



Request For Proposals for:

Mariposa LAFco project to prepare and process a Municipal Service Review, an update to the Sphere of Influence, and a Change of Organization to expand the boundary of the Mariposa Public Utility District

March 5, 2020

The Mariposa Public Utility District (MPUD), an independent special district, 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, which serves the unincorporated community of Mariposa, Mariposa's County Seat. 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. MPUD is currently in discussions with the County of Mariposa (Mariposa County Fire Department), to take over fire protection services within its boundaries.

MPUD's primary facilities include:

- 0.610 million gallons per day wastewater treatment facility
- 1 million gallons per day surface water treatment facility
- Stockton Creek Reservoir (surface water storage)
- Saxon Creek water project (transmit surface water from Merced River to MPUD water treatment facility and/or Stockton Creek Reservoir)
- 4 wells and 3 treated water storage tanks
- Three fire engines including one ladder truck
- Fire Station located at 5273 Highway 49 North, Mariposa
- Office and Fire station at 4992 Seventh Street, Mariposa
- State certified (ELAP) water quality laboratory for wastewater and bacteriological analysis

MPUD currently has eight full-time employees including a General Manager, Operations Supervisor, Office Manager, four water and wastewater system certified operators and two operators in training. The General Manager and Operations Supervisor are certified as "Chief Plant Operators" for the water and wastewater systems. The Fire Department operations staff is all paid call/volunteers. MPUD's volunteers are also volunteers with the Mariposa County Fire Department.

The current MPUD Service Area boundaries are delineated on the map shown as Exhibit A (colored blue). The current boundaries encompass 954 acres, and include the majority of the urban, developed

land within the Mariposa Town Planning Area (TPA) boundaries (also delineated on Exhibit A, colored yellow).

Mariposa County does not have any incorporated cities, and the County General Plan, adopted in 2006, establishes that Area Plans will be developed for identified communities. Area Plans will be prepared for Town Planning Areas (Town Plan), Community Planning Areas (Community Plan), and Special Planning Areas (Special Plan).

Any land owner within the MPUD Service Area 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 which is charged based on quantity used, and charges for wastewater and fire protection services on a flat fee basis.

The existing MPUD Sphere of Influence (SOI) includes 498 acres within the TPA as shown on Exhibit A (black hatching). The existing SOI was adopted by LAFCo in 1980, and has not been updated since that time. The current SOI boundary was coterminous with the Mariposa northern TPA boundary that was in place at that time. The Mariposa Town Plan was comprehensively updated in 1992, which expanded the plan area boundaries to the ridges surrounding town.

The last Municipal Services Review (MSR) for MPUD was conducted in 2008 as part of a countywide water and wastewater MSR (Exhibit B). At that time there were 634 single family dwellings, 168 commercially rated connections, 345 hotel/motel units, and 16 public buildings/facilities being served within the District, which was serving a population of approximately 2,000.

As of the date of preparation of the RFP, there are 787 single family dwellings, 271 commercially rated connections, 362 hotel/motel units, and 16 public buildings/facilities being served within the District, which still has a population of approximately 2,000.

The Mariposa County General Plan was adopted in December of 2006. The General Plan provides for the Mariposa TPA to become greatly enlarged. Volume II of the General Plan contains a land use diagram showing the proposed expanded Mariposa Town Planning Study Area (delineated on Exhibit A, shown in green). It should be noted that although the expanded TPA area was part of the adopted General Plan's mapping, the area is only a "study" area at this point. The County has not formally expanded the Mariposa Town Plan boundaries for the area. Expanding the existing Town Planning Area boundary to be consistent with the General Plan is on the Planning Department's Work Program. Planning and LAFCo staff recognize that the LAFCo work described in this RFP and the General Plan/Town Plan amendment process are related projects.

The 2008 MSR states the following:

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 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 the subsequent updating of the SOI.

And further states:

If the TPA boundaries are amended by Mariposa County, the SOI boundary should also be updated to be coterminous with the new TPA boundary.

With respect to consistency with the General Plan, the MSR states:

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.

The 2008 MSR conducted for MPUD states that MPUD's sphere of influence should be coterminous with both the current TPA boundary and future modifications to the boundary. The project to which this RFP applies involves making the proposed expanded Town Planning Area and MPUD SOI boundaries coterminous. This SOI expansion is the first step, and required in order to expand urban growth into the Study Area. General Plan Implementation Measure 5-2a(4) states:

No urban expansion shall occur within the Mariposa Town Planning Study Area unless water and sewage disposal are available from a centrally coordinated and managed system.

In accordance with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, an approved MSR is required before LAFCo can update a SOI. A MSR can be conducted in conjunction with, but not later than, an action to establish or update a SOI, although the two processes and actions are distinct and separate functions under the LAFCo authority. The information, recommendations and determinations contained in a MSR are intended to guide and inform SOI decisions for both the local agency and LAFCo. LAFCo only needs to adopt a MSR if it is adopting or updating a SOI.

Specific Project Tasks:

Mariposa LAFCo seeks professional planning assistance to prepare and process:

- A Municipal Service Review for an expanded Sphere of Influence for the Mariposa Public Utilities District,
- An update to (expansion of) the District's Sphere of Influence,
- A change of organization to expand the boundary of the Mariposa Public Utilities District in order for the District's boundary to be coterminous with the existing Mariposa TPA boundaries, and
- Overview of the existing surface water rights available to the MPUD.
- List of State and Federal permits that may require amendments to allow for the MPUD to provide services within the SOI.
- General listing of tasks necessary to expand MPUD services outside of the current service area and within the proposed SOI.
- Capacity of existing MPUD water and wastewater facilities.
- Estimated demand on MPUD water and sewer systems to expand services to the SOI areas.

Optional Task:

- All necessary environmental documentation to ensure project compliance with the California Environmental Quality Act (CEQA).

All tasks shall be conducted in accordance with applicable California state law and state and local guidelines for implementation of the law.

Completion of this project will accomplish Task 1.2 under Mariposa Town Plan Update of the Mariposa County General Plan Strategic Implementation Work Plan which states:

Establish and annotate annexation process to add lands to utility service territories (e.g., SOI expansion, LAFCo process, service extensions, financial agreements).

PROJECT DETAILS

Project Process and Management

Develop and Manage Overall Process. The Consultant will be responsible for the development and implementation of an overall project management plan, which is to be a written program to support the successful completion of the project. This plan should include the Consultant's approach to the overall project and generally address coordination and tracking of the scope and tentative schedule, preparation of project status reports, administration of the project's estimated budget, administrative meetings with Mariposa County and MPUD staff to discuss project status, and anticipated deliverables. The plan shall also identify staff and Consultant responsibilities.

The management plan may be phased and include discrete tasks.

It is anticipated that the contract entered into between Mariposa LAFCo and the Consultant for the overall process will be to perform on-call services related to the overall process. Mariposa LAFCo intends to enter into one agreement with the selected Consultant, which will cover all of the individual tasks.

Develop and Manage Process for Individual Tasks. The Consultant will be responsible for development of the process to complete the specific tasks, including an anticipated schedule for completion, costs including fees and expenses, deliverables, notices, attendance at meetings, workshops and/or hearings, and environmental documentation.

Public and Agency Outreach

Public and Agency Outreach and County Direction. The project management plan and project steps shall include a program or plan for public and agency participation, in accordance with applicable provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which shall provide opportunities for input and comment. This item should describe a proposal for access to reports, meaningful and convenient methods for participating in the

review, and convenient and timely access to draft documents in advance of public meetings or hearings.

Public meetings or hearings at which direction will be made will be with Mariposa LAFCo and the Mariposa Public Utility District Board of Directors. Joint meetings may be considered.

Project Team

Project Team. The proposal shall include an identification of who, from the Consultant firm, will be involved in the project and the scope of individuals' involvement. Information shall be provided to confirm each member's level of subject matter expertise (experience and qualifications). The proposal shall include information regarding team members' meeting facilitation skills.

Examples of other similar projects should be included.

Mariposa LAFCo staff will be a part of the project team. County staff will provide peer review and recommendations, and will attend all meetings. Mariposa LAFCo will be responsible for reproduction and distribution of products, website postings and updates, and distribution of all required public hearing/meeting noticing to property owners and agencies with jurisdiction or trustee responsibility over lands within the subject area. The County may be responsible for preparation of any needed maps, including GIS maps.

Anticipated Deliverables

Anticipated deliverables include:

- An administrative review draft, public review draft and final MPUD Municipal Service Review,
- An administrative review draft, public review draft and final updated Sphere of Influence for MPUD,
- An administrative review draft, public review draft and final Change of Organization to expand MPUD's Service Area Boundary,
- At least one presentation to Mariposa LAFCo and the MPUD Board of Directors
- Required notices

Optional deliverable:

- Draft and final environmental compliance documentation for the project, and

Budget

Format for Budget/Expectations. Based on the nature of the needed work, the Consultant will invoice the County monthly, based on time and materials expended and pursuant to the approved agreement. Fees paid to the Consultant during the course of the work program shall not exceed the original contract agreement without a contract amendment.

Term

Term of Contract. Based on the nature of the needed work, staff seeks input from consultants through the RFP process regarding the anticipated term of the project. There is budget allocated for Fiscal Year (FY) 2019-2020 work. Additional budget allocations will be needed for work into the FY 2020-2021.

Mariposa LAFCo staff will make any documents available to firms should they deem them necessary to prepare a proposal for this project.

Deadline for Submittal: 5:00 PM, Monday March 30, 2020

Electronic submittals only / please submit proposals to:

swilliams@mariposacounty.org

Please direct inquiries to:

Sarah Williams

**Director, Mariposa Planning / Executive Officer, Mariposa LAFCo
209-742-1215 • Fax 209-742-5024 • swilliams@mariposacounty.org
Post Office Box 2039 • 5100 Bullion Street • Mariposa, CA 95338**

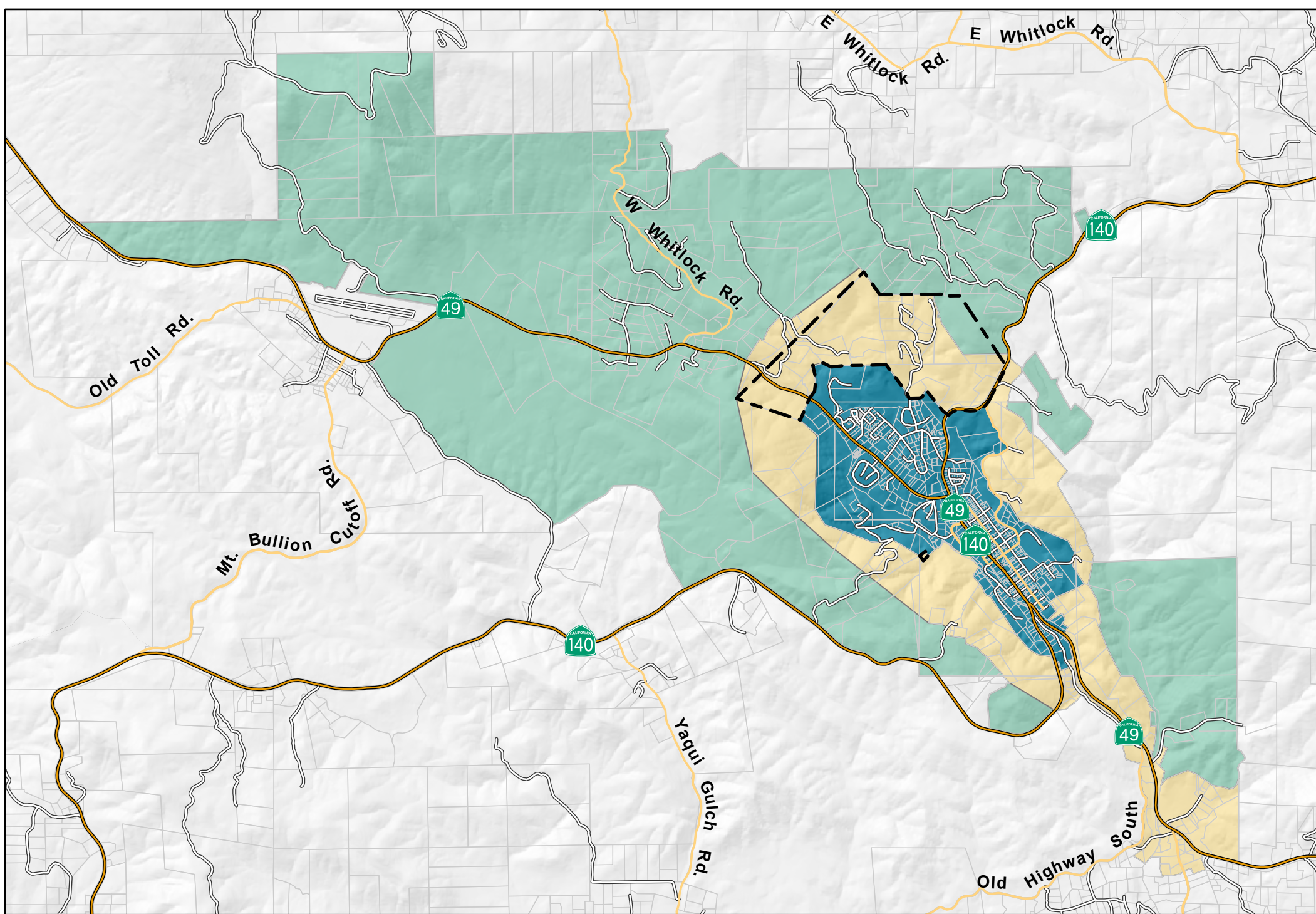
Websites

Mariposa Planning:

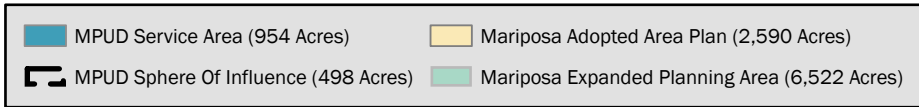
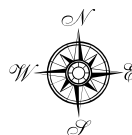
www.mariposacounty.org/planning

Mariposa LAFCo:

<http://ca-mariposacounty2.civicplus.com/121/Local-Agency-Formation-Commission-LAFCo>



Mariposa County Planning Department
 PO BOX 2039 5100 Bullion Street
 Mariposa, California 95338-2039
 209.966.5151 FAX 209.742.5024
mariposaplanning@mariposacounty.org
<http://www.mariposacounty.org/planning>



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

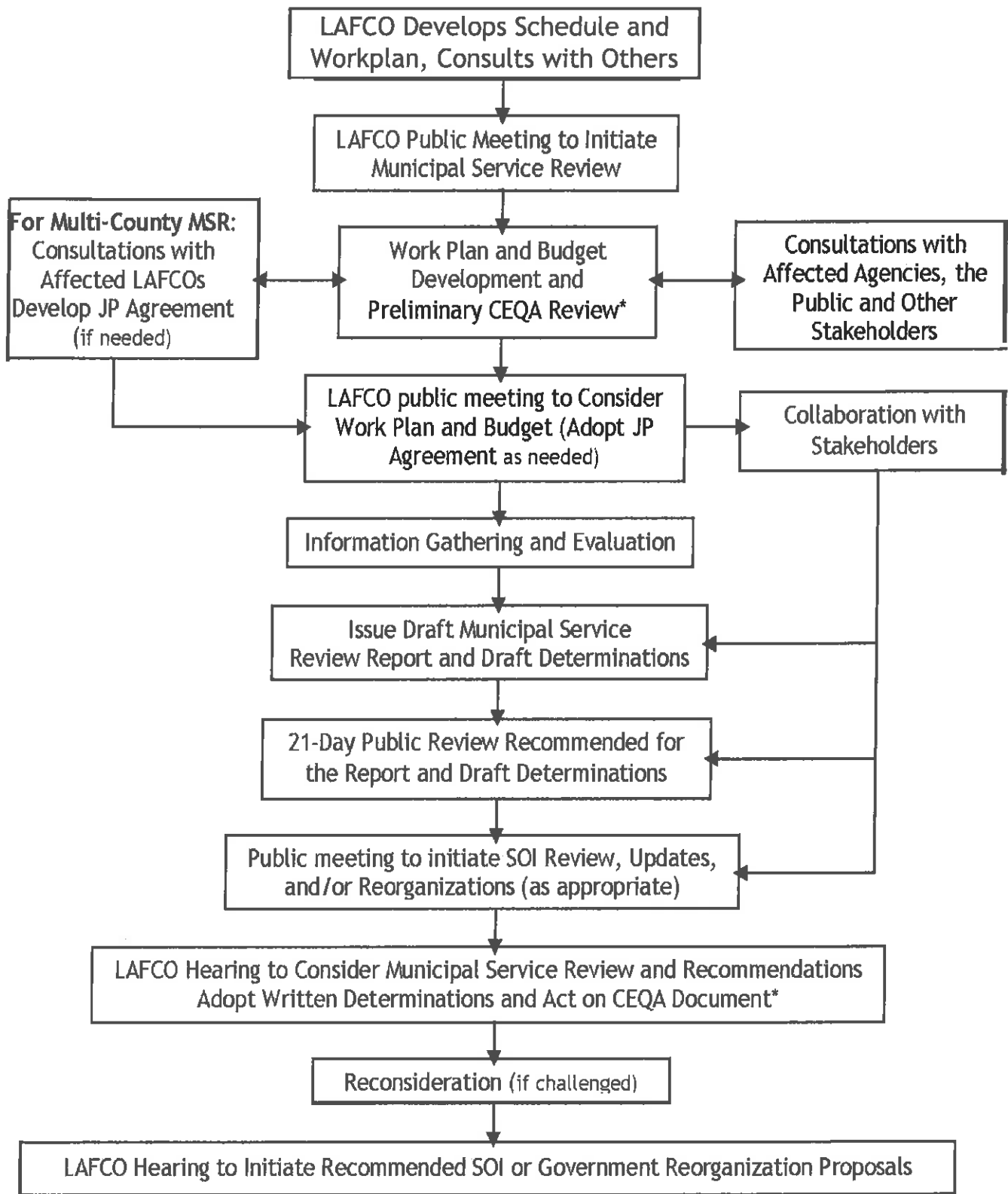
The Governors Office of Planning and Research (OPR) has prepared guidelines for LAFCo to conduct reviews of California municipal services. OPR published in August of 2003 the Final Guidelines.

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.

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

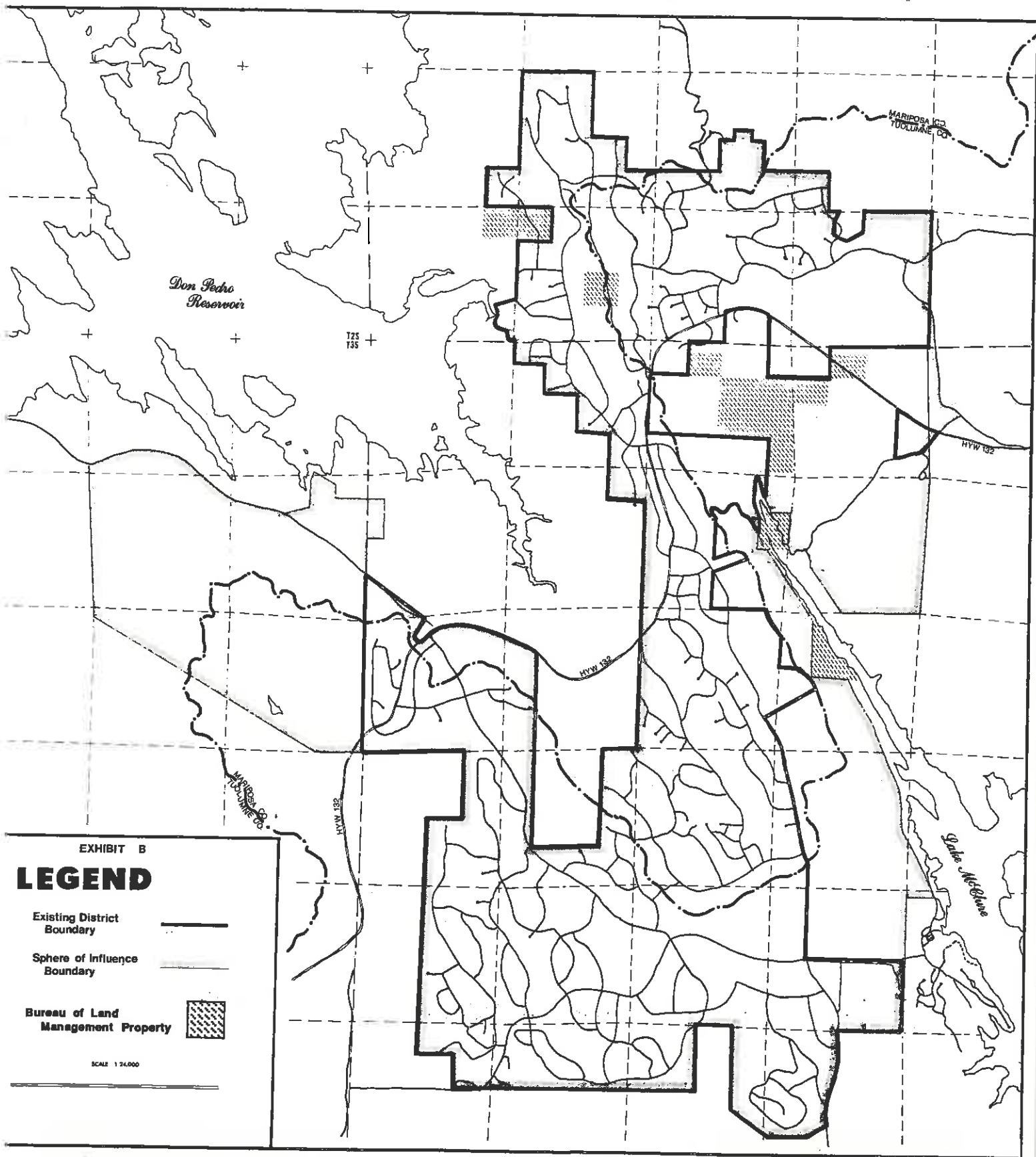
5. A. 1 Formation and History

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.

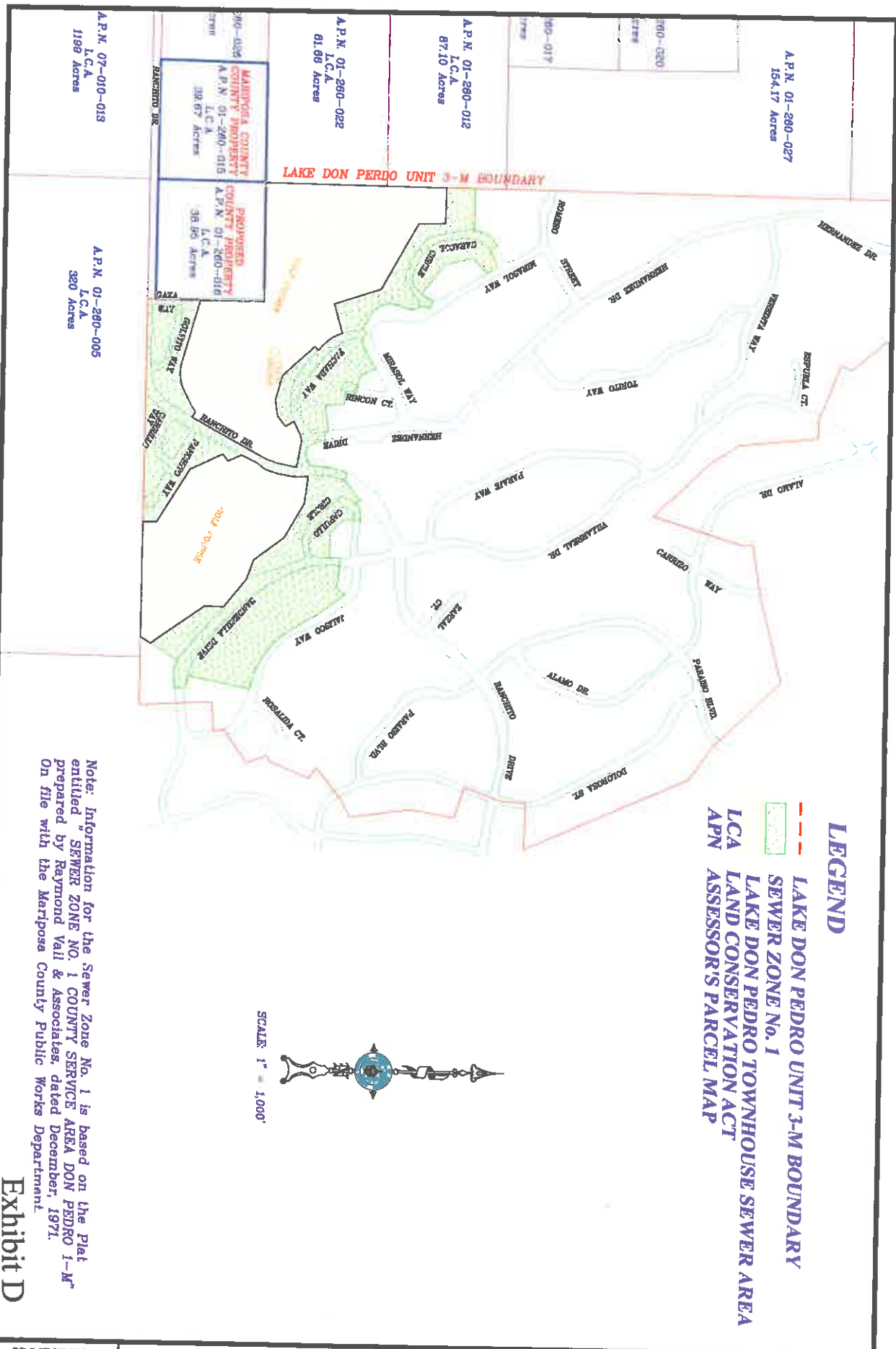
The following information is provided as a point of reference for the Lake Don Pedro Community Services District (LDPCSD). It was formed in August, 1980. In August, 1987 LAFCo adopted Resolution 87-3 approving the SOI for the LDPCSD. The SOI includes that property currently within the CSA1-M/SZ1. Other 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.



Existing Sphere of Influence and District Boundary For
The Lake Don Pedro Community Services District

Exhibit C



LEGEND

- LAKE DON PEDRO UNIT 3-M BOUNDARY
- SEWER ZONE No. 1
- LAKE DON PEDRO TOWNHOUSE SEWER AREA
- LCA LAND CONSERVATION ACT
- APN ASSESSOR'S PARCEL MAP

SCALE: 1" = 1,000'



Note: Information for the Sewer Zone No. 1 is based on the Plat entitled "SEWER ZONE NO. 1 COUNTY SERVICE AREA DON PEDRO 1-M" prepared by Raymond Vail & Associates, dated December, 1971. On file with the Mariposa County Public Works Department.

Exhibit D

PROJECT NO.	<p>COUNTY of MARIPOSA DEPARTMENT of PUBLIC WORKS</p>	DATE:	
		DRAWN BY:	

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 financially 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.

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.

Property A



TOWN OF COULTERVILLE

NOTES:

1. THIS MAP WAS DRAWN USING ASSESSORS MAP BOOKS (A.M.B.).
2. THIS MAP IS FOR PICTORIAL PURPOSES ONLY.
3. IN CALCULATING THE BOUNDARY OF THE UTILITY AREA PER RESOLUTION NO. 10-4, IT WAS FOUND THAT THE BOUNDARY DOES NOT CLOSE BY NORTH 46.57' AND EAST 4.57'. THE ERROR OF CLOSING IS 1' ± 300'.



LEGEND

- SCALE: 1"=500'

SCALES 17508

Exhibit E

SHEET 1 OF 1

COUNTY of MARIPOSA
DEPARTMENT of PUBLIC WORKS

DATE: 6/29/2007

DRAWN BY:

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 91) storage reservoir with a volume of 205,000 galloons.

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

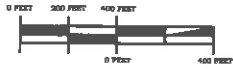
A SOI needs to be adopted for the CSA1-M/CSW. The district's current boundaries were established in 1970 with the intention of providing water and wastewater services to the properties within the Service Area. The existing Service Area boundary includes the vast majority, but not all of the Coulterville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

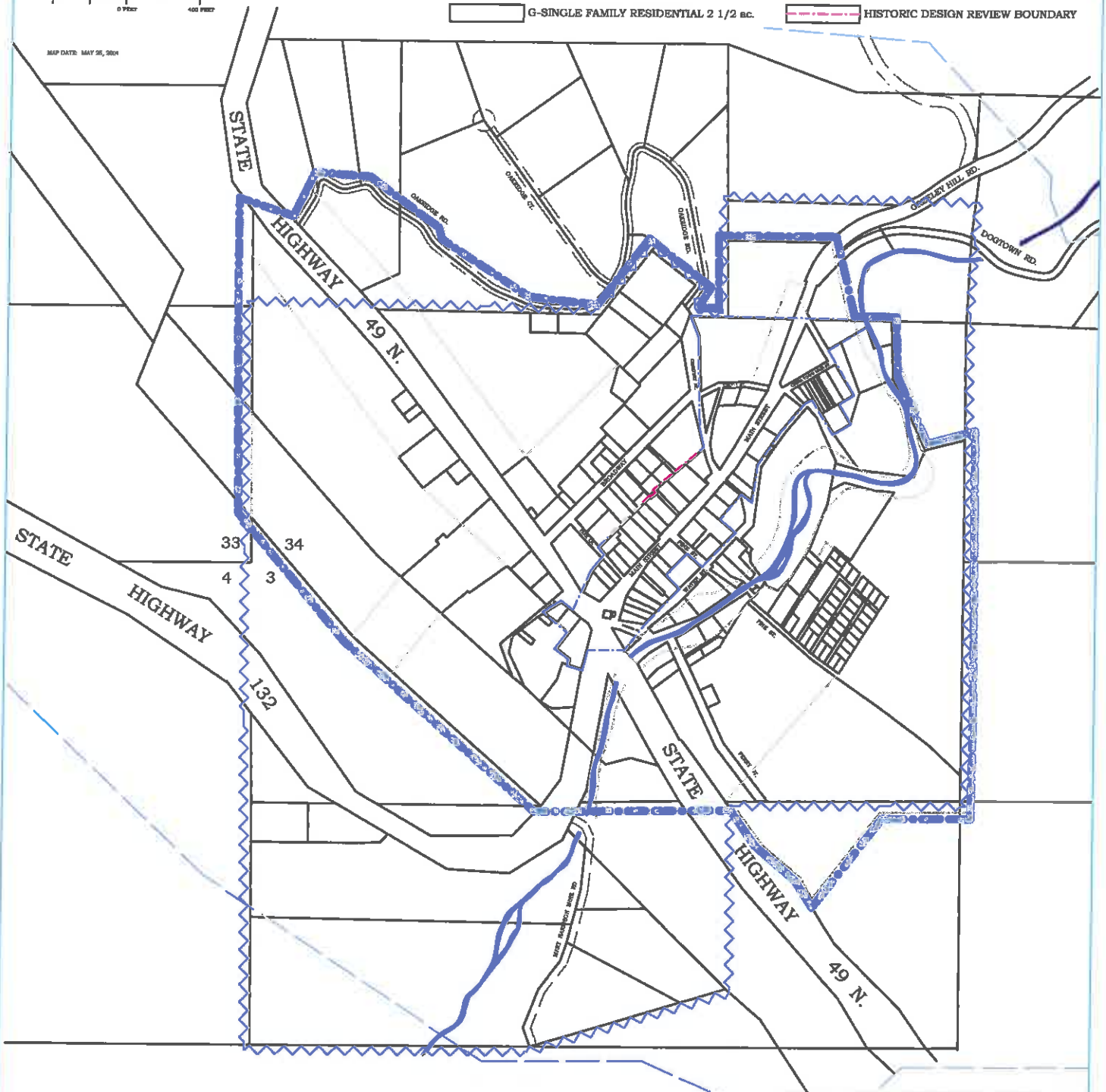
COULTERVILLE TOWN PLANNING AREA SPECIFIC PLAN

COMMUNITY PLAN - EXHIBIT "E"



MAP DATE: MAY 26, 2004

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|--|---------------------------------------|--|---------------------------------|
| | A-CENTRAL COMMERCIAL | | H-INDUSTRIAL MINING |
| | B-LIGHT COMMERCIAL | | MAXWELL CREEK FLOOD PLAIN |
| | C-HIGHWAY SERVICE COMMERCIAL | | PUBLIC / QUASI-PUBLIC |
| | D-MULTI-FAMILY RESIDENTIAL | | TOWN PLANNING AREA BOUNDARY |
| | E-MEDIUM DENSITY RESIDENTIAL | | UTILITY DISTRICT BOUNDARY |
| | F-SINGLE FAMILY RESIDENTIAL 1/4 ac. | | DISCRETIONARY BOUNDARY |
| | G-SINGLE FAMILY RESIDENTIAL 2 1/2 ac. | | HISTORIC DESIGN REVIEW BOUNDARY |



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

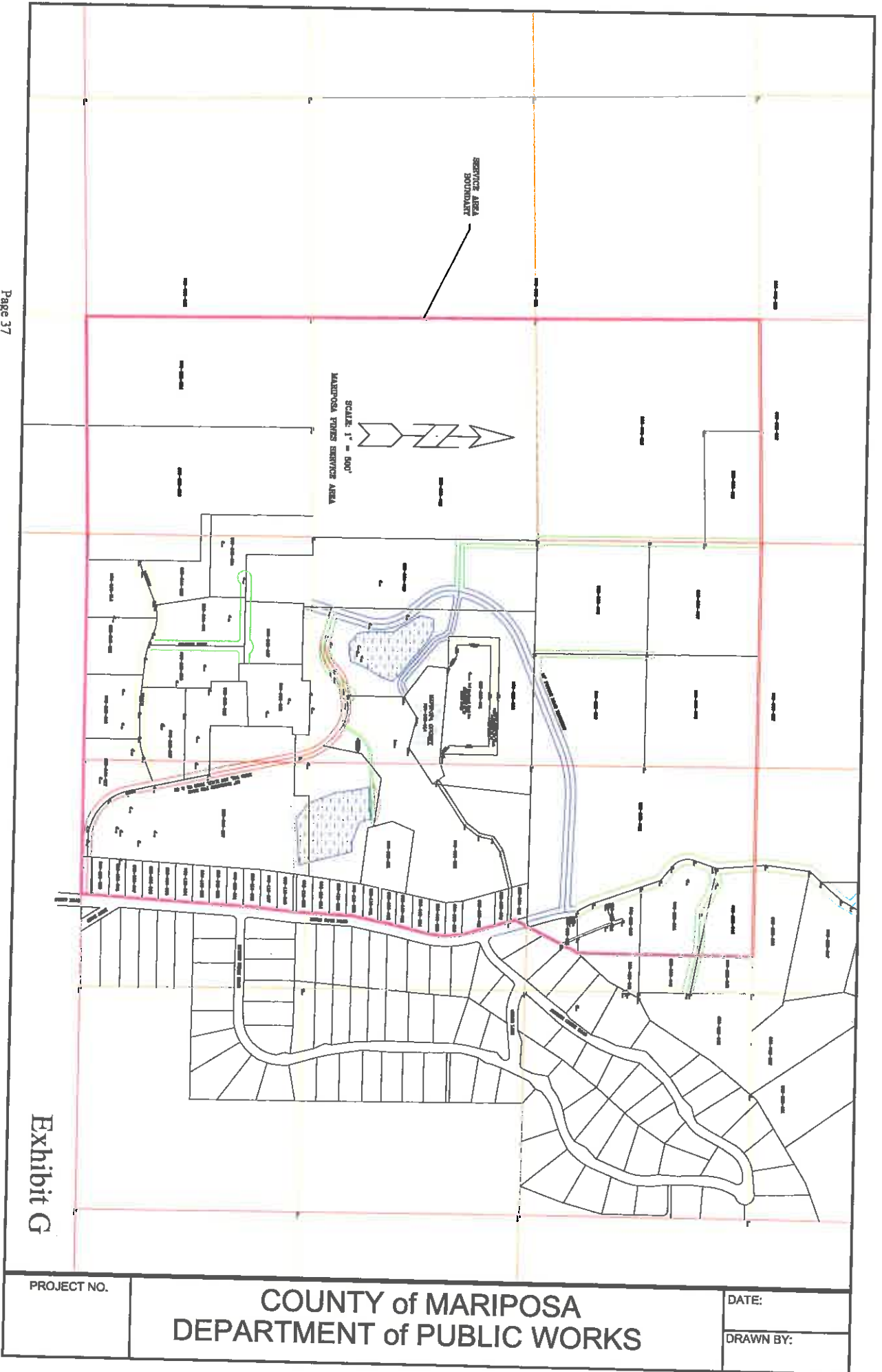
A SOI has not been adopted for the overall 1-M County Service Area or for the CSA1-M/MP.

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,



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 Districts 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.

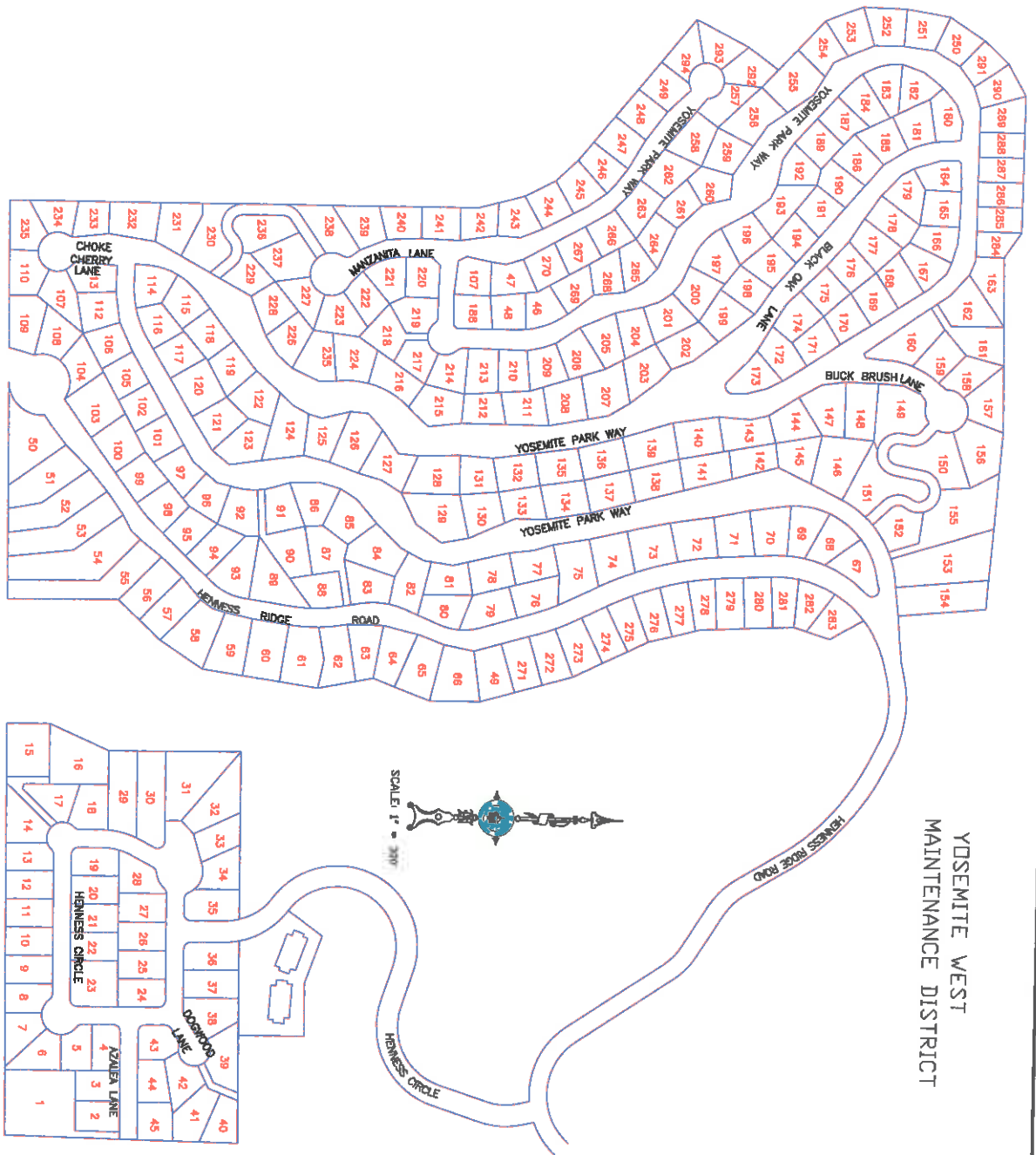


Exhibit I

PROJECT NO.	<p>COUNTY of MARIPOSA DEPARTMENT of PUBLIC WORKS</p>	DATE:
		DRAWN BY:

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.

PROPOSED YOSEMITE WEST SPECIAL PLANNING STUDY AREA LAND USE DIAGRAM

MARIPOSA PLANNING
1000 MARLBOROUGH
MARIPOSA, CA 95355
TEL: 209.511.1000 FAX: 209.511.1001
www.mariposaplanning.org

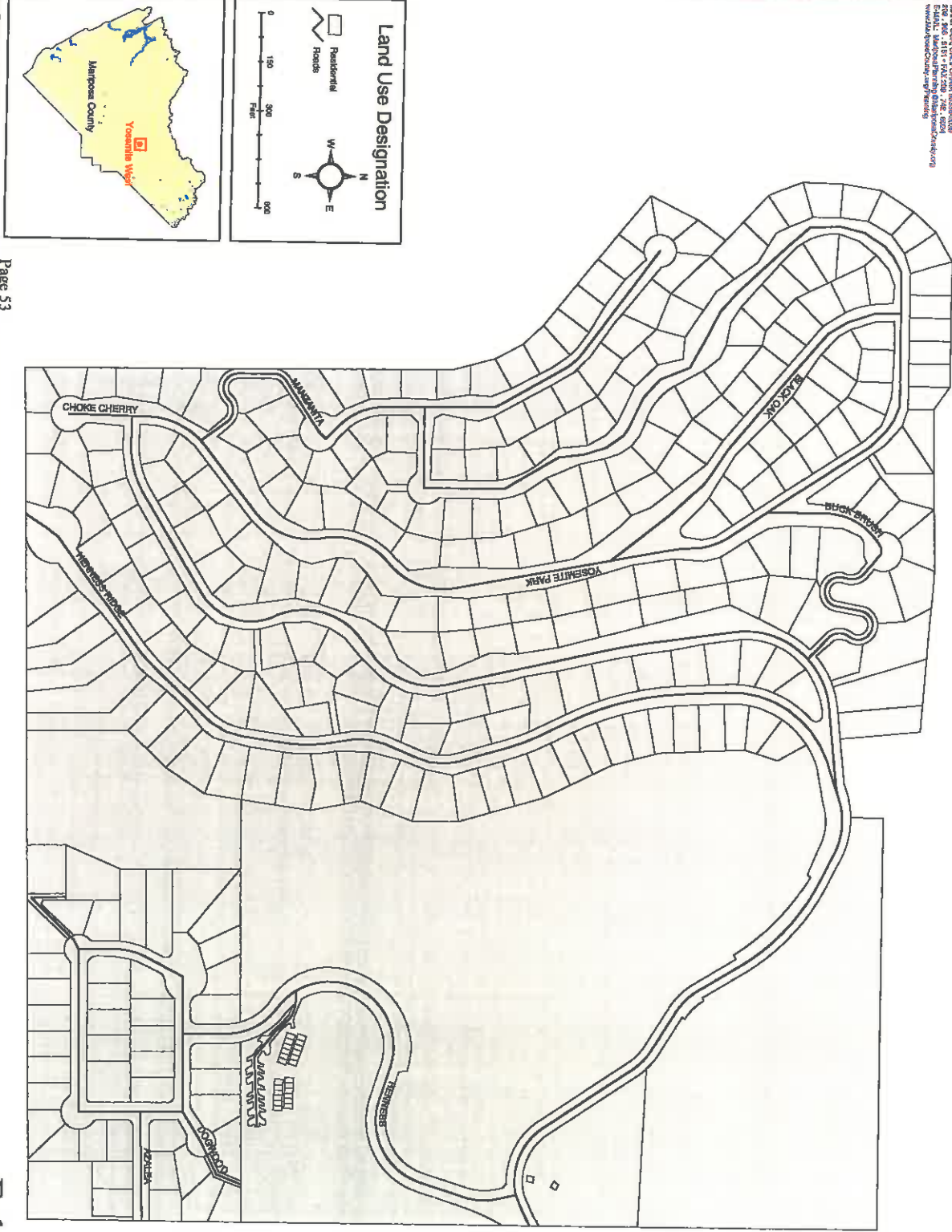


Exhibit J

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.