

**Mariposa County
Local Agency Formation Commission
Resolution No. 2022-007**

**A Resolution of the Mariposa County Local Agency Formation Commission Making
a Finding of Exemption from the California Environmental Quality Act and
Approving an Annexation of Territory to the Mariposa Public Utility District**

WHEREAS, annexation proceedings were initiated by the Mariposa Public Utility District (“District”) to annex approximately 1,636 acres to the District (“Mariposa Public Utility District (MPUD) Service Area Annexation”), said territory being described in Attachment “A” to this resolution and by this reference incorporated herein; and

WHEREAS, the application was submitted to the Mariposa Local Agency Formation Commission ("LAFCo" or "Commission") by the Mariposa Public Utility District as required by State law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 16th day of May 2022, at the hour of 10:00 a.m.; and

WHEREAS, notice of the hearing to consider the proposal was given as required by State law; and

WHEREAS, the Executive Officer reviewed the Proposal and prepared a staff report to the Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by the Commission pursuant to State law; and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on the Proposal; and

WHEREAS, lands within the District’s existing and proposed boundary have been subject to environmental analyses under CEQA through the Environmental Impact Reports (EIRs) for the Mariposa Town Plan and the County of Mariposa General Plan, said analyses included a program level evaluation of infrastructure and public utility needs for the Mariposa Town Planning Area, the boundaries of which are coterminous with the proposed annexation; and

WHEREAS, no development or other physical activities are proposed as part of the annexation; and

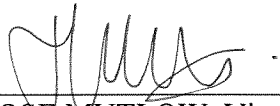
WHEREAS, the project is consistent with adopted LAFCo Policies and serves to implement the Mariposa County General Plan, the Mariposa County Economic Vitality Strategy, and the Mariposa County Housing Implementation Program.

NOW, THEREFORE BE IT RESOLVED that the Mariposa County Local Agency Formation Commission does hereby determine and order as follows:


- A. Acting as a responsible agency pursuant to California Environmental Quality Act ("CEQA"), the Commission finds that the proposed annexation is exempt from CEQA under CEQA Guidelines Section 15319, Annexation of Existing Facilities or Lots for Exempt Facilities.
- B. The Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- C. The Mariposa Public Utility District (MPUD) Service Area Annexation is approved subject to the following conditions:
 - a. The Executive Officer shall record the approved annexation once she has determined that the facts pertaining to the application during the time of recording are materially similar to the facts considered by the Commission at the time of approval. "Facts", as used in the preceding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in the application before the Commission.
 - b. Submittal of a legal description and map, both of which must be approved by the County Surveyor prior to filing.
- D. The Commission finds that pursuant to CKH and information in the record:
 - a. The territory is inhabited.
 - b. The project will not adversely affect the agricultural resources of the community.
 - c. The project will promote the planned, orderly, efficient development of an area.
 - d. All landowners and affected agencies have not consented to the reorganization.
 - e. A protest hearing will be held.


On a motion by Commissioner Smallcombe, and seconded by Commissioner Iudice, **PASSED AND ADOPTED** by the Mariposa County Local Agency Formation Commission this 16th day of May 2022 by the following vote:

AYES: SMALLCOMBE, SWEENEY, FORSYTHE, IUDICE, MUTLOW
 NOES: NONE
 EXCUSED: MENETREY
 ABSTAIN: NONE



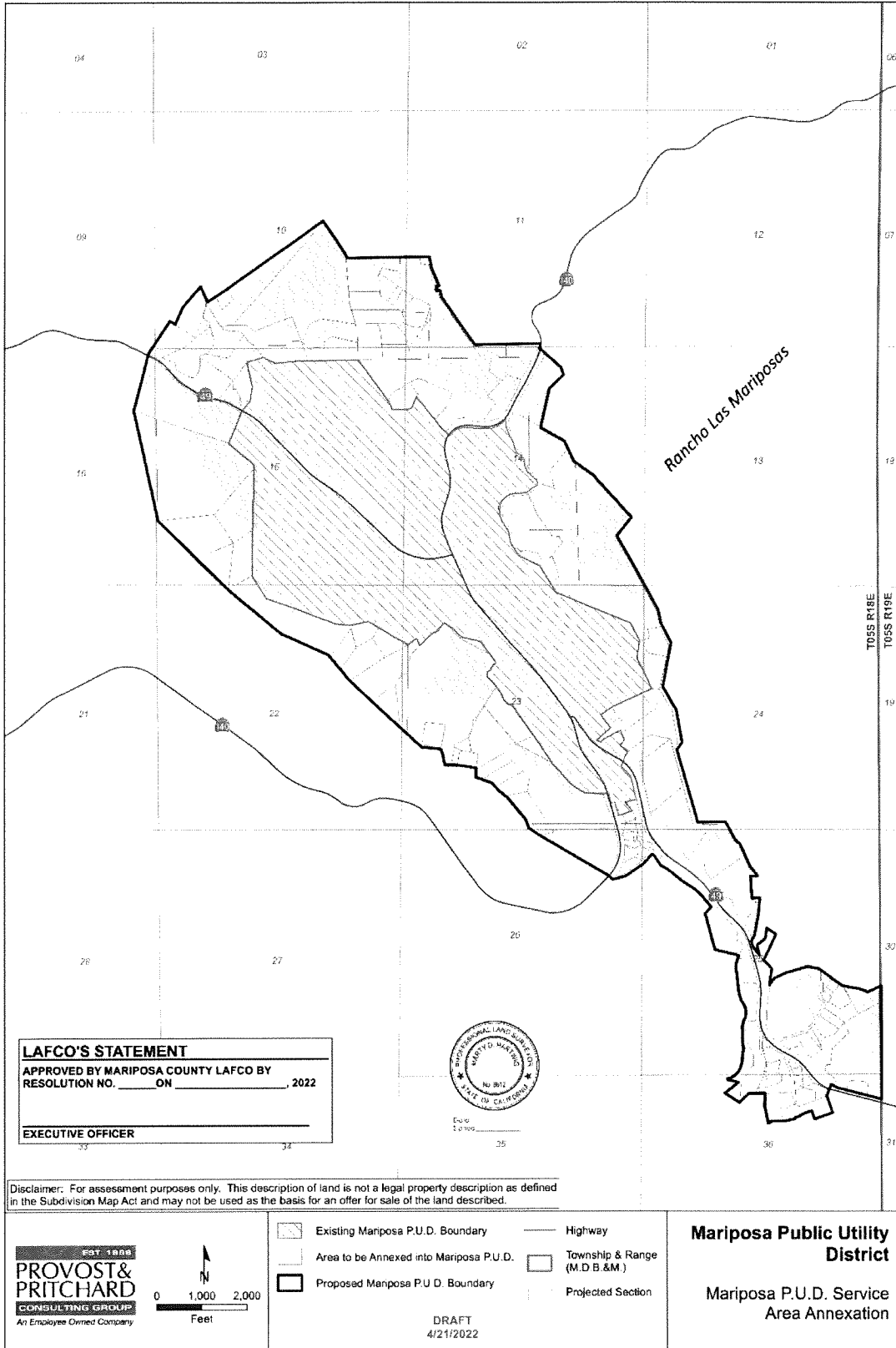
 MOOSE MUTLOW, Vice-Chair
 Mariposa County LAFCo

ATTEST:

 KEITH WILLIAMS
 Interim Clerk of the Board

APPROVED AS TO FORM:


 STEVEN W. DAHLEM
 County Counsel

Attachment "A"



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