in areas not intended for “urbanized” development.

7. 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 current wastewater system is at capacity, and no additional connections can be made at this time. There are parcels in the Service Area that may be too small for on-site septic systems, and cannot connect to the existing wastewater system until capacity is increased.

The wastewater system could possibly be upgraded to provide additional capacity. The Public Works Department has identified some potential enhancement to the existing system that includes generators at the lift station and plant for power outages, an upgrade to the aeration system, and a flow meter at the lift station. These enhancements would provide for more reliable service of the existing plant, but would not increase capacity. Capacity increases are not currently being pursued by the Service Area. Increased capacity would only come about as a result of a specific development proposal for the

existing small parcels that would need service. Such a proposal would need to be prepared to upgrade the treatment plant.

7. 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 CSA1-M/MP receives a small portion of the County property tax and collects fees to cover the expenses of operations and maintenance. These taxes and fees currently cover the annual operating expenses of the Service Area, and no County General Funds are necessary to maintain the financial ability of the Service Area to provide Services.

7. 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 reorganization of CSA 1-M to incorporate the CSA1-M/MP into the CSA1-M, provided the CSA-1M/MP with a better method of managing and controlling administrative costs. It created a single administration of the three areas within the CSA1-M, consolidated staff, and reduced staff maintenance and overhead costs without a reduction in services to the communities in their respective areas. This created shared facilities through the establishment of a dependent district that could leverage a larger staff base and expertise in management and maintenance of the systems, and more equipment with a varied functional base. There are no other service areas or utility districts in the Mariposa Pines area, so there is no opportunity for shared facilities.

7. 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.

The CSA1-M/MP 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/CWS, 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.

The wastewater system is meeting the service needs of some of small properties in the Mariposa Pines area at this time. Growth rates in the community have been low. Residential development in the area has of large lot (5 acres plus) size, and water and

waste water have been provided on-site based upon approvals by the Mariposa County Health Department. Upgrades will be necessary if additional development of the small parcels, that cannot develop on-site septic system disposal, is proposed.

7. 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 Yosemite Alpine Community Services District CSA1-M/Mariposa Pines Wastewater

8. Yosemite Alpine Community Services District

8. A Background

8. A. 1 Formation and History

The Yosemite Alpine Community Services District (YACSD) is located in the Community of Fish Camp, California. The YACSD was established on April 22, 1969 in accordance with the Community Services District law, as contained in Government Code Section 61000 through 61881. The District was initially formed to serve the Yosemite Alpine Village subdivision created by S.K.A. Inc in the late 1960. The YACSD is served by a five member Board of Directors, elected at large for a term of four years.

8. A. 2 District Boundaries and Service Areas

The YACSD boundaries are within the Fish Camp Town Planning Area. The current boundaries encompass only the property covered by the Yosemite Alpine Subdivision, which is approximately 19 acres with 47 parcels. No annexations have occurred since the District's initial formation in 1960. According to a SOI study prepared for LAFCo in 1987, the current District boundary represents approximately 35% of the area designated for Single Family ½ acre residential development in the Fish Camp Town Plan.

While the YACSD can provide additional services within the District boundaries, as provided by the Community Services District law, but it presently provides only water, road maintenance, and snow removal. This MSR will only discuss the water services.

8. A. 3 Existing Sphere of Influence

The SOI is shown on Exhibit H. The existing SOI encompasses the majority of the existing Fish Camp Town Planning Area boundaries, with the exception of the property owned by the Yosemite Mountain Ranch. The SOI encompasses approximately 255 acres in the Fish Camp area, and includes residential and commercial land uses based upon the Fish Camp Town Plan. The SOI was adopted by LAFCo per resolution 87-2, in July, 1987. No changes have been made to the SOI since that date.

There are private water systems operating within the YACSD SOI, but outside of the current District's boundaries. These private systems could potentially annex to the District, which would require LAFCo approval. The Silver Tip Resort complex is also located within the SOI of the District, but not within the District's current boundaries. At present, the Silver Tip project is proposing the development of a private water and wastewater system that would not use services from the District. The LAFCo SOI study conducted in 1987, which resulted in the adoption of the current SOI, determined that it

would be beneficial to have a consolidated water system in Fish Camp. The report recognized, however, that annexation to the District might not be feasible for various reasons. The 1987 study concluded that annexation was not required of the private systems, but consolidation was encouraged. The study also established a policy to require any annexation to demonstrate that annexation applicants, or the District, have adequate capacity to provide service for proper growth and services of the District. As noted above, there have not been any annexations to the YACSD boundaries since the Study was prepared, and the SOI adopted.

8. A. 4 Customers

While the YACSD can provide service to all properties in the Fish Camp Planning Area, its current customer base is residential in nature based upon the current District boundaries that serve the Yosemite Alpine Village subdivision. The YACSD currently has thirty-three (33) residential customers who are on metered water service.

8. A. 5 Collection, Treatment, Storage, and Distribution

The YACSD has two 45,000 gallon water storage tanks, supplied by two wells, and water mains that provide access to the parcels in the Yosemite Alpine Village Subdivision. The water system is managed by a private contractor who performs routine maintenance and the required water testing by the California Department of Public Health. There are no treatment facilities for the water system. Based upon the routine testes required by the State, the water is of sufficient quality that it meets the State standards and does not need to be treated.

8. A. 5 Capital Improvement Plans

The YACSD does not have any capital improvement plans at this time.

8. A. 6 Financial Overview

The YACSD operates in a positive cash flow. For 2006 their revenues exceeded expenses and have sufficient assets to accommodate unanticipated expenses. The District charges \$3.50 per 1,000 gallons of metered water. The YACSD does not have any public debt.

8. B. Sphere of Influence

8. B. 1 Proposed SOI Change

No change in the SOI is proposed for the YACSD at this time.

8. B. 2 Consistency with General Plan Policies

The Fish Camp 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 Fish Camp Planning Area Town Plan is considered an Area Plan for purposes of the General Plan. The Fish Camp Planning Area Town Plan identifies and implements policies and goals to meet the localized needs of the Fish Camp 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 current SOI is consistent with the County General Plan. It will assist in the implementation of the County General Plan by facilitating the policies and development standards of the Fish Camp Town Planning Area Specific Plan.

8. B. 3 Future Capacity

Population projections and growth demands for the Fish Camp area are hard to determine. Growth has been reasonably slow in the area. Based upon the 1987 SOI study, the YACSD had 30 connections. The December 2006 Annual Report to the Drinking Water Field Operations Branch of the California Department of Public Health stated that at that time there were 33 connections. This represents a 10 % growth over approximately 20 years. The water system was designed and is approved for forty-seven (47) connections, which would allow for a growth of approximately 40% above current connections. Based upon past growth rates and the potential capacity of the YACSD water system, the District has sufficient capacity to meet water needs for several years to come. If and when the District boundaries expand, they will need to investigate the need for additional capacity.

8. 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 the Yosemite Alpine Community Services District.

8. 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 YACSD was established to serve the needs of the parcels and residences created by the Yosemite Alpine Village Subdivision and the SOI was established to serve the Fish Camp community. Specific policies have been adopted by LAFCo that require that any annexation proponent prepare a feasibility study prior to approval. The feasibility study would need to demonstrate that there is adequate capacity without jeopardizing the commitment to serve the properties within the current District boundaries. The current District boundaries and the SOI are established to serve the needs of the Yosemite Alpine Village Subdivision and the Fish Camp community without inducing growth in areas not suited for development in the area. The District is not encouraging growth in areas not intended to be “urbanized.”

8. 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 YACSD presently has sufficient capacity to provide water service within the existing boundaries of the District. It may also have sufficient capacity to provide water service if there are annexations to the District. At the time such annexations are requested, the District will need to conduct, or require the applicants to conduct, appropriate studies to determine capacity and if necessary, identify additional infrastructure needs required for the annexation. In particular, any future annexation would need to identify additional distribution systems (water mains) for the annexation. The annexation of any additional property or private water systems would also require an evaluation at the time of annexation to determine the feasibility of such an annexation.

8. 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 YACSD has sufficient funds and the financial ability to provide services to the District customers based upon their current rate structure, the existing facilities, the current maintenance costs, and the administrative costs. As with any such District, inflation result in increased operating costs, and revenues will need to keep pace. The District does have the financial ability to provide services.

8. 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 YACSD is the only community services district in the Fish Camp Planning Area. There are some private water systems within the Fish Camp Town Planning Area. These private systems have been approved through the California Department of Public Health, and are subject to the requirements of the State of California. Sharing the facilities of the private systems is not possible at the present time.

8. 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.

The YACSD has an elected Board that is answerable to the community and customers that it serves. Since its creation, The YACSD has provided sufficient capacity, cost effective administration, and maintains a positive financial environment for the maintenance and potential upgrade of the system.

8. 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 Yosemite Alpine Community Services District.

9. Yosemite West Maintenance District

9. A. Background

9. A. 1 Formation and History

The Yosemite West Maintenance District (YWMD) is located in the Community of Yosemite West, California. The YWMD was established in June 1967 pursuant to the Street and Highway Code Section 5820 through 5856, which is part of the Improvement Act of 1911 contained in Division 7 of the Street and Highway Codes. By Resolution 67-26, the Mariposa County Board of Supervisors implemented the 1911 and 1913 improvement acts, and Resolution of Intention 67-49 they established the District.

The District was initially formed to serve the Yosemite West Subdivision and Condominium project. The Mariposa County Board of Supervisors serves as the Board of Directors for the District.

In a 1985 Report on Local Government Organizations in Mariposa County that was prepared for LAFCo, the Report states that YWMD is an “Assessment District” established for the purposes of paying for and maintaining improvements. The type of work defined under the Street and Highways Codes that can be undertaken and maintained are very broad, and include roads, sanitary sewers, street lighting, and water systems among other improvements of a similar nature. The 1985 Report concluded that the YWMD was not subject to LAFCo authority. This was the same conclusion reached in the January 1994 LAFCo Policies, Procedures and Standards document prepared by County Staff and adopted by LAFCo. A legal opinion by Mariposa County Counsel in February, 1988 also came to this conclusion.

9. A. 2 District Boundaries and Service Areas

The YWMD boundaries encompass approximately 110 acres within the Yosemite West Town Planning Area. The current boundaries encompass the property covered by the Yosemite West Subdivision and Condominiums. The District’s boundaries are shown on Exhibit I.

While the YWMD can provide for additional work on projects within the District boundaries, as provided by the 1911 Improvement Act, it presently provides water, wastewater, and road maintenance. This MSR will only discuss the water and wastewater services.

Exhibit I Boundary Map

9. A. 3 Existing Sphere of Influence

As a result of the prior opinions discussed in Section 9.A.1, it has been historically determined that the District was not subject to the Reorganization Act, and as such is not subject to the jurisdiction of the LAFCo. Therefore, a SOI has not been adopted for the YWMD.

9. A. 4 Customers

The customers of YWMD are residential and vacation properties in the Yosemite West Subdivision and Condominium project. Any property within the District's boundary, developed or vacant, is a customer. A new wastewater treatment plant was designed to accommodate all customers in the Service Area.

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

Water

The current water collection system is composed of approximately 19,400 feet of 4 inch and 6 inch water mains, with 24 fire hydrants over three (3) pressure zones. Water is provided by four (4) wells with one (1) storage tank. The water is treated for hardness.

Wastewater

The current water collection system is composed of approximately 31,700 feet of 4 inch and 6 inch sewer mains, with sixteen (16) manholes for access and maintenance. There are two (2) 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 an upper and lower aeration basin with a volume of 480,000 gallons. The system uses a drip field for final disposal of the liquids.

9. A. 5 Capital Improvement Plans

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

9. A. 6 Financial Overview

The District is funded by fees collected for the water, wastewater and road maintenance services provided. The fees collected cover the general expenses and maintenance costs of the District. No Mariposa County general funds are used to finance the District. There is a small reserve to cover unanticipated costs. The District is financial stable, based upon the two most recent budget and annual reports prepared by the Mariposa County Auditor. The recently constructed wastewater treatment plant was funded by property tax assessments for all of the properties within the District boundaries.

9. B. Sphere of Influence

9. B. 1 Proposed SOI Change

Further research into the LAFCo's jurisdiction over the YWMD needs to be conducted. While the District may have been established under legislative provisions that excluded it from the requirements of the local government organization act, the intent, means and actions taken to provide services over the years may have changed the District's exemption from the LAFCo jurisdiction. It is recommended that LAFCo direct staff to research this matter more, and return it for discussion by LAFCo at a future date.

The current District boundary is entirely within the Yosemite West Town Planning Area (TPA) boundary, but does not include all of the property within the TPA. The TPA boundary is shown on Exhibit K. The current District boundary has remained unchanged since the creation of the District in 1967. It defines what has been historically viewed as the area to which services would be provided for the Yosemite West subdivision and condominiums as part of the original assessment. The TPA boundary, on the other hand, defines what has historically been seen as the planning area that should be managed as part of the Yosemite West Special Plan, and includes property not within the Yosemite West subdivision and condominiums. The Town Planning Area boundary is the logical geographic area that the District should have influence over. Therefore, from a planning perspective for the Yosemite West community, it would best if the SOI boundary for the YWMD was the Town Planning Area boundary shown on Exhibit J.

The intent behind including the YWMD in this MSR is that should it be determined that the YWMD is subject to LAFCo jurisdiction, this MSR will serve to meet the requirements of the CHK Act. If a SOI is adopted for the YWMD, this MSR will provide the necessary determinations mandated by law.

9. B. 2 Consistency with General Plan Policies

The properties within the YWMD are identified in the Mariposa County General Plan as a Planning Study Area, and are within the Yosemite West TPA. The properties are presently zoned for Rural Residential, 2.5 acre minimum. A Special Plan is currently being developed for the TPA.

The Yosemite West Planning Area Special 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 areas

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 Yosemite West area is comprised primarily of small lot residential development that has already been subdivided by actions prior to the adoption of the current Mariposa County General Plan. There are several large parcels in the TPA that could be further subdivided or developed based upon either the General Plan or the Special Plan being developed. However, further subdivision of the residential parcels in the current District 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.

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 Special Plan.

9. B. 3 Future Capacity

The new wastewater treatment plant was designed based upon the existing parcels and development in the District boundary. The design capacity includes both existing development, and the potential development of vacant parcels within the District. The wastewater system was designed to also allow for an additional 32 equivalent dwelling units (EDU) within the District. The wastewater treatment plant, therefore, has sufficient capacity to accommodate all of the current properties, based upon existing land use and zoning, and for additional expansion within the District. The current water system also has enough capacity to meet the requirements of the developed and vacant properties in the District, and has sufficient capacity, beyond the existing properties in the District, to satisfy the additional 32 EDUs provided by the wastewater system.

Exhibit J TPA Map

9. 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.

9. 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 District is currently in a Planning Study Area. The residential properties within the existing District boundary cannot be further subdivided based upon the existing land use and zoning for the area. The wastewater treatment plant has been designed to provide services to the existing developed and vacant lots in the District, 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.

9. 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 water and wastewater systems are of sufficient capacity for the development of existing properties based upon the current land use and zoning within the District. Both systems have been planned so that there is additional capacity above anticipated capacity for existing parcels. Therefore, the District has both enough capacity for the present, and can provide sufficient capacity for the planned development in the area.

9. 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 cover the current operating and maintenance expenses of the District. The County produces an annual report of all Service Areas and Districts 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 District

is operating within existing revenues. The District is able to provide services within its existing financial ability. No general fund revenues are required to operate the District.

The District 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 District can increase fees to cover costs in the future.

9. 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 Yosemite West Planning Area that would be able to share facilities with YWMD. Therefore, opportunities for sharing facilities do not exist for the water and wastewater systems.

9. 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 YWMD 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 YWMD, 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 YWMD 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.

9. 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.

10 Conclusions and Recommendations

10. A. Mariposa Public Utility District

10. A. 1 Sphere of Influence

For proper land use planning and management of the “urbanized” area in Mariposa County, the SOI for the MPUD should coincide with the existing boundaries of the Mariposa Town Planning Area Town Plan. The District should take actions to evaluate the SOI change in the immediate future. LAFCo will need to approve the SOI.

10.A.2 Annexations

Annexations to the MPUD will need to be evaluated to determine capacity of the existing water and wastewater systems to handle the potential development of the annexed areas. No action is necessary at this time by LAFCo.

10.B County Service Area 1-M – Sewer Zone No. 1

A SOI change is not necessary for CSA1-M/SW1. The wastewater treatment system is within the existing SOI of the Lake Don Pedro Community Services District, and under current agreements, the District will be eventually managing the wastewater system as part of the District.

10. C County Service Area 1-M – Coulterville Water and Sewer

10.C.1 Sphere of Influence

A SOI needs to be adopted for the Service Area that coincides with the existing Service Area boundary. The existing wastewater system can service existing parcels in the Service Area boundary. Any further development (subdivisions) in the Service Area would need to evaluate the existing system, and make recommendations on the expansion or upgrade of the system to increase capacity and accommodate further development.

10. D Mariposa Pines

10.D.1 Sphere of Influence

A SOI needs to be adopted for the Service Area that coincides with the existing Service Area boundary. The existing wastewater system is at capacity, and any further development in the Service Area would need to evaluate the existing system, and make recommendations on the expansion or upgrade of the system to increase capacity and accommodate further development.

10. D Yosemite West

10.D.1 Sphere of Influence

Pending any resolution of whether the YWMD is subject to LAFCo jurisdiction, a SOI may need to be adopted for the District. For proper land use planning and management of the Yosemite West area in Mariposa County, the SOI for the YWMD should coincide with the Yosemite West Town Planning Area boundary. The existing wastewater system has sufficient capacity to meet anticipated needs.